



## WEST HILLS NEIGHBORHOOD COUNCIL

### **JOINT BOARD and STREETS & TRANSPORTATION COMMITTEE ONLINE AND TELEPHONIC MEETING AGENDA**

**Tuesday, September 21, 2021, at 7:30 p.m.**

This meeting of the West Hills Neighborhood Council Streets & Transportation Committee will be conducted online via Zoom Webinar and telephonically. All are invited to attend and participate.

**To attend online** via Zoom Webinar, [CLICK HERE TO JOIN](https://zoom.us/j/95492683794) or paste the following link into your browser:  
<https://zoom.us/j/95492683794>.

**To call in by phone**, dial toll-free (833) 548-0276 or (669) 900-6833, then punch in this Webinar code when prompted: **954 9268 3794#**.

This meeting is open to the public. Comments on matters not on the agenda, but within the jurisdiction of this committee will be heard during the Public Comment period. Those who wish to speak on an agenda item will be heard when the item is considered.

Committee Members: Anthony Scearce (Co-Chair), Bob Brostoff (Co-Chair), Faye Barta, Brian Begun, Thomas Booth, Dan Brin, Tariq El-Atrache, Bonnie Klea, Heidi Manning, Steve Randall, Myrl Schreiber, Joan Trent, Brad Vanderhoof

**Call to Order** and Roll Call

**Comments from the Co-Chair(s)**

**Announcements**

**Public Comments** on matters of committee jurisdiction not on the agenda (2 minutes)

1. **Discussion and Possible Approval of Minutes** from the August 26<sup>th</sup>, 2021, Streets and Transportation Committee Meeting
2. **Discussion and Possible Action:** on request to Councilman John Lee CD12, to draft Motion in the City Council in support of AB 43
3. **Discussion and Possible Action:** on CF 21-0975 (John Lee), Illegal Street Racing / Reckless Driving Exhibition / Spectator Gathering / Promotion / Facilitation
4. **Discussion and Possible Action:** on anti-speeding and texting campaign.
5. **Discussion and Possible Action:** on Request for a Traffic Survey and other solutions for Shoup and Saticoy
6. **Adjournment**

**Public Input At Neighborhood Council Meetings:** When prompted by the presiding officer, members of the public may address the committee on any agenda item before the committee takes an action on the item by punching in \*9 (if calling in by phone) or by clicking on the “raise hand” button (if participating online through Zoom) and waiting to be recognized. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on matters not appearing on the agenda that are within the committee’s jurisdiction will be heard during the General Public Comment period. Please note that under the Ralph M. Brown Act, the committee is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future committee meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the presiding officer of said committee.

**Notice to Paid Representatives** - If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code §§ 48.01 et seq. More information is available at [ethics.lacity.org/lobbying](http://ethics.lacity.org/lobbying). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org)

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**Reconsideration and Grievance Process:** For information on the WHNC’s process for board action reconsideration, stakeholder grievance policy or any other procedural matters related to this Council, please consult the WHNC Bylaws. The Bylaws are available at our website, [www.WestHillsNC.org](http://www.WestHillsNC.org).

**Servicios De Traducción:** Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte [Michelle.Ritchie@westhillsnc.org](mailto:Michelle.Ritchie@westhillsnc.org)

*Streets & Transportation next meets on Tuesday, October 19<sup>th</sup>, 2021*



## WEST HILLS NEIGHBORHOOD COUNCIL

### SPECIAL JOINT BOARD and STREETS & TRANSPORTATION COMMITTEE ONLINE AND TELEPHONIC MEETING MINUTES

**DRAFT**

August 26, 2021

Revised August 26, 2021

Attendance: Faye Barta (left 8:00 PM est.), Brian Begun, Thomas Booth (left 8:10 PM), Bob Brostoff, Tariq El-Atrache, Bonnie Klea (left 7:56 PM), Steve Randall, Anthony Scearce, Myrl Schreiberman, Joan Trent, and Brad Vanderhoof

Absent: Dan Brin, and Heidi Manning

Other WHNC Board members in attendance: Saif Mogri (left 7:30 PM est.), and Kent Mariconda

Guests: Sharon Brewer, Call In User\_1 (arrived 6:50 PM est., left 8:00 PM est.), Kim Olsen (arrived 6:40 PM est., left 8:00 est.), Atziri Camerena DONE (arrived 6:50 est.), R. grace Rodriguez, Zach Volet (left 6:40 est.), and Christina Walsh

Committee Co-chair Anthony Scearce called the meeting to order at 6:33 PM. A quorum was established.

