

ASSEMBLY BILL

No. 766

Introduced by Assembly Member Krekorian

February 26, 2009

An act to add Section 22358.2 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 766, as introduced, Krekorian. Vehicles: speed limits.

Existing law permits a local authority to decrease or increase a prima facie speed limit on any street, other than a state highway, based on an engineering and traffic survey, and for enforcement purposes requires that survey to be redone after a certain number of years.

This bill would allow a local authority retain a prima facie speed limit on any street, other than a state highway, if the local authority makes a finding, after a public hearing, that a higher speed limit is not the most appropriate for the orderly movement of traffic upon the street and does not promote a safe environment for the neighborhood or pedestrians.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22358.2 is added to the Vehicle Code,
2 to read:
3 22358.2. (a) Notwithstanding Section, 40802, a local authority
4 may retain a prima facie speed limit that is provided by this code
5 or by local ordinance under subparagraph (A) of paragraph (2) of
6 subdivision (a) of Section 22352, or established under Section

1 22354, 22357, 22358, or 22358.3 on any street other than a state
2 highway, if the local authority makes a finding, after a public
3 hearing, that a higher speed limit is not the most appropriate for
4 the orderly movement of traffic upon the street and does not
5 promote a safe environment for the neighborhood or pedestrians.
6 (b) If a local authority makes a finding pursuant to subdivision
7 (a), the prima facie speed limit does not have to be rejustified by
8 an engineering and traffic survey as provided in Section 40802.

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