

**RESOLUTION NO. \_\_\_\_\_ (N.C.S.)**

**A RESOLUTION OF THE SALINAS CITY COUNCIL APPROVING THE  
ESTABLISHMENT OF SPEED LIMITS AS RECOMMENDED BY THE 2024  
ENGINEERING AND TRAFFIC SURVEY FOR SPEED LIMITS**

**WHEREAS**, in accordance with California Vehicle Code Sections 22357 and 22358, local municipalities have the power to increase or decrease prima facie speed limits for local streets; and

**WHEREAS**, in accordance with California Vehicle Code Section 40802 and provisions of the California Manual on Uniform Traffic Control Devices (MUTCD), Engineering and Traffic Surveys must be performed on those local streets every five to seven years when the use of radar or other electronic devices which measure the speed of moving objects are utilized to enforce the prima facie speed limits for those streets; and

**WHEREAS**, 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; and

**WHEREAS**, 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 in which case the speed limit remains enforceable for a period of 10 years. Existing law exempts a school zone from certain provisions relating to defining a speed trap; and

**WHEREAS**, effective July 1, 2024, the State of California, through Assembly Bill 43, granted local jurisdictions the authority to retain or reduce speed limits a maximum of 5 mph below the current posted speed limit without creating a speed trap following an engineering and traffic survey evaluated by a registered engineer; and

**WHEREAS**, the results of the 2024 Engineering and Traffic Survey for Speed Limits conform to the requirements of the Vehicle Code; and

**WHEREAS**, City staff has concluded those speed limits set forth in the 2024 Engineering and Traffic Survey for Speed Limits attached hereto are justified for their associated street segments in that they are found to be most appropriate to facilitate the orderly movement of vehicular traffic and are reasonable and safe for those street segments; and

**WHEREAS**, at its December 12, 2024 meeting, the Traffic and Transportation Commission voted (3-0) to recommend to City Council the establishment of the 2024 Engineering and Traffic Survey for Speed Limits; and

**WHEREAS**, the City of Salinas has determined that the establishment of the 2024 Engineering and Traffic Survey for Speed Limits is exempt from the California Environmental Quality Act (CEQA) Guidelines (Section 15301, Class 1). The proposed action has no potential

to cause any effect on the environment and does not cause a direct or foreseeable indirect physical change on or in the environment.

**NOW, THEREFORE, BE IT RESOLVED** that the Salinas City Council hereby approves the establishment of the 2024 Engineering and Traffic Survey for Speed Limits; and

**BE IT FURTHER RESOLVED** that City staff is hereby authorized and directed to proceed with the establishment of the 2024 Engineering and Traffic Survey for Speed Limits to fully effectuate the intent of this Resolution.

**PASSED AND APPROVED** this 27<sup>th</sup> day of January 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

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Dennis Donohue, Mayor

**ATTEST:**

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Patricia M. Barajas, City Clerk