

SENATE THIRD READING
SB 78 (Seyarto)
As Amended April 2, 2025
Majority vote

SUMMARY

Requires the California Department of Transportation (Caltrans) to prepare and submit a report to the Legislature by January 1, 2027 that identifies types of safety enhancements that could be implemented on the state highway system, common factors contributing to the delay in the delivery of safety enhancements projects, and strategies to expedite these projects.

Major Provisions

COMMENTS

Projections from the National Highway Traffic Safety Administration (NHTSA) estimate more than 4,400 people were killed in motor vehicle crashes throughout California in 2022, or about 12 people every day. Early data from NHTSA for 2023 and 2024 estimates a year over year 5% increase in traffic fatalities. Across the state, traffic fatalities increased approximately 7.6% from 3,980 in 2020 to 4,285 in 2021. The increase of traffic fatalities in recent years led to the creation of the Vision Zero Network—a collaborative campaign with the goal of eliminating all traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all. Today, more than 40 communities (including at least 13 in California) across the country have joined the Vision Zero Network.

Safety is the priority. The Legislature enacted in 1967 the California Traffic Safety Program, what is now OTS, to provide authority for the State to implement the requirements of national legislation. Each year OTS develops a Highway Safety Plan (HSP) to reflect current needs as well as detailing the planned use of federal funds. The HSP identifies problems, specific performance measures, proposed solutions, time frames and fiscal information on continuing and planned new grants which are designed to mitigate traffic safety problems.

The OTS has identified 10 priority areas of concentration for grant funding; alcohol-impaired driving, distracted driving, drug-impaired driving, occupant protection, pedestrian and bicycle safety, traffic records and roadway safety, emergency medical services, police traffic services, motorcycle safety, and public awareness and education.

Additionally, OTS maintains online crash rankings for local streets and state highways within city limits so that cities can compare traffic safety statistics. These comparisons enable cities and OTS to identify emerging or on-going traffic safety problem areas in order to help plan how to combat the problems and to facilitate grant awards. The Statewide Traffic Records System (SWITRS) provides crash data, the Department of Finance develops population estimates, and Caltrans provides daily vehicle miles traveled (DVMT).

Last year, OTS started the "Go Safely Movement," a call to action to raise awareness about the road safety crisis and to establish a strong road safety culture. More than 2,000 California residents filled out a community survey on their perceived traffic safety concerns and actions needed to make roads safer in their community that will help inform highway safety planning.

The survey also called upon residents to sign up as a "traffic safety champion" and commit to being more engaged in traffic safety for their families and community.

In 2022, Caltrans issued a Director's Policy on Road Safety (DP-36) that committed the department to a Safe System approach and reaffirmed the vision of reaching zero fatalities and serious injuries on state highways by 2050. Under the Safe System approach, Caltrans focuses on five elements: safe road users, safe roads, safe speeds, safe vehicles, and post-crash care. As part of the policy, Caltrans committed to prioritizing safety in highway planning, operation, construction, and maintenance, to focus on eliminating the most serious crashes rather than all crashes, and eliminating disparities in road safety outcomes.

Last year Caltrans released their Road Safety Action Plan designed to review and track progress towards aligning Caltrans policies and practices with the Safe Systems approach. One step that was taken was to update the safety project prioritization methodology in the federally funded Highway Safety Improvement Program to better prioritize sites with the highest severity of collisions. Other goals planned to be completed by the end of this year include updating statewide planning guidelines to incorporate the Safe System Approach, developing a statewide decision-making framework for proactively identifying and prioritizing roadway safety investment, and developing trainings for project development teams on how to design safer roadways.

One key element of the Safe Systems approach is speed management to ensure that vehicles are traveling at safe speeds on the highways. One approach to reduce unsafe speeding is to improve enforcement of existing speed limits through the use of speed cameras or more traffic officers. Other approaches include traffic calming measures to encourage drivers to maintain a safer speeds such as vehicle speed feedback signs, road markings that create the impression of reducing spacing on the road to encourage slower speeds, improved crosswalks and pedestrian signage, roundabouts, intersection barriers, road diets, curb bulbous, and speed humps. Caltrans' guide on traffic calming states that traffic calming strategies should be given increased consideration along safety corridors or roadway segments with a high percentage of speed-related collisions.

