CONCURRENCE IN SENATE AMENDMENTS
AB 382 (Berman)
As Amended September 04, 2025
Majority vote

SUMMARY

Reduces the school zone speed limit from 25 miles per hour (mph) to 20 mile per hour beginning January 1, 2031.

Senate Amendments

1) Revises the definition of "when children are present" to be when either of the following occurs:

   a) Children are going to or leaving the school; and,
   b) The school grounds are in use by children and the highway is posted with a standard "school" warning. This does not include children who are separated from the highway by a fence, gate, or other physical barrier.

2) Extends the deadline for local authorities to lower their school zone speed limits from 2029 to 2031.

COMMENTS

The speed at which a vehicle travels increases the likelihood of death in a crash. According to NHTSA, a person struck by a vehicle going 20 mph has a 5% chance of dying. That number goes up to 40% for vehicles going 30 mph, and 80% for vehicles going 40 mph. Similarly, 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 sustained by all road users.

Under the Biden Administration, the United States Department of Transportation (USDOT) introduced the National Roadway Safety Strategy (NRSS). Under the NRSS, USDOT has set a goal to strive for zero roadway fatalities. Zero is the only acceptable number of deaths on our highways, roads, and streets. The USDOT is committed to taking substantial, comprehensive actions to significantly reduce serious and fatal injuries on the Nation's roadways. Reaching zero will require USDOT to work with the entire roadway transportation community and the American people to lead a significant cultural shift that treats roadway deaths as unacceptable and preventable.

To achieve this goal, USDOT is adopting a safe systems approach, with the principles that death and serious injuries are unacceptable, humans make mistakes, humans are vulnerable, responsibility is shared, safety is proactive, and redundancy is crucial. NRSS lay out five complementary objectives corresponding with a safe systems approach: safer people, safer roads, safer vehicles, safer speeds, and post-crash care. Under the Safer Speeds objective, USDOT recommends states lower speed limits, and implement the use of automated speed enforcement. Under the Safer Roads objective, USDOT recommends states implement traffic calming measures to slow cars.

There has been a concerted effort across the country to change the way speed limits are set.

NTSB, the National Association for City Transportation Officials, and more recently, the California State Transportation Agency (CalSTA), have all called for moving away from the 85th percentile as the basis for setting speed limits.

In California and elsewhere, speed limits are generally set in accordance with engineering and traffic surveys, which measure prevailing vehicular speeds and establish the limit at or near the 85th percentile (*i.e.*, the speed that 15% of motorists exceed). California uses the 85th percentile to set speed limits except in cases where the limit is set in state law, such as the 25 mph limit in residential districts and school zones, or where an engineering and traffic survey shows that other safety-related factors suggest that a lower speed limit is warranted. These safety-related factors, as prescribed by law, include accident data; highway, traffic, and roadway conditions not readily apparent to the driver; residential density; and pedestrian and bicyclist safety.

In January 2020, CalSTA in conjunction with a legislatively established Task Force, released the *CalSTA Report of Findings: AB 2363 Zero Traffic Fatalities Task Force*. The report includes finding and recommendation in four categories: establishing speed limits, engineering, enforcement, and education. AB 43 (Friedman), Chapter 690, Statutes of 2021, and AB 645 (Friedman) Chapter 808, Statutes of 2023 implemented major provisions of the report, including lowering speed limits on most streets and implementing the use of speed cameras as a pilot. This bill includes a recommendation from the task force that have not been dealt with: clarifying "when children are present" for school zone speed limits.

Effect of speed limits on the speed of drivers. In 2020, the University of California Institute of Traffic Studies (UC ITS) compiled research on the dangers of speeding and the effect speed limits have on speeding and found that while changing speed limits has a minor overall effect on the mean speed, it has a major effect on reducing speed-related injuries and fatalities. UC ITS notes that "reducing speed limits almost universally reduces speeds both on limited and mixed access roads. However, the absolute magnitude of speed changes from speed limits alone is quite small…a five mph reduction in speed limit is likely to decrease mean speed by one to two mph. With stronger enforcement, the effect of a five mph speed limit reduction may be closer to three mph." UC ITS reports that a five mph reduction in speed can reduce injuries by eight to 15%. Other studies have reported reductions as great as 28% and 39%. The benefits may be even greater for pedestrians. UC ITS notes that research has shown that environments with five mph lower posted speed limits equate to 56-88% fewer serious pedestrian injuries and 80-96% fewer pedestrian fatalities.

Efficacy of school zones. A study by NRC Research Press (Canada) *Are School Zones Effective in Reducing Speeds and Improving Safety?* found a strong safety benefit to reducing school zone speed limits. Specifically, in Edmington, school zone speed limits were lowered at over 200 schools from 30 mph to 18 mph. The study found that the 85th percentile speed in these school zones dropped by seven mph, resulting in a 43.5% reduction in fatal and injury collisions.