Comments from the Co-Chair(s): Bob Brostoff commented on the traffic box dedication. Anthony Scearce said the PLUM Committee approved historical monument status for the trees on March Avenue.

Announcements Public Comments on matters of committee jurisdiction not on the agenda: None

Faye Barta – Yes, Brian Begun – Yes, Thomas Booth – Absent, Dan Brin – Yes, Bob Brostoff – Yes, Tariq El-Atrache – Yes, Bonnie Klea – Yes, Heidi Manning – Yes, Steve Randall – Yes, Anthony Scearce – Yes, Myrl Schreiberman – Yes, Joan Trent – Yes, Brad Vanderhoof – Yes  
Yes – 12, No – 0, Abstain – 0, Absent – 1

The June minutes were approved and will be posted.

Public Comment: Zach Volet, R. Grace Rodriguez, Kim Olsen, and Christina Walsh spoke.

#### 1. Approval of Minutes from the August 17th, 2021, Streets and Transportation Committee Meeting:

Myrl moved to amend the minutes, ‘After multiple disruptions by Board Member ~~Kent Mariconda~~, Co-chair ~~Anthony Scearce~~ adjourned the meeting at 7:53 PM.’

New text --

After multiple disruptions by a Board Member, a Co-chair adjourned the meeting at 7:53 PM.

Steve seconded.

Faye Barta – Yes, Brian Begun – No, Thomas Booth – No, Dan Brin – Absent, Bob Brostoff – No, Tariq El-Atrache – No, Bonnie Klea – No, Heidi Manning – Absent, Steve Randall – Yes,

Anthony Scearce – No, Myrl Schreiberman – Yes, Joan Trent – Yes, Brad Vanderhoof – Abstain

Yes – 4, No – 6, Abstain – 1, Absent – 2, Recusal -- 0

The amendment fails.

Vote to approve the August 17 meeting minutes

Faye Barta – Yes, Brian Begun – Yes, Thomas Booth – Absent, Dan Brin – Absent, Bob Brostoff – Yes, Tariq El-Atrache – Yes, Bonnie Klea – Yes, Heidi Manning – Absent, Steve Randall – No,

Anthony Scarce – Yes, Myrl Schreiber – Yes, Joan Trent – No, Brad Vanderhoof – Yes  
Yes – 9, No – 2, Abstain – 0, Absent – 2, Recusal -- 0

The August 17, 2021, minutes were approved and will be posted.

2. Approval of artist Tricia O’Connell final artwork on Traffic Control Cabinet for CIP/Vision Zero: The artist was not present at the meeting. Anthony said the artist may no longer want to be involved. Item tabled to September.
3. Luis Marquez artwork, location, and funding request for Traffic Control Cabinet for CIP/Vision Zero: The artist was not present. Item tabled to September.
4. Artist Christina Walsh artwork, funding request for Traffic Control Cabinet for CIP/Vision Zero. Location Jason and Roscoe: Anthony said the WHNC Budget Committee has approved funding for this project and it will be presented to the WHNC Board.

Anthony moved to send the proposal to the Board with the stipulation the artist will consider suggestions made by committee members. Tariq seconded.

Faye Barta – Yes, Brian Begun – Yes, Thomas Booth – Yes, Dan Brin – Absent, Bob Brostoff – Yes, Tariq El-Atrache – Yes, Bonnie Klea – Yes, Heidi Manning – Absent, Steve Randall – Yes,  
Anthony Scarce – Yes, Myrl Schreiber – Yes, Joan Trent – Yes, Brad Vanderhoof – Yes  
Yes – 11, No – 0, Abstain – 0, Absent – 2, Recusal -- 0  
The motion passed. The proposal will be sent to the WHNC Board.

5. Traffic Accidents and Dangerous Intersections including Platt & Vanowen:

Anthony moved to request a new traffic survey.

Faye Barta – Yes, Brian Begun – Yes, Thomas Booth – Yes, Dan Brin – Absent, Bob Brostoff – Yes, Tariq El-Atrache – Yes, Bonnie Klea – Yes, Heidi Manning – Absent, Steve Randall – Yes,  
Anthony Scarce – Yes, Myrl Schreiber – Yes, Joan Trent – Yes, Brad Vanderhoof – Yes  
Yes – 11, No – 0, Abstain – 0, Absent – 2, Recusal -- 0  
The motion passed.

