
THIRD READING

Bill No: AB 289
Author: Haney (D), et al.
Amended: 8/29/25 in Senate
Vote: 27

SENATE TRANSPORTATION COMMITTEE: 13-2, 7/8/25
AYES: Cortese, Archuleta, Arreguín, Blakespear, Cervantes, Dahle, Gonzalez,
Grayson, Limón, Menjivar, Richardson, Umberg, Valladares
NOES: Strickland, Seyarto

SENATE JUDICIARY COMMITTEE: 12-0, 7/15/25
AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,
Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Niello

SENATE APPROPRIATIONS COMMITTEE: 6-1, 8/29/25
AYES: Caballero, Cabaldon, Dahle, Grayson, Richardson, Wahab
NOES: Seyarto

ASSEMBLY FLOOR: 71-3, 6/3/25 - See last page for vote

SUBJECT: State highway work zone speed safety program

SOURCE: United Contractors
California State Council of Laborers
California-Nevada Conference of Operating Engineers

DIGEST: This bill authorizes the California Department of Transportation (Caltrans) to establish a five year work zone speed safety pilot program to enforce speeding violations in highway maintenance and construction work zones using speed safety systems.

ANALYSIS:

Existing law:

- 1) Authorizes the cities of Los Angeles, San Jose, San Francisco, Oakland, Long Beach and Glendale to establish a five-year speed safety system pilot program. (Vehicle Code (VEH) Section 22425)
- 2) Authorizes the City of Malibu to establish a five-year speed safety system pilot program on Pacific Coast Highway (PCH). (VEH 22435)
- 3) Authorizes the use of automated traffic enforcement systems (i.e., red light cameras) at railroad crossings and intersections to record violations of unlawful grade crossings and running of red lights. (VEH 21455.5)

This bill:

- 1) Authorizes Caltrans to deploy 35 speed safety systems, identified as automated speed enforcement systems, to enforce speed limits in state highway work zones.
- 2) Provides that a speed safety system may only issue citations when workers from the Department of Transportation, including persons contracted to perform construction, maintenance, or repair of a highway, are present.
- 3) Includes the following provisions that are nearly identical to the existing speed safety pilot program on the PCH in Malibu:
 - a) Requires every speed safety system to have a sign stating "photo enforced" along with the speed limit signs with flashing beacons and speed feedback signs, no more than 500 feet before the placement of the system.
 - b) Requires a public information program at least 30 days prior to the implementation of the camera program and that for the first 60 days of enforcement only warning notices be issued.
 - c) Requires that Caltrans establish guidelines for the screening and issuing of notices of violation and for the processing and storage of confidential information. The notice shall include a phone number a ticketed individual may use to contact Caltrans, a clear photograph of the license plate and rear of the vehicle only, VEH violation, the location, and the date and time the violation occurred.

- d) Provides for the following fines to the owner of the registered vehicle:
 - i) \$50 for a speed violation from 11 to 15 miles per hour (mph) over the posted speed limit;
 - ii) \$100 for a speed violation from 16 to 25 mph over the posted speed limit;
 - iii) \$200 for a speed violation of 26 mph or more over the posted speed limit; and,
 - iv) \$500 for traveling at a speed of 100 mph or greater.
 - e) Stipulates that the fine is a civil penalty and shall not result in a loss of the driving privilege or in a violation point being assessed against the violator.
 - f) Requires indigent individuals be offered community service in lieu of the fine, or the fine is reduced by 80%. The fine is reduced by 50% for individuals up to 250% above the federal poverty level.
 - g) The vehicle's first violation results in a warning, not a fine, if that violation is for driving not more than 15 mph over the posted speed limit.
- 4) Establishes the Safe Highway Work Zone Account and continuously appropriates citation revenue to that account for the administration of the automated speed enforcement program. Remaining funding is directed towards the Construction Zone Enhanced Enforcement Program (COZEEP) and the Maintenance Zone Enhanced Enforcement Program (MAZEEP).
 - 5) Requires Caltrans to issue a report two years after the program has been implemented and annually thereafter.
 - 6) Provides that the speed safety system under this pilot may operate for five years, or until January 1, 2032, whichever is sooner.

