



May 2023



Assembly Bill 43 and 1938 Caltrans presentation

for the SANDAG Mobility Working Group

Pauline Wong, PE

Acting HQ Speed Management SME



Background and Purpose



Assembly Bill	AB 2363 ZTFTF	AB 43 Traffic Safety	AB 1938 Traffic Safety-Speed Limit
Signed by Governor	September 2018	October 2021	September 2022

- AB-43 and AB-1938 are the results of a collaborative process between the Legislature, Caltrans, CalSTA, and our local and regional partners that began with AB-2363 and the formation of the Zero Traffic Fatalities Task Force.
- The 2020 Zero Traffic Fatalities Task Force Report published 8 findings and made 13 recommendations regarding establishing speed limits,
- The purpose of AB -43 and AB-1938 is to provide greater flexibility in setting and reducing speed limits in California.



Provisions in AB-43 and AB-1938



- ▶ AB-43, titled “Traffic Safety”, included 16 specific provisions that revised the California Vehicle Code to grant agencies greater flexibility in setting speed limits, with additional flexibility for local agencies.
 - ▶ Of the 16 provisions, 14/16 applies to local authorities while 10/16 applies to the Department of Transportations
- ▶ AB-1938, titled “Traffic Safety- Speed Limit”, clarifies a few of the AB-43 provisions and their intent.



Provisions in AB-43 and AB-1938



#	Section #	Subsectio	Description
1	627	c2	Extend the considerations for ped and bike safety to increase consideration for children, seniors, persons with disability, and the unhoused
2	22352	b1	Extend prima-facie speed limit to be applicable to state highways also
3	22354	a	Allow the lower limit of prima-facie speed limit on the state highway to 20 or 15 (25 was the prior lower limit).
4	22358	a	Allow the lower limit of prima-facie speed limit on the non-state highway to 25, 20 or 15 (30 was the prior lower limit)
5	40802	a2	Add the new senior zone and business activity districts to the list of prima facie listing within the citation
6	40802	b3	Add definition of senior zone as explicitly defined in the citation
7	40802	b4	Add definition of business activity district as explicitly defined in the citation
8	40802	c2Bi(II)	Extends the maximum length of time an engineering and traffic survey may be used from 10 to 14 years
9	40802	c2Bii	Add senior zone and business activity district to the list of prima facie listing within the citation
10	22358.6	NA	Rounding and ETS reductions from the 85th percentile for any speed survey
11	21400	(b)	Deleted text to be replaced by 22358.6
12	22358.7	NA	Reduction provisions for Safety Corridor & High Concentrations of Ped/Bikes
13	22358.8	NA	Reduction provisions for retaining current/prior speed limits
14	22358.9	NA	Reduction provisions for Business Activity Districts
15	22352	a1	Terminology change from “flagman” to “flagperson”
16	40802	b1	Deletion of “California Road System Maps” reference



Provisions in AB-43 and AB-1938



- ▶ The following CVC provisions do not currently apply to the state highway system.
 - ▶ 22358.7 – Reduction provisions for Safety Corridor & High Concentrations of Ped/Bikes
 - ▶ 22358.8 - Reduction provisions for retaining current/prior speed limits
 - ▶ 22358.9 - Reduction provisions for Business Activity Districts



Provisions in AB-43 and AB-1938



Table 2B-104(CA). Examples showing applicability of rounding and additional speed reduction on Local Agency's Roadways & Private Property Subjected to CVC

85 th -Percentile Speed (mph)	Rounding to nearest 5 mph increment (CVC 22358.6(a))	If rounding to nearest is up, may round down (CVC 22358.6(c))	If rounding to nearest if down, may additionally lower by 5 mph (CVC 22358.6(b))	If safety corridor or adjacent to high concentration of bicyclists & pedestrians, may additionally lower by 5 mph (CVC 22358.7)*
47.5-50.0	50	45	No	40
45.1-47.4	45	No	40	35
42.5-45.0	45	40	No	35
40.1-42.4	40	No	35	30

* Note – CVC Sections 22358.7, 22358.8 & 22358.9 are applicable to local agency roadways and private properties subjected to CVC, they are not applicable to the State Highway System. Refer to Section 2B.13 for more details.



Provisions in AB-43 and AB-1938



Table 2B-103(CA). Examples showing applicability of rounding and additional speed reduction on State Highway System

85 th -Percentile Speed (mph)	Rounding to nearest 5 mph increment (CVC 22358.6(a))	If rounding to nearest is up, may round down (CVC 22358.6(c))	If rounding to nearest is down, may additionally lower by 5 mph (CVC 22358.6(b))
47.5-50.0	50	45	No
45.1-47.4	45	No	40
42.5-45.0	45	40	No
40.1-42.4	40	No	35

Note – CVC Sections 22358.7, 22358.8 & 22358.9 are applicable to local agency roadways and public properties subjected to CVC, they are not applicable to the State Highway System. Refer to Section 2B.13 for more details.



Work Accomplished



- ▶ Nov 2021-Formed 16 members CTCDC Subcommittee
- ▶ June 2022-Defined Safety Corridor and developed criteria for Land or Facility Generating High Concentrations of Bicyclists or Pedestrians for CVC 22358.7
- ▶ Nov 2022-As of November 2022, all provisions has received passing motions in the CTCDC meetings.
- ▶ March 2023- Released Revision 7 CA MUTCD 3/10/23 [CA MUTCD |](#)

[Caltrans](#)



CA MUTCD Revision 7



► Revision 7 will include 9 key revisions

1. 21-06: 6 in Longitudinal Traffic Lines on SHS
2. 21-12: Proposal to modify preferential lane striping in the CA MUTCD
3. 21-14: Proposal to modify guide sign lighting policy (Section 2D.03)
4. 21-16: Assembly Bills AB-43 and AB-1938 Implementation - Speed Limit Policy Revisions
5. 21-19: Proposal to add options to cones and portable delineators allowing retro-reflectorization to bases
6. 21-20: Proposal to edit figures for red reflectors on exit ramps to address recessed marker issues
7. 21-21: Proposal to add figures and to make text revisions for temporary traffic control at roundabouts
8. 22-11: Additional retroreflective bands on 36" cones
9. 22-15: Option to allow pedestrian walk or clearance intervals during railroad preemption



Next Steps



- ▶ Update the California Manual for Setting Speed Limits (CMSSL)
- ▶ Develop State-sponsored training on the CMSSL
- ▶ Study a new roadway-based context sensitive approach to establish speed limits in California
- ▶ Establish technical assistance resources.
- ▶ Publish the Traffic Calming Guidance by Caltrans Design



Questions and Comments



Pauline C Wong, PE

Acting Senior, Speed Management
Office of Safety Systems and Devices
Caltrans | Division of Safety Programs

<https://safetyprograms.onramp.dot.ca.gov/>

Phone: (916) 261-2182 (cell)

Email: Pauline.C.Wong@dot.ca.gov