Bonnie Klea left the meeting at 7:56 PM.

Faye Barta left the meeting at 8:00 PM (est.)

Thomas Booth left the meeting at 8:10 PM during the discussion of item 6.

6. Fallbrook Ave Traffic, Speeding and Accidents Solutions: Discussion produced several ideas committee members will research and work on.
7. AB 43 request to Councilman John Lee CD12: Anthony explained the way California law requires speed limits to be set to the 85<sup>th</sup> percentile. The item was tabled to September so committee members will have a chance to read AB 43.
8. Airplane Noise and request LAX Noise Roundtable inclusion letter to John Lee: Anthony explained the LAX Noise roundtable. The Woodland Hills Warner Center Neighborhood Council has a seat. If the WHNC wants a seat Councilmember John Lee, CD12, must make a request.

Anthony moved to approve sending a letter to Mr. Lee formally requesting a seat for the WHNC, with the primary member TBD, and Brian Begun as the alternate.

Faye Barta – Absent, Brian Begun – Yes, Thomas Booth – Absent, Dan Brin – Absent, Bob Brostoff – Yes,  
Tariq El-Atrache – Yes, Bonnie Klea – Absent, Heidi Manning – Absent, Steve Randall – Yes,  
Anthony Scarce – Yes, Myrl Schreiber – Yes, Joan Trent – Yes, Brad Vanderhoof – Yes  
Yes – 7, No – 0, Abstain – 1, Absent – 5, Recusal -- 0

The motion passed. The letter will be sent to the Board for approval.

Committee Co-chair Anthony Scarce adjourned the meeting at 8:42 PM.

The next meeting of this committee will be held on Tuesday, September 21, 2021, at 7:30 PM.

August 26, 2021

Councilmember John Lee  
City of Los Angeles Council District 12

**Re: Request for motion on AB-43 (Friedman)**

Dear Mr. John Lee:

WHEREAS speeding motorists are making the streets in West Hills increasingly dangerous in recent years, resulting in many accidents, injuries, and deaths; and

WHEREAS, speed is the primary factor in fatal traffic collisions and continues to kill hundreds of people in Los Angeles every year; and

WHEREAS in California, speed limits are determined by the speed of the 85th percentile of drivers. In other words, if 100 people drive down a street, the speed limit is pegged to the speed of the 16th fastest driver; and

WHEREAS currently, the 85th percentile rule requires municipalities to set speeds limits at the nearest 5-mile increment to the 85th percentile speed, with the option to go down 5 mph instead of up. For example, if the 85th percentile speed on a street is 42 mph, the city could set a speed limit of 40 mph. If that speed is 43 mph, the default speed limit would be 45, but the city could set it at 40 but no lower; and

WHEREAS in practice, the 85th percentile rule means that when reckless driving endangers neighborhood children, bicyclists, pedestrians and other motorists, a local government can't lower the speed limit to protect its residents. It could even be forced to raise the speed limit.

THEREFORE, the West Hills Neighborhood Council urges the John Lee (CD12) to introduce a motion in support of AB-43 Traffic Safety (Friedman) to the Los Angeles City Council, Transportation Committee.

## AB 43, as amended, Friedman. Traffic safety.

(1) Existing law establishes various default speed limits for vehicles upon highways, as specified. Existing law authorizes state and local authorities to adjust these default speed limits, as specified, based upon certain findings determined by an engineering and traffic survey. Existing law defines an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. Existing law authorizes local authorities to consider additional factors, including pedestrian and bicyclist safety.

This bill would authorize local authorities to consider the safety of vulnerable pedestrian groups, as specified.

(2) Existing law establishes a prima facie speed limit of 25 miles per hour on any highway, other than a state highway, located in any business or residence district, as defined. Existing law authorizes a local authority to change the speed limit on any such highway, as prescribed, including erecting signs to give notice thereof.

This bill would establish a prima facie speed limit of 25 miles per hour on state highways located in any business or residence district and would authorize the Department of Transportation (Caltrans) to change the speed limit on any such highway, as prescribed, including erecting signs to give notice thereof.