Comments

- 1) *Purpose of this bill.* According to the author, "AB 289 is a significant step toward safeguarding the lives of construction workers on our highways, where speeding vehicles pose a significant risk to both workers and motorists. By harnessing the proven effectiveness of Automated Speed Enforcement (ASE),

AB 289 will save lives by reducing construction zone crashes and creating a safer environment for all.”

- 2) *Work zone safety.* A work zone is an area of a highway or roadway with construction, maintenance, or utility-work activities. Work zones are typically marked by signs, cones, barrels, channeling devices, barriers, pavement markings, and/or work vehicles. The zone extends from the first warning sign to the "End of Road Work" sign or the last traffic control device. According to a 2023 Caltrans news release titled *Caltrans Honors Fallen Highway Workers with Memorial Signs in State Roadside Rest Areas*, “in 2021, more than 9,500 collisions occurred in construction zones on California highways. This resulted in an estimated 2,971 injuries and 73 fatalities, including both construction workers and drivers. Nationally, drivers and passengers account for 85 percent of people who are killed in work zones.”
- 3) *Efficacy of speed cameras.* Research has shown that automated speed cameras effectively reduce incidents of crashes. According to the National Highway Traffic Safety Administration, “Crash-based evaluations from the United States and Canada have also reported safety benefits from speed safety cameras programs in urban areas. Shin et al. (2009) examined effects of a fixed camera enforcement program applied to a 6.5-mile urban freeway section through Scottsdale, Arizona. The speed limit on the enforced freeway was 65 mph; the enforcement trigger was set to 76 mph. Total target (off-peak/free-flow) crashes were reduced by an estimated 44 to 54%, injury crashes by 28 to 48%, and property damage only crashes by 46 to 56% during the 9-month program period.”
- 4) *California’s speed camera programs.* AB 645 (Friedman, Chapter 808, Statutes of 2023), established an automated speed safety system program in California and authorized the cities of Los Angeles, San Jose, San Francisco, Oakland, Long Beach and Glendale to operate a limited number of speed safety camera systems for five years, or until January 1, 2032, whichever is sooner. AB 645 explicitly prohibited cities from operating cameras on roads where the California Highway Patrol (CHP) has jurisdiction, and limits camera placement to the cities high injury networks, school zones, and streets with a high number of calls for motor vehicle exhibitions of speed and speed contests. Last year, SB 1297 (Allen, Chapter 631, Statutes of 2024) created a separate pilot program for the City of Malibu to operate five speed safety systems on the Pacific Coast Highway. As of the writing of this analysis, only San Francisco has deployed speed cameras.

The local speed camera pilot programs established by AB 645 and SB 1297 include numerous fairness and equity-oriented provisions, which are included in this bill. For example, the pilot programs have a fine schedule tied to the vehicle's speed. The fine is \$50 for a speed violation from 11 to 15 mph over the posted speed limit, \$100 for a speed violation from 16 to 25 mph over the posted speed limit, \$200 for a speed violation of 26 mph or more over the posted speed limit, and \$500 for traveling at a speed of 100 mph or greater. The fine is a civil penalty issued to the vehicle's registered owner and does not incur a violation point against their license. Additionally, the vehicle's first violation results in a warning, not a fine, if the violation is for driving not more than 15 mph over the speed limit. Lastly, the fine is reduced by 50% for individuals up to 250% above the federal poverty level. All of these provisions are mirrored in AB 289.

- 5) *How does this bill differ from existing programs?* Unlike AB 645, which authorizes speed cameras on local streets and roads, this bill authorizes speed cameras on a state highways. Another significant difference is that this program would be administered by Caltrans, instead of local cities. Additionally, the cameras under the existing programs will be in fixed locations. Prior to launching the cameras for use, the local jurisdiction must administer a public information campaign which includes publicizing the general locations of the cameras. This bill does include a public information requirement, but does not require the locations of the cameras to be included in the public announcements. However, AB 289 requires Caltrans to maintain a website which identifies the state highway work zones approved for enforcement using the speed cameras and the hours of enforcement, which must be updated whenever Caltrans changes locations of enforcement.

Another area of difference between the existing programs and the program created by this bill are the requirements related to adopting guidelines for the program. AB 645 required the local jurisdiction to adopt guidelines for the speed camera program that included an assessment of the potential impact of the speed safety system on civil liberties and civil rights and any plans to safeguard those public rights. The guidelines must also include information about the programs' costs and locations, with additional assessments if the cameras are deployed in predominantly low-income neighborhoods. These requirements are not included in AB 289.

