

## CONCURRENCE IN SENATE AMENDMENTS

AB 289 (Haney)

As Amended September 04, 2025

2/3 vote

**SUMMARY**

Authorizes the Department of Transportation (Caltrans) to establish a work zone speed safety pilot program to enforce speeding violations in highway maintenance and construction work zones using speed safety systems until January 1, 2032.

**Senate Amendments**

- 1) Require a phone number for a recipient of a ticket to request additional information about the State Highway Work Zone Speed Safety Program (Program).
- 2) Prohibit an additional charge for an administrative hearing to contest the violation.
- 3) Require, instead of permits, Caltrans to offer payment plans for individuals who have an inability to pay.
- 4) Remove the requirement for Caltrans to consult with the California Highway Patrol (CHP) on developing guidelines for implementing the Program and instead requires them to work with relevant state agencies.
- 5) Require a “Photo Enforced” sign with flashing beacons and speed feedback signs between 500 feet and one mile of a speed camera instead of within 500 feet of a speed camera.
- 6) Clarify that a speed safety system may only record speed violations and actively issue citations when Caltrans workers, including specified contractors, are present in the work zone, rather than when construction or maintenance workers are present.
- 7) Make technical, clarifying changes.

**COMMENTS**

AB 645 (Friedman) Chapter 808, Statutes of 2023 established a 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 systems for five years, or until January 1, 2032, whichever is sooner. AB 645 explicitly prohibited cities from operating cameras on roads where the CHP had jurisdiction, and limited 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. 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 begun to pilot speed cameras. San Jose was recently awarded nearly \$9 million from a federal grant to purchase speed safety systems under a program created by the bipartisan Infrastructure Investment and Jobs Act (IIJA). San Jose has indicated that their program will likely start this year.

*Between March and the end of June of this year San Francisco's speed camera program has issued 132,000 warning citations. Over 27,000 of those tickets were issued by the cameras at one location on Fulton St. San Francisco began issuing citations in August.*

This bill allows Caltrans to use speed cameras in work zones where maintenance and construction crews are actively working. This bill is nearly identical to AB 645 and SB 1297, and authorizes the use of up to 75 speed safety systems, or around 10% of the total number of active construction zones in the state. Unlike AB 645 which authorizes speed cameras on local streets and roads, this bill authorizes speed cameras on a state highway.

*Speed safety systems can save lives.* According to The National Transportation Safety Board (NTSB), a 2010 review of 28 studies of automated speed enforcement (ASE) in the United States, Canada, Europe, Australia, and New Zealand determined a lower number of crashes after ASE implementation. These studies reported reductions of 8% to 49% for all crashes and reductions of 11% to 44% for crashes causing serious injuries or fatalities.

According to the National Highway Traffic Safety Administration (NHTSA) "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 nine month program period."

Fourteen states currently have permanent or pilot programs authorizing the use of speed safety cameras in work zones. According to a report issued by the Delaware Department of Transportation, the speed safety cameras resulted in a 46% reduction in total crashes and a 38% reduction in injury crashes. The average speed was reduced by nearly six mph. According to the Pennsylvania Department of Transportation, in the three years prior to the implementation of their pilot program, an average of 1,800 crashes occurred annually in works zones. By 2022 and 2023, three and four years into the program, the number crashes were reduced to below 1,300. The total percentage of speeding vehicles in camera enforced work zones dropped 29%. In July of 2022 only 15% of drivers were going over the speed limit.

The New York Department of Transportation notes that "According to the Fatality Analysis Reporting Systems (FARS) from the National Highway Traffic Safety Administration, in 2020, 863 people died in 780 fatal crashes in work zones nationally, marking a 10-year high for deaths and crashes in road construction areas. These deaths occur not only to workers within the work zone, but also to the motorists involved in the crash."

According to the National Transportation Safety Board (NTSB), from 2005-14, crashes in which a law enforcement officer indicated a vehicle's speed was a factor resulted in 112,580 fatalities, representing 31% of all traffic fatalities. NTSB notes that speeding increases the risk of a crash and the severity of injuries.

### **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 California’s highway construction workers and drivers.”

### **Arguments in Support**

Transportation California, California Alliance for Jobs, and the State Building and Construction Trades Council of California, *writing in support of this bill*, argue “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.

While numerous safety initiatives have been proposed and implemented in highway work zones over the last two decades, one proven safety countermeasure has been unavailable in California. Automated speed enforcement is proven to reduce speeds, increase driver safety, and save lives.”

### **Arguments in Opposition**

The National Motorists Association, *writing in opposition to this bill*, argues “Notwithstanding the claims made by the bill’s author and proponents, severe injuries and fatalities involving highway construction and maintenance workers due to motorists speeding in state highway work zones are, thankfully, relatively rare.

Proponents 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.”

## **FISCAL COMMENTS**

According to Senate Appropriations Committee:

- 1) 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).
- 2) 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)
- 3) 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)
- 4) 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).

## VOTES:

### ASM TRANSPORTATION: 15-0-1

**YES:** Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Lowenthal, Macedo, Papan, Ransom, Rogers, Ward

**ABS, ABST OR NV:** Lackey

### ASM PRIVACY AND CONSUMER PROTECTION: 11-2-2

**YES:** Bauer-Kahan, Bennett, Bryan, Flora, Irwin, Lowenthal, Ortega, Petrie-Norris, Ward, Wicks, Wilson

**NO:** DeMaio, Patterson

**ABS, ABST OR NV:** Dixon, Pellerin

**ASM APPROPRIATIONS: 13-1-1**

**YES:** Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Tangipa

**NO:** Ta

**ABS, ABST OR NV:** Sanchez

**ASSEMBLY FLOOR: 71-3-5**

**YES:** 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

**NO:** DeMaio, Patterson, Sanchez

**ABS, ABST OR NV:** Bains, Gallagher, Hadwick, Lackey, Ta

**UPDATED**

VERSION: September 04, 2025

CONSULTANT: David Sforza / TRANS. / (916) 319-2093

FN: 0001925