(3) Existing law establishes a speed limit of 65 miles per hour on state highways, as specified. Existing law authorizes Caltrans to declare a speed limit on any such highway, as prescribed, of 60, 55, 50, 45, 40, 35, 30, or 25 miles per hour, including erecting signs to give notice thereof. Existing law also authorizes a local authority, on a section of highway, other than a state highway, where the speed limit is 65 miles per hour to declare a lower speed limit, as specified.

This bill would additionally authorize Caltrans and a local authority to declare a speed limit of 20 or 15 miles per hour, as specified, on these highways.

(4) Existing law authorizes a local authority, without an engineering and traffic survey, to declare a lowered speed limit on portions of highway, as specified, approaching a school building or school grounds. Existing law limits this authority to sections of highway meeting specified requirements relating to the number of lanes and the speed limit of the highway before the school zone.

This bill would similarly authorize a lowered speed limit on a section of highway contiguous to a business activity district, as ~~defined~~. *defined, and would require that certain violations be subject to a warning citation, for the first 30 days of implementation.*

(5) Existing law requires Caltrans, by regulation, to provide for the rounding up or down to the nearest 5 miles per hour increment of the 85th percentile speed of free-flowing traffic on a portion of highway as determined by a traffic and engineering survey. *Existing law requires the Judicial Council to create and implement an online tool by June 30, 2024, for the adjudication of traffic infractions, among other things.*

This bill would authorize a local authority to further reduce the speed limit, as specified, and require *that certain violations be subject to a warning citation, for the first 30 days of implementation. The bill would, in some circumstances, authorize the reduction of a speed limit beginning June 30, 2024, or when the Judicial Council has developed an online tool for adjudicating traffic infraction violations, whichever is sooner. The bill would require* Caltrans to accordingly revise the California Manual on Uniform Traffic Control Devices, as specified.

(6) Existing law defines a speed trap and prohibits evidence of a driver's speed obtained through a speed trap from being admissible in court in any prosecution against a driver for a speed-related offense. Existing law deems a road where the speed limit is not justified by a traffic and engineering survey conducted within the previous 7 years to be a speed trap, unless the roadway has been evaluated by a registered engineer, as specified, in which case the speed limit

remains enforceable for a period of 10 years. Existing law exempts a school zone, as defined, from certain provisions relating to defining a speed trap.

This bill would extend the period that a speed limit justified by a traffic and engineering survey conducted more the 7 years ago remains valid, for purposes of speed enforcement, if evaluated by a registered engineer, as specified, to 14 years.

This bill would also exempt a senior zone and business activity district, as defined, from those provisions.

## DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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## BILL TEXT

### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

#### SECTION 1.

Section 627 of the Vehicle Code is amended to read:

##### **627.**

(a) "Engineering and traffic survey," as used in this code, means a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation for use by state and local authorities.

(b) An engineering and traffic survey shall include, among other requirements deemed necessary by the department, consideration of all of the following:

(1) Prevailing speeds as determined by traffic engineering measurements.

(2) Accident records.

(3) Highway, traffic, and roadside conditions not readily apparent to the driver.

(c) When conducting an engineering and traffic survey, local authorities, in addition to the factors set forth in paragraphs (1) to (3), inclusive, of subdivision (b) may consider all of the following:

(1) Residential density, if any of the following conditions exist on the particular portion of highway and the property contiguous thereto, other than a business district:

(A) Upon one side of the highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures.

(B) Upon both sides of the highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures.

(C) The portion of highway is longer than one-quarter of a mile but has the ratio of separate dwelling houses or business structures to the length of the highway described in either subparagraph (A) or (B).

(2) Safety of bicyclists and pedestrians, with increased consideration for vulnerable pedestrian groups including children, seniors, persons with disabilities, users of personal assistive mobility devices, and the unhoused.

#### SEC. 2.

Section 21400 of the Vehicle Code is amended to read:

##### **21400.**

(a) The Department of Transportation shall, after consultation with local agencies and public hearings, adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices placed pursuant to this code, including, but not limited to, stop signs, yield right-of-way signs, speed restriction signs, railroad warning approach signs, street name signs, lines and markings on the roadway, and stock crossing signs placed pursuant to Section 21364.

(b) The Department of Transportation shall, after notice and public hearing, determine and publicize the specifications for uniform types of warning signs, lights, and devices to be placed upon a highway by a person engaged in performing work that interferes with or endangers the safe movement of traffic upon that highway.