- 6) *Ticket at 66 mph.* In Caltrans' construction work zones on state highways the speed limit is typically reduced from 65 mph to 55 mph. However, Caltrans has the authority to reduce the speed limit by 15 mph or more under certain work zone conditions. Caltrans considers the amount of truck traffic and number of lanes available for use when determining the construction work zone speed limit reduction. Under this bill, the speed cameras will begin issuing tickets to vehicles traveling 11 mph over the speed limit. This means that, in most cases, tickets generated from this bill will be issued to vehicles going 66 mph.
- 7) *Where does the revenue go?* AB 645 and SB 1297 direct excess revenue from speeding citations to go towards traffic calming measures. In contrast, this bill directs citation revenues to be deposited into the new Safe Highway Work Zone Account to be continuously appropriated to Caltrans for the administration of the program. Then, any excess revenues go to COZEEP and MAZEEP. These are programs that pay for CHP officers to be present at construction and maintenance zones while workers are present to provide traffic control and improve safety.
- 8) *Caltrans issuing speeding tickets.* This bill marks a significant shift in Caltrans' scope of work. Although Caltrans currently manages traffic cameras used to verify and assess reported incidents, the department does not issue tickets to drivers for any purpose. One of the factors that may impact the successful implementation of the program is the volume of tickets Caltrans has to manage. New York State implemented their speed camera program in work zones in 2023 with 30 cameras. The cameras could be placed in both construction and maintenance areas, but workers had to be present in the work zone. Between April and December of 2023, the program issued nearly 150,000 tickets. This bill authorizes Caltrans to utilize 35 cameras. Using New York State as a comparison, it is plausible to assume that 150,000 or more tickets could be issued annually. This volume would require Caltrans to establish a large, public-facing operation to address inquiries from ticketed individuals, collect fines, and administer the reviews for individuals contesting tickets. Unlike the AB 645 and SB 1297 pilot programs, the state, rather than local cities, would be responsible for managing this program.

Related/Previous Legislation

SB 1297 (Allen, Chapter 631, Statutes of 2024) – Created a pilot program for the city of Malibu to operate five speed safety systems on the Pacific Coast Highway.

AB 645 (Friedman, Chapter 808, Statutes of 2023) – Established a speed safety system pilot program in six specified cities.

AB 2809 (Haney, 2024) – Would have authorized the California Transportation Agency to establish a speed safety system pilot program in work zones. *This bill was held in the Assembly Transportation Committee.*

FISCAL EFFECT: Appropriation: Yes Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Caltrans would incur one-time costs for additional staff resources for up to two years to conduct “phase I” activities, including development and adoption of program guidelines and regulations, conducting stakeholder outreach and engagement, implementing a public information campaign, and evaluating the most cost-effective way to implement and operate the speed safety program. While these costs are unknown, staff estimates initial costs are likely to be at least in the high hundreds of thousands annually over two years, prior to the deployment of automated enforcement systems. (State Highway Account).
- Caltrans anticipates significant ongoing costs through 2031-32, to implement and administer the pilot program. Staff estimates that Caltrans contracting and staffing costs would likely be in the millions annually from 2028-29 through 2031-32, depending on the scale of the program, and whether Caltrans opts to procure and deploy all 35 systems throughout the state, or rolls out a more limited program on a regional basis. Caltrans indicates it would evaluate options for administering the pilot during the first phase of the program to determine whether to conduct certain operational duties in-house or through vendor contracts. For illustrative purposes, a similar program established in New York reported \$6.83 million in vendor expenses in 2023 to operate 30 enforcement units. (State Highway Account, Safe Highway Work Zone Account, and potentially federal funds)
- Unknown, likely significant civil penalty revenues, beginning in 2028-29, which would at least partially offset Caltrans costs to administer the speed safety program. Actual revenues would depend upon the number of systems that are operational, the volume of citations issued, and the number of violations for each level of fines imposed. To the extent the citation revenues fully offset Caltrans costs to administer the program, any remaining funds would be available for expenditure on specified enhanced enforcement program costs in construction and maintenance zones. (Safe Highway Work Zone

Account)

- Unknown, potentially significant court workload cost pressures for superior courts to hear and adjudicate appeals of hearing officer determinations that are brought under the provisions of this bill. These costs would be partially offset by the \$25 fees for filing appeals. Staff notes that it generally costs about \$10,500 to operate a courtroom for one eight-hour day. Although courts are not funded on the basis of workload, increased staff time and resources may create a need for additional support from the General Fund to support court operations. The 2025-26 Budget includes \$38 million in ongoing support from the General Fund to backfill the current fund imbalance in the Trial Court Trust Fund and help pay for court operations, (Trial Court Trust Fund, General Fund).