However, lowering the speed limit may not ultimately result in compliance with that speed limit. According to *Enhancing Traffic Safety at School Zones by Operation and Engineering and Countermeasures, "*Roper et al. found that approximately half of all vehicles exceeded the speed limit in school zones and Kattan et al. showed that around 10% of the vehicles exceeded the speed limit by 10 km/h (6.21 mph) or higher. A similar result was found by McCoy and Heimann that the drivers' compliance with the posted speed limit in school zones is less than

"20%. Moreover, Saibel et al. found that around 45% of drivers exceeded the speed limit by at least 5 mph, and Tay showed that 54% of vehicles exceeded the speed limit in school zones. According to Ellison et al., a posted speed limit in school zones depends on the roadway characteristics on which the school is located, and the preceding segments of the roadway before the school zones start. This study showed that if the speed of the previous segment is higher than 70 km/h (43.5 mph), it is difficult to reduce the speed within the speed limit (40 km/h or 24.85 mph)."

In addition, this bill authorizes the school zone speed limit to be in effect at any time flashing beacons are used. Flashing beacons are significantly more likely to result in compliance with a school zone speed limit than a simple posted speed limit sign. Research has found flashing beacons can reduce vehicles exceeding 35 mph by 25-30%.

According to the Author
"California must implement policies that create safe, healthy, and equitable school zones so that all kids feel safe walking or biking to school, and are protected from speeding cars on roads designed for drivers, rather than people. Research shows that reducing speed limits in school zones brings significant safety benefits, and the American Academy of Pediatrics recommends reducing speed limits to 20 mph or less to improve child pedestrian safety. AB 382 would improve safety by lowering speed limits in school zones and providing local authorities with new tools to lower vehicle speeds around schools. The bill clarifies speed limits for drivers, and will help protect children and all Californians."

Arguments in Support
*Streets are for Everyone, writing in support of this bill, argues "*According to the Transportation Research Board, nearly 25,000 children are injured in school zones each year, while a study by Safe Kids Worldwide reports that five teenage pedestrians are fatally struck every week. In a study conducted by Streets are For Everyone in 2023, we found over a third of all California drivers speed through school zones greater than five mph over the posted speed limit when children are expected to be within school zones. We also found that in many of these areas with higher rates of speeding, there was a more pronounced rate of both fatal and non-fatal injuries to nearby pedestrians and cyclists.

"By lowering the speed limit prima facie to 20 mph, and lowering the costs to implementing speed traps in school zones, we have the potential to save vulnerable populations, children, elderly, etc. Slowing traffic down in these areas will deter drivers from driving recklessly. Establishing a more streamlined way to enforce the new speed limit through increased frequency of speed traps will allow law enforcement to find offenders more efficiently. This bill also makes necessary clarifications to the definition of a school zone, and the qualifications required to notify drivers when there are children present."

Arguments in Opposition
According to the National Motorist Association, "The purpose of a reduced speed school zone is to slow traffic at the times when there is a convergence of children and vehicles congregating around the school either during the start of the school day or during the dismissal period. School zones were never meant to reduce speeds near schools at all hours or when any child whatsoever is in the vicinity.

"Numerous studies, including the seminal school zone study from the Texas Transportation Institute (TTI) referenced below have found that, "Speeds are higher for greater time increments

from the start or end of school". Further, the majority of engineering professionals surveyed believe that a school zone should be used where school age pedestrians are crossing the road, generally in an unprotected crosswalk, not simply on a nearby sidewalk or somewhere on school grounds. Some states, such as Arizona and Utah, have specific warrants for the installation of a school zone that require a minimum of 10 school age pedestrians crossing at the study location on the way to or from school. While the protocols for reduced speed school zones varies around the country, it is generally accepted that reduced speed school zones should be active only when large numbers of children are going to or from school and have some rational basis beyond just one child present in the vicinity of a school."

FISCAL COMMENTS

According to Senate Appropriations Committee:

1) Unknown significant state-mandated local costs, likely in the millions of dollars in the aggregate, for local jurisdictions to change out signage at each school site by January 1, 2029 to reflect a 20 mph prima facie speed limit in school zones. These costs are likely to be reimbursable by the state, subject to a determination by the Commission on State Mandates. (General Fund)

2) The Department of Transportation (Caltrans) would incur minor costs to update the California Manual on Uniform Traffic Devices for speed limit policies related to school zones. In addition, Caltrans would incur one-time costs, likely in the low hundreds of thousands of dollars, to replace speed limit signs in the state highway rights-of-way for the 585 school sites that are located along the state highway system. These costs could be higher if support posts require replacement and if flashing beacons are installed. (State Highway Account)

3) The Department of Motor Vehicles (DMV) would incur costs to update automated knowledge exams and eLearning modules to account for changes to speed limits in school zones, and for IT improvements to its driver's license systems to account for the separate Vehicle Code violation for the new 20 mph prima facie speed limit beginning in 2029. DMV indicates that costs to update driver's license systems are unknown at this time because the department's Enterprise Modernization Project efforts are currently underway. Staff notes that the Motor Vehicle Account has a structural imbalance, and without corrective action, the fund will be insolvent in the next budget year. (Motor Vehicle Account)

VOTES:

ASM TRANSPORTATION: 15-0-1
YES: Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Lackey, Lowenthal, Macedo, Ransom, Rogers, Ward
ABS, ABST OR NV: Papan

ASM APPROPRIATIONS: 13-0-2
YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Tangipa
ABS, ABST OR NV: Sanchez, Ta

ASSEMBLY FLOOR: 78-0-1

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

UPDATED

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