(c) Only those signs, lights, and devices as are provided for in this section shall be placed upon a highway to warn traffic of work that is being performed on the highway.

(d) Control devices or markings installed upon traffic barriers on or after January 1, 1984, shall conform to the uniform standards and specifications required by this section.

### **SEC. 3.**

Section 22352 of the Vehicle Code is amended to read:

#### **22352.**

The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(a) Fifteen miles per hour:

(1) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagperson is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(2) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(3) On any alley.

(b) Twenty-five miles per hour:

(1) On any highway, in any business or residence district unless a different speed is determined by local authority or the Department of Transportation under procedures set forth in this code.

(2) When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching or passing any school grounds which are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign. For purposes of this subparagraph, standard "SCHOOL" warning signs may be placed at any distance up to 500 feet away from school grounds.

(3) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority may erect a sign pursuant to this paragraph when the local agency makes a determination that the proposed signing should be implemented. A local authority may request grant funding from the Active Transportation Program pursuant to Chapter 8 (commencing with Section 2380) of Division 3 of the Streets and Highways Code, or any other grant funding available to it, and use that grant funding to pay for the erection of those signs, or may utilize any other funds available to it to pay for the erection of those signs, including, but not limited to, donations from private sources.

### **SEC. 4.**

Section 22354 of the Vehicle Code is amended to read:

#### **22354.**

(a) Whenever the Department of Transportation determines upon the basis of an engineering and traffic survey that the limit of 65 miles per hour is more than is reasonable or safe upon any portion of a state highway where the limit of 65 miles is applicable, the department may determine and declare a prima facie speed limit of 60, 55, 50, 45, 40, 35, 30, 25, 20, or 15 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon the highway.

(b) This section shall become operative on the date specified in subdivision (c) of Section 22366.

### **SEC. 5.**

Section 22358 of the Vehicle Code is amended to read:

#### **22358.**

(a) Whenever a local authority determines upon the basis of an engineering and traffic survey that the limit of 65 miles per hour is more than is reasonable or safe upon any portion of any street other than a state highway where the limit of 65 miles per hour is applicable, the local authority may by ordinance determine and declare a prima facie speed limit of 60, 55, 50, 45, 40, 35, 30, 25, 20, or 15 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie limit shall be effective when appropriate signs giving notice thereof are erected upon the street.

(b) This section shall become operative on the date specified in subdivision (c) of Section 22366.

### **SEC. 6.**

Section 22358.6 is added to the Vehicle Code, to read:



**22358.6.**

The Department of Transportation shall, in the next scheduled revision, revise and thereafter maintain the California Manual on Uniform Traffic Control Devices to require the Department of Transportation or a local authority to round speed limits to the nearest five miles per hour of the 85th percentile of the free-flowing traffic. However, in cases in which the speed limit needs to be rounded up to the nearest five miles per hour increment of the 85th-percentile speed, the Department of Transportation or a local authority may decide to instead round down the speed limit to the lower five miles per hour increment. A local authority may additionally lower the speed limit as provided in Sections 22358.7 and 22358.8.

**SEC. 7.**

Section 22358.7 is added to the Vehicle Code, to read:

**22358.7.**

(a) If a local authority, after completing an engineering and traffic survey, finds that the speed limit is still more than is reasonable or safe, the local authority may, by ordinance, determine and declare a prima facie speed limit that has been reduced an additional five miles per hour for either of the following reasons:

- (1) The portion of highway has been designated as a safety corridor. A local authority shall not deem more than one-fifth of their streets as safety corridors.
- (2) The portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, especially those from vulnerable groups such as children, seniors, persons with disabilities, and the unhoused.

(b) (1) As used in this section, "safety corridor" shall be defined by the Department of Transportation in the next revision of the California Manual on Uniform Traffic Control Devices. In making this determination, the department shall consider highways that have the highest number of serious injuries and fatalities based on collision data that may be derived from, but not limited to, the Statewide Integrated Traffic Records System.

(2) The Department of Transportation shall, in the next revision of the California Manual on Uniform Traffic Control Devices, determine what constitutes land or facilities that generate high concentrations of bicyclists and pedestrians, as used in paragraph (2) of subdivision (a). In making this determination, the department shall consider density, road use type, and bicycle and pedestrian infrastructure present on a section of highway.