SUPPORT: (Verified 8/29/25)

AAA Northern California, Nevada & Utah

Advocates for Highway and Auto Safety

American Automobile Association of Northern California, Nevada & Utah

Associated General Contractors of California

Automobile Club of Southern California

Blue Line Solutions, LLC

California-nevada Conference of Operating Engineers

California Alliance for Jobs

California Asphalt Pavement Association

California Construction & Industrial Materials Association

California State Council of Laborers

California State Treasurer

Madera County Transportation Commission

Peace Officers Research Association of California (PORAC)

Rebuild SoCal Partnership

Southern California Contractors Association

State Building and Construction Trades Council of California

Streets are for Everyone (SAFE) (ORG)

Transportation Authority of Marin

Transportation California

United Contractors

OPPOSITION: (Verified 8/29/25)

National Motorists Association

ARGUMENTS IN SUPPORT: Writing in support, United Contractors states, “[b]y harnessing the proven effectiveness of Automated Speed Enforcement (ASE), AB 289 will reduce construction zone crashes and create a safer environment for California’s highway construction workers and for California drivers...Highway construction and maintenance work is one of the most hazardous occupations in the United States. In 2021, more than 9,500 collisions occurred in construction zones on California highways. This resulted in an estimated 2,971 injuries and 73 fatalities, including both construction workers and drivers. While contractors, labor unions, state agencies, and law enforcement are doing everything in their power to keep workers safe, highway construction zones continue to be dangerous for our workers who risk injury and death by speeding vehicles. National data from the Bureau of Labor Statistics (BLS) show that construction and extraction and transportation and material moving— both sectors which are involved in highway construction work—are among the most dangerous occupations, trailing only farming, fishing and forestry in the rate of work-related deaths. BLS data also demonstrate the disproportionate rate of workplace fatalities, with Black and Latino workers experiencing a higher rate of fatal injuries than workers at large. Notably, transportation incidents were the highest cause of fatalities for both groups, accounting for the deaths of 278 Black workers and 439 Latino workers in 2022. While these statistics include occupations beyond those which are directly involved in highway construction projects, they demonstrate the unique risks faced by California’s diverse construction industry workforce.

“According to the Federal Highway Administration (FHWA), safe speeds are a core principle of the Safe System Approach, which prioritizes the elimination of crashes that result in death and serious injuries, since humans are less likely to survive high-speed crashes. The FHWA includes variable speed limit setting, including within work zones, in its collection of 28 evidence-based safety countermeasures and strategies. Unfortunately, enforcing safe speeds has proven challenging, particularly in work zones where active construction is underway and lane closures and physical barriers designed to protect both motorists and construction workers can impede traditional speed enforcement efforts.”

ARGUMENTS IN OPPOSITION: Writing in opposition, the National Motorists Association states, “[p]roponents of work zone ticketing cameras make the erroneous assumption that motorists driving at excessive speeds in work zones cause a significant number of injuries and fatalities to highway construction workers. We have shown this assumption to be false. However, one should not entirely discount concerns regarding highway worker safety due to motorists traveling within the work zone.

“If officials desire closer adherence to the work zone speed limit, Caltrans should employ additional engineering countermeasures to gain greater compliance. These engineering solutions are at least as effective, if not more effective, than sending a ticket in the mail weeks after an alleged violation, and they have the added benefit of providing real-time protection to workers.”

ASSEMBLY FLOOR: 71-3, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Patterson, Sanchez

NO VOTE RECORDED: Bains, Gallagher, Hadwick, Lackey, Ta

Prepared by: Isabelle LaSalle / TRANS. / (916) 651-4121
9/2/25 17:53:09

**** END ****