

Introduced by Senator Gaines

February 24, 2012

An act to amend Section 22352 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1376, as introduced, Gaines. Vehicles: prima facie speed limits.

Existing law provides that the prima facie speed limit is 15 miles per hour under certain circumstances, including when on any alley or traversing a railway grade crossing or highway without a clear unobstructed view, as specified, and 25 miles per hour under other specified circumstances involving a highway in a business or residence district, school buildings, and senior centers or facilities. Existing law requires that the prima facie speed limit be applicable unless changed as authorized in the Vehicle Code and, if so changed, only when signs have been erected giving notice of that speed limit. Violation of these provisions is a crime.

This bill would make technical, nonsubstantive changes to these provisions.

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 22352 of the Vehicle Code is amended
- 2 to read:
- 3 22352. ~~(a)~~The prima facie *speed* limits are as follows and
- 4 shall be applicable unless changed as authorized in this code and,

1 if so changed, only when signs have been erected giving notice
2 thereof of that speed limit:

3 ~~(H)~~

4 (a) Fifteen miles per hour:

5 ~~(A)~~

6 (1) When traversing a railway grade crossing, if during the last
7 100 feet of the approach to the crossing the driver does not have
8 a clear and unobstructed view of the crossing and of any traffic on
9 the railway for a distance of 400 feet in both directions along the
10 railway. This subdivision does not apply in the case of any railway
11 grade crossing where a human flagman is on duty or a clearly
12 visible electrical or mechanical railway crossing signal device is
13 installed but does not then indicate the immediate approach of a
14 railway train or car.

15 ~~(B)~~

16 (2) When traversing any intersection of highways if during the
17 last 100 feet of the driver's approach to the intersection the driver
18 does not have a clear and unobstructed view of the intersection
19 and of any traffic upon all of the highways entering the intersection
20 for a distance of 100 feet along all those highways, except at an
21 intersection protected by stop signs or yield right-of-way signs or
22 controlled by official traffic control signals.

23 ~~(C)~~

24 (3) On any alley.

25 ~~(Z)~~

26 (b) Twenty-five miles per hour:

27 ~~(A)~~

28 (1) On any highway other than a state highway, in any business
29 or residence district unless a different speed is determined by local
30 authority under procedures set forth in this code.

31 ~~(B)~~

32 (2) When approaching or passing a school building or the
33 grounds thereof, contiguous to a highway and posted with a
34 standard "SCHOOL" warning sign, while children are going to or
35 leaving the school either during school hours or during the noon
36 recess period. The prima facie limit shall also apply when
37 approaching or passing any school grounds which are not separated
38 from the highway by a fence, gate, or other physical barrier while
39 the grounds are in use by children and the highway is posted with
40 a standard "SCHOOL" warning sign. For purposes of this

1 subparagraph, standard “SCHOOL” warning signs may be placed
2 at any distance up to 500 feet away from school grounds.

3 (C)

4 (3) When passing a senior center or other facility primarily used
5 by senior citizens, contiguous to a street other than a state highway
6 and posted with a standard “SENIOR” warning sign. A local
7 authority is not required to erect any sign pursuant to this paragraph
8 until donations from private sources covering those costs are
9 received and the local agency makes a determination that the
10 proposed signing should be implemented. A local authority may,
11 however, utilize any other funds available to it to pay for the
12 erection of those signs.

13 (b) ~~This section shall become operative on March 1, 2001.~~