Delays in road infrastructure. The process to improve the State Highway System is forward-looking, but also protracted. Caltrans produces the Transportation Asset Management Plan (TAMP) every two years to assess the state of the physical assets on the national and state highway systems. Caltrans uses this information, along with information from its policy documents to create the State Highways System Management (SHSMP) plan, which is an operational plan that includes all major physical assets and deficiencies on the state highway system. The targets set in that plan then are used to establish the set of projects in the State Highway Operation and Protection Program (SHOPP), which is the state's "fix-it-first" program that funds the repair, preservation, and safety improvements on the state highway system. As such, the SHOPP and the projects Caltrans will be working on for the next four years are based on the SHSMP from five years prior. Therefore, policy changes, like implementation of the Safe System approach, can take a long time to have an impact.

Governor's veto. A similar bill last year, SB 936 (Seyarto of 2024), also aimed to address delays in highway safety improvement projects. Specifically, the bill would have required Caltrans to complete a study identifying the 15 locations on the state highway system with the highest rates of vehicle collisions and to propose projects to improve road safety at each of these locations by

January 1, 2026. The bill was vetoed by Governor Newsom, with the following reasoning included in the veto message:

"Caltrans is already implementing various initiatives to prioritize road safety improvements, including its Safe System Approach. This innovative approach aims to reduce fatal and serious injuries for all road users by taking a comprehensive view of safety, focusing on multiple layers of protection, from building safer roads to post-crash care. While I support efforts to expedite traffic safety enhancements, this bill conflicts with Caltrans' data-driven approach to identifying and developing a holistic traffic safety framework for its projects. Prioritizing locations based solely on overall collision rates, without considering crash severity and other associated collision factors, may fail to address the areas of greatest safety concern.

Existing safety planning efforts that proactively identify and implement safety projects, such as the California Strategic Highway Safety Plan, can already effectively achieve the goals that this bill seeks to accomplish. I encourage the Legislature to partner with Caltrans to advance the implementation of these efforts."

While this bill does not limit Caltrans' study to 15 locations on the state highway system with the highest rate of vehicle collisions like SB 936 (Seyarto of 2024), it also does not address the Governor's veto message of encouraging the Legislature to work with Caltrans to enhance the effort of existing safety efforts. Given OTS and Caltrans' current efforts and prioritization of road safety, and existing data collection, it is unclear what this bill will add that is different or valuable.

According to the Author

"By prioritizing safety enhancements in high-risk areas, this bill will reduce the rising toll of traffic fatalities. We need to pay attention to the parts of our highway system that chronically cause serious accidents and ensure they are addressed for the safety of our constituents. California's future depends on its ability to build and maintain a safe and reliable transportation network. By investing in delayed infrastructure projects, protecting consumers, and prioritizing road safety, we can ensure a better quality of life for all Californians while addressing long-standing challenges."

Arguments in Support

Associated General Contractors, California Chapters writes, "Safety is paramount on California's transportation system. AGC strongly supports initiatives aimed at reducing vehicle collisions on the State Highway System. This study presents a valuable opportunity to identify and develop safety projects to address these risks effectively. Furthermore, by examining delays in project delivery would inform additional opportunities for streamlined project delivery."

Arguments in Opposition

No opposition on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

"The scope of the report this bill is broad, and Caltrans will face significant new analytical and administrative work to produce it. Costs will likely be in the low- to high hundreds of thousands of dollars (special fund) over the period it takes Caltrans to produce the report.

Caltrans anticipates one-time costs of approximately \$543,000 to produce the report. According to Caltrans, this amount covers 1.25 personnel years at an approximate cost \$243,000, as well as, if needed, \$300,000 for a contract with an outside consultant."

VOTES

SENATE FLOOR: 38-0-2

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Limón, Reyes

ASM TRANSPORTATION: 16-0-0

YES: Wilson, Davies, Ahrens, Bennett, Caloza, Carrillo, Hart, Hoover, Jackson, Lackey, Lowenthal, Macedo, Papan, Ransom, Rogers, Ward

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache, Ta, Tangipa

UPDATED

VERSION: April 2, 2025

CONSULTANT: Julia Kingsley / TRANS. / (916) 319-2093

FN: 0001315