

Metropolitan Transportation Commission and Association of Bay Area Governments

Joint MTC ABAG Legislation Committee

April 9, 2021

Agenda Item 3c

Assembly Bill 43 (Friedman): Vision Zero-Setting Speed Limits to Enhance Roadway Safety

- Subject:** Provides greater flexibility to local jurisdictions to set speed limits on streets with high injuries and fatalities.
- Overview:** AB 43 permits cities to lower speed limits below the 85th percentile on streets with high injuries and fatalities. The bill also provides for greater flexibility to set speed limits in school zones and requires traffic surveyors take into account the presence of vulnerable groups, including children, seniors, the unhoused and persons with disabilities when setting speed limits.
- Recommendation:** Support
- Discussion:** When it comes to roadway safety, particularly for vulnerable roadway users such as pedestrians and bicyclists, one thing is clear: higher speeds equate to higher rates of serious injury and fatalities. A person struck by a vehicle going 20 miles per hour has a 5 percent chance of dying, but that risk rises to 40% for vehicles traveling 30 miles per hour, and 80 percent for vehicles going 40 miles per hour. Over 400 fatalities and 2,000 serious injuries occur on Bay Area roads each year. Moreover, most of the Bay Area's highest injury roadways are located in communities of concern.

AB 43 makes updates to California's laws governing speed limits, implementing a core recommendation of the Zero Traffic Fatalities Task Force (Task Force) that was established pursuant to AB 2363 (Friedman, 2018). California's current system uses an outdated method to determine and revise speeds over time known as the 85th percentile. Under this method, the speed limit is set according to the speeds being driven by 85 percent of drivers on the roadway. To enable speeds to be enforceable, localities must conduct traffic surveys at least every 10 years to determine current average speeds. Under the 84th percentile method, such surveys can have the unintended consequence of forcing speed limits to be raised even if no changes have been made to the roadway since the last survey was conducted. The National Transportation Safety Board (NTSB), the National Association of City Transportation Safety Officials and the California Transportation Agency (CalSTA) have all concluded that this method is flawed and has negative safety impacts.

Avoid Speed Creep

According to the report (<https://calsta.ca.gov/-/media/calsta-media/documents/calsta-report-of-findings-ab-2363-zero-traffic-fatalities-task-force-a11y.pdf>) from the Task Force, studies have shown that using the 85th percentile speed to establish speed limits has increased drivers' operating speeds as an unintended consequence. Raising speed limits to match the 85th percentile speed of vehicles leads to higher operating speeds, which can then contribute to a higher 85th percentile speed. Research has shown that over time, vehicle operating speeds continue to increase even if the road and vehicle conditions remain the same. To avoid this cycle of ever-increasing speed limits, known as "speed creep," AB 43 would allow speeds to remain the same, or even lowered to the limit set in a prior survey, if no significant design changes have been made to the roadway.

Require Consideration of Vulnerable Users and Allow Lower Speed Limits on High-Injury Roadways

Under current law, the process for setting speed limits through engineering and traffic surveys does not require consideration of pedestrian and bicyclist safety. AB 43 would make this a required factor for consideration. In addition, the bill would allow local agencies to round speed limits down by five miles per hour if an engineering and traffic survey finds that the speed limit is more than is reasonable or safe if the roadway has been designed a “high injury street” or has high concentrations of bicyclists or pedestrians, “especially those from vulnerable groups such as children, seniors, persons with disabilities, and the unhoused.” A “high injury street” is defined as a portion of a street that is identified (and has been adopted by the local agency) as experiencing a high concentration of traffic-related serious injuries and fatalities in at least the immediately receding three years.

Summary

Staff recommends a support position on AB 43, a cornerstone of the recommendations emerging from the state’s Zero Traffic Fatalities Task Force and consistent with our 2021 Advocacy Program (Item 9A) and Plan Bay Area 2050’s goal to advance Regional Vision Zero Policy (Strategy T9). Support for the legislation is also consistent with MTC Resolution 4400, the Regional Safety/Vision Zero Policy, which established a regionwide policy to encourage and support actions towards eliminating traffic fatalities and serious injuries in the Bay Area by 2030.

Bill Positions:**Support:**

City of Oceanside
San Francisco Municipal Transportation Agency
Southern California Association of Governments

Oppose:

None on file


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