

Introduced by Senator CannellaFebruary 27, 2015

An act to amend Section 22358.4 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 595, as introduced, Cannella. Vehicles: prima facie speed limits: schools.

Under existing law, the prima facie speed limit when approaching or passing a school is 25 miles per hour. Existing law authorizes a local authority to establish a lower prima facie speed limit within specified distances of a school.

This bill would make technical, nonsubstantive changes to that provision.

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 22358.4 of the Vehicle Code is amended
2 to read:
3 22358.4. (a) (1) ~~Whenever~~*If* a local authority determines
4 upon the basis of an engineering and traffic survey that the prima
5 facie speed limit of 25 miles per hour established by paragraph (2)
6 of subdivision ~~(a)~~ (b) of Section 22352 is more than is reasonable
7 or safe, the local authority may, by ordinance or resolution,
8 determine and declare a prima facie speed limit of 20 or 15 miles
9 per hour, whichever is justified as the appropriate speed limit by
10 that survey.

(2) An ordinance or resolution adopted under paragraph (1) shall not be effective until appropriate signs giving notice of the speed limit are erected upon the highway and, in the case of a state highway, until the ordinance is approved by the Department of Transportation and the appropriate signs are erected upon the highway.

(b) (1) Notwithstanding subdivision (a) or any other ~~provision~~ of law, a local authority may, by ordinance or resolution, determine and declare prima facie speed limits as follows:

(A) A 15 miles per hour prima facie limit in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, when approaching, at a distance of less than 500 feet from, or passing, a school building or the grounds of a school building, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 15 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching, at a distance of less than 500 feet from, or passing, school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates a speed limit of 15 miles per hour.

(B) A 25 miles per hour prima facie limit in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, when approaching, at a distance of 500 to 1,000 feet from, a school building or the grounds thereof, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 25 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching, at a distance of 500 to 1,000 feet from, school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates a speed limit of 25 miles per hour.

(2) The prima facie limits established under paragraph (1) apply only to highways that meet all of the following conditions:

(A) A maximum of two traffic lanes.

(B) A maximum posted 30 miles per hour prima facie speed limit immediately prior to and after the school zone.

1 (3) The prima facie limits established under paragraph (1) apply
2 to all lanes of an affected highway, in both directions of travel.

3 (4) When determining the need to lower the prima facie speed
4 limit, the local authority shall take the provisions of Section 627
5 into consideration.

6 (5) (A) An ordinance or resolution adopted under paragraph
7 (1) shall not be effective until appropriate signs giving notice of
8 the speed limit are erected upon the highway and, in the case of a
9 state highway, until the ordinance is approved by the Department
10 of Transportation and the appropriate signs are erected upon the
11 highway.

12 (B) For purposes of subparagraph (A) of paragraph (1), school
13 warning signs indicating a speed limit of 15 miles per hour may
14 be placed at a distance up to 500 feet away from school grounds.

15 (C) For purposes of subparagraph (B) of paragraph (1), school
16 warning signs indicating a speed limit of 25 miles per hour may
17 be placed at any distance between 500 and 1,000 feet away from
18 the school grounds.

19 (D) A local authority shall reimburse the Department of
20 Transportation for all costs incurred by the department under this
21 subdivision.