*(c) A local authority may not lower a speed limit as authorized by this section until June 30, 2024, or until the Judicial Council has developed an online tool for adjudicating infraction violations statewide as specified in Article 7 (commencing with Section 68645) of Chapter 2 of Title 8 of the Government Code, whichever is sooner.*

*(d) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.*

**SEC. 8.**

Section 22358.8 is added to the Vehicle Code, to read:

**22358.8.**

(a) If a local authority, after completing an engineering and traffic survey, finds that the speed limit is still more than is reasonable or safe, the local authority may, by ordinance, retain the current speed limit or restore the immediately prior speed limit if that speed limit was established with an engineering and traffic survey and if a registered engineer has evaluated the section of highway and determined that no additional general purpose lanes have been added to the roadway since completion of the traffic survey that established the prior speed limit.

(b) This section does not authorize a speed limit to be reduced by any more than five miles per hour from the current speed limit nor below the immediately prior speed limit.

*(c) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.*

**SEC. 9.**

Section 22358.9 is added to the Vehicle Code, to read:

**22358.9.**

(a) (1) Notwithstanding any other law, a local authority may, by ordinance, determine and declare a 25 or 20 miles per hour prima facie speed limit on a highway contiguous to a business activity district when posted with a sign that indicates a speed limit of 25 or 20 miles per hour.

(2) The prima facie limits established under paragraph (1) apply only to highways that meet all of the following conditions:

- (A) A maximum of four traffic lanes.
- (B) A maximum posted 30 miles per hour prima facie speed limit immediately prior to and after the business activity district, if establishing a 25 miles per hour speed limit.

(C) A maximum posted 25 miles per hour prima facie speed limit immediately prior to and after the business activity district, if establishing a 20 miles per hour speed limit.

(b) As used in this section, a “business activity district” is that portion of a highway and the property contiguous thereto that includes central or neighborhood downtowns, urban villages, or zoning designations that prioritize commercial land uses at the downtown or neighborhood scale and meets at least three of the following requirements in paragraphs (1) to (4), inclusive:

(1) No less than 50 percent of the contiguous property fronting the highway consists of retail or dining commercial uses, including outdoor dining, that open directly onto sidewalks adjacent to the highway.

(2) Parking, including parallel, diagonal, or perpendicular spaces located alongside the highway.

(3) Traffic control signals or stop signs regulating traffic flow on the highway, located at intervals of no more than 600 feet.

(4) Marked crosswalks not controlled by a traffic control device.

(c) A local authority shall not declare a prima facie speed limit under this section on a portion of a highway where the local authority has already lowered the speed limit as permitted under Sections 22358.7 and 22358.8.

*(d) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.*

## **SEC. 10.**

Section 40802 of the Vehicle Code is amended to read:

### **40802.**

(a) A “speed trap” is either of the following:

(1) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(2) A particular section of a highway with a prima facie speed limit that is provided by this code or by local ordinance under paragraph (1) of subdivision (b) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects. This paragraph does not apply to a local street, road, school zone, senior zone, or business activity district.

(b) (1) For purposes of this section, a local street or road is one that is functionally classified as “local” on the “California Road System Maps,” that are approved by the Federal Highway Administration and maintained by the Department of Transportation. It may also be defined as a “local street or road” if it primarily provides access to abutting residential property and meets the following three conditions:

(A) Roadway width of not more than 40 feet.

(B) Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control signals as defined in Section 445.

(C) Not more than one traffic lane in each direction.

(2) For purposes of this section, “school zone” means that area approaching or passing a school building or the grounds thereof that is contiguous to a highway and on which is posted a standard “SCHOOL” warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. “School zone” also includes the area approaching or passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children if that highway is posted with a standard “SCHOOL” warning sign.

(3) For purposes of this section, “senior zone” means that area approaching or passing a senior center building or other facility primarily used by senior citizens, or the grounds thereof that is contiguous to a highway and on which is posted a standard “SENIOR” warning sign, pursuant to Section 22352.

(4) For purposes of this section, “business activity district” means a section of highway described in subdivision (b) of Section 22358.9 in which a standard 25 miles per hour or 20 miles per hour speed limit sign has been posted pursuant to paragraph (1) of subdivision (a) of that section.

