

SPEED LIMITS

The following information is intended to explain the basics of realistic speed limits, summarize applicable laws, and provide a brief outline of how and why speed limits are determined.

Traffic rules account for most of the contact by average citizens with law enforcement and the courts. Enforcement of laws that are widely perceived as unreasonable, breeds disrespect and even contempt toward those who make and enforce those laws.



CALIFORNIA SPEED LAW

The primary legal justification for vehicle code enforcement in California is the California Vehicle Code (CVC).

All cities base their speed regulations on the **Basic Speed Law**: “No person shall drive a vehicle at a speed greater than is reasonable or prudent and in no event at a speed which endangers the safety of persons or property” (CVC 22350).

State law also establishes maximum speed limits. For example the maximum speed on an undivided two-lane roadway is 55 MPH, (CVC 22349b).

All other speed limits are called “**prima facie limits**,” which are considered by law to be safe and prudent under normal conditions. Certain prima facie limits are established by State law and include the 25 MPH speed limit in business and residential districts and the 25 MPH in school zones when children are present. [Residential district speed limits do not need to be posted to be enforceable.]

Local authorities have the authority to establish reduced speed limits on the basis of **engineering and traffic surveys**, (CVC 22358). Such surveys must include an analysis of roadway conditions, accident records and a sampling of the prevailing speed of traffic, (CVC 627). Other factors may be considered, but an unreasonable speed limit, which is called a **speed trap**, may not be established, (CVC 40802).

The Legislature has declared a strong public policy against the use of speed traps, to the extent that citations issued

where a speed trap is found to exist, are likely be dismissed, particularly if radar enforcement methods are used (CVC 40803 – 40805).

A provision of the CVC that California Courts have generally considered very strongly states, “It is the intent of the Legislature that physical conditions such as width, curvature, grade and surface conditions, or any other condition not readily apparent to a driver, in the absence of other factors, would not require special downward speed zoning, as the basic rule of CVC 22350 (Basic Speed Law) is sufficient regulation as to such conditions” (CVC 22358.5). The words, “it is the intent of the Legislature,” are intended to alert traffic engineers and local jurisdictions towards setting and maintaining local speed limits. Such speed limits must be set carefully, as justified by appropriate factors, to avoid making such limits unenforceable.

In practice, speed limits are normally set at the first five-mile per hour increment below the **85 percentile speed**, defined as that speed at or below which 85 percent of the traffic is moving. Further reduction must be clearly documented and justified by an Engineering and Traffic Survey.

SPEED LIMIT MISCONCEPTIONS

Three widely held misconceptions about speed limits are:

1. Speed limit signs will slow down traffic.

2. Speed limit signs will decrease accidents and increase safety.
3. Raising a posted speed limit will increase the speed of traffic.

Indeed, several transportation studies have consistently shown that there are no significant changes in average vehicle speeds following the posting of new or revised speed limits. Similar research has found no direct relationship between posted speed limits and accident frequency.

WHY ARE REALISTIC SPEED ZONES DESIRABLE?

Realistic speed zones are important for a variety of reasons as follows:

- They satisfy the requirements of the State law.
- They invite public compliance by conforming to the behavior of the majority and by giving a clear reminder to nonconforming violators.
- They offer an effective enforcement tool to the police by clearly separating the occasional violator from the reasonable majority.
- They tend to minimize current public antagonism toward police enforcement of obviously unreasonable regulations.
- They inject an element of logic and reason into an otherwise arbitrary and often emotional issue.

- They provide a balance between realism and public expectations as to what is achievable by merely posting signs to modify driver behavior.

RESIDENTIAL DISTRICTS

The most common concerns about speeding generally originate from residential districts. 25 MPH speed limit signs may be posted on residential streets without conducting a speed survey, if the street or segment of street being considered (CVC 515) meets the following criteria:

1. Width of 40 feet or less.
2. Uninterrupted length must be less than 1/2 mile; interruptions include official traffic control devices, such as stop signs and traffic signals.
3. There can be only one traffic lane in each direction.
4. The street is not a collector or higher classification as defined by federal standards.

VEHICLE CODE ENFORCEMENT

The Pasadena Police Department is responsible for enforcing traffic laws on roads in the City. If you have a question about enforcement of speed limits, please contact the Police Department's Traffic Section at (626) 744- 7159.

SPEED LIMITS REVIEW QUIZ

After you read this brochure, see if you're an expert on speed limits by answering **True or False** to the following questions.

1. All cities base their speed regulations on the Basic Speed Law.
2. Prima facie speed limits are limits which are considered safe and prudent under normal conditions by law.
3. Engineering and traffic surveys are used as a basis to establish reduced speed limits.
4. The use of the speed traps is supported by the California Legislature and Courts.
5. The 85 percentile speed is defined as that speed at or above which 85 percent of traffic is moving.
6. Speed Limit Signs slow down traffic, decrease accidents, and increase safety.
7. Realistic speed zones offer an effective enforcement tool to police.
8. 25 MPH speed limits signs must be posted in residential districts to be enforced.

Pasadena is committed to providing safe and reasonable speed limits.

Answers:

1) T 2) T 3) T 4) F 5) F 6) F 7) T 8) F



SPEED LIMITS



Future PDOT Traffic Information Brochures:

- School Zones
- Crosswalks
- Traffic Signals
- Left Turn Traffic Signals
- Pedestrian Signals

For more information contact us:

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