(c) (1) When all of the following criteria are met, paragraph (2) of this subdivision shall be applicable and subdivision (a) shall not be applicable:

(A) When radar is used, the arresting officer has successfully completed a radar operator course of not less than 24 hours on the use of police traffic radar, and the course was approved and certified by the Commission on Peace Officer Standards and Training.

(B) When laser or any other electronic device is used to measure the speed of moving objects, the arresting officer has successfully completed the training required in subparagraph (A) and an additional training course of not less than two hours approved and certified by the Commission on Peace Officer Standards and Training.

(C) (i) The prosecution proved that the arresting officer complied with subparagraphs (A) and (B) and that an engineering and traffic survey has been conducted in accordance with subparagraph (B) of paragraph (2). The prosecution proved that, prior to the officer issuing the notice to appear, the arresting officer established that the radar, laser, or other electronic device conformed to the requirements of subparagraph (D).

(ii) The prosecution proved the speed of the accused was unsafe for the conditions present at the time of alleged violation unless the citation was for a violation of Section 22349, 22356, or 22406.

(D) The radar, laser, or other electronic device used to measure the speed of the accused meets or exceeds the minimal operational standards of the National Highway Traffic Safety Administration, and has been calibrated within the three years prior to the date of the alleged violation by an independent certified laser or radar repair and testing or calibration facility.

(2) A “speed trap” is either of the following:

(A) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(B) (i) A particular section of a highway or state highway with a prima facie speed limit that is provided by this code or by local ordinance under paragraph (1) of subdivision (b) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within one of the following time periods, prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects:

(I) Except as specified in subclause (II), seven years.

(II) If an engineering and traffic survey was conducted more than seven years prior to the date of the alleged violation, and a registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, 14 years.

(ii) This subparagraph does not apply to a local street, road, or school zone, senior zone, or business activity district.

MOTION

Illegal Street racing and reckless driving exhibitions (also known as “side shows”), where individuals gather to watch motorists engage in exhibitions of speed and other dangerous activities while blocking roads and intersections, have been a continuing problem in the City, as well as other cities across the state. Over recent years, the internet and social media have made it even easier for organizers of these illegal events to organize and promote them, despite the best efforts of law enforcement.

In an effort to address this in their jurisdiction, the City of San José recently adopted an ordinance to criminalize the promotion of illegal street races and side shows. Under this ordinance, it is a misdemeanor to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition in San José. As this crime is a misdemeanor, it is punishable by a fine of up to \$1,000 and/or imprisonment in the county jail for not more than six months. The Council should request a report looking into the feasibility of adopting a similar ordinance in the City of Los Angeles.

I THEREFORE MOVE that the City Attorney be requested to report on the feasibility of enacting an ordinance to make it unlawful to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition, modeled after the ordinance recently adopted by the City of San José.

PRESENTED BY: 

JOHN S. LEE  
Councilmember, 12<sup>th</sup> District

SECONDED BY: 

jwd

AUG 31 2021



ORIGINAL

File # :	CF-21-0975 (Lee)
Title :	Illegal Street Racing / Reckless Driving Exhibition / Spectator Gathering / Promotion / Facilitation
Type :	Streets Public Safety
City/State :	Los Angeles, California

Summary :	<p>Illegal Street racing and reckless driving exhibitions (also known as "side shows"), where individuals gather to watch motorists engage in exhibitions of speed and other dangerous activities while blocking roads and intersections, have been a continuing problem in the city, as well as other cities across the state. Over recent years, the internet and social media have made it even easier for organizers of these illegal events to organize and promote them, despite the best efforts of law enforcement.</p> <p>To address this in their jurisdiction, the City of San Jose recently adopted an ordinance to criminalize the promotion of illegal street races and side shows. Under this ordinance, it is a misdemeanor to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition in San Jose. As this crime is a misdemeanor; it is punishable by a fine of up to \$1,000 and/or imprisonment in the county jail for not more than six months. The Council should request a report looking into the feasibility of adopting a similar ordinance in the City of Los Angeles.</p>
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Motion :	<p>Support CF 21-0975 in that the City Attorney be requested to report on the feasibility of enacting an ordinance to make it unlawful to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition, modeled after the ordinance recently adopted by the City of San Jose.</p>
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EP Position :	
Vote :	

“YES” Vote:	
	<b>YES = YES</b> on the Motion

“NO” Vote:	
	<b>NO = NO</b> on the Motion