



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: SEPTEMBER 28, 2021

DEPARTMENT: PUBLIC WORKS

FROM: DAVID JACOBS, DIRECTOR

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TITLE: 2021 ENGINEERING AND TRAFFIC SURVEYS FOR SPEED LIMITS

RECOMMENDATION MOTION:

A motion to approve a Resolution to establish speed limits as recommended by the 2021 Engineering and Traffic Survey for speed limits.

RECOMMENDATION:

It is recommended that the City Council approve a Resolution to establish speed limits as recommended by the 2021 Engineering and Traffic Survey for speed limits. In accordance with California Vehicle Code Section 40802 and provisions of the California Manual on Uniform Traffic Control Devices, Engineering and Traffic Surveys must be performed on streets every five years when the use of radar or other electronic devices that measure the speed of moving objects are used to enforce the posted speed limits.

EXECUTITVE SUMMARY:

Establishing speed limits and signs are part of state law complying with California Vehicle Code (CVC) and federal law complying with Manual of Uniform Traffic Control Devices (MUTCD). In California, an Engineering & Traffic Survey (E&TS) that establishes a speed limit for any roadway at the 5th mph increment of the 85th percentile speed needs to be conducted to justify posted speed limits. These E&TS need to be conducted every five up to seven or ten years on particular criteria per CVC. The 2021 E&TS was conducted on twenty-nine (29) roadways in the City of Salinas where surveys expired in 2020 or will expire in 2021. The results are that out of the twenty-nine (29) segments, five (5) are increasing, four (4) are decreasing, and twenty (20) segments posted speed limits will remain the same.

BACKGROUND:

A speed limit sign is a federal device, which a posting authority is authorized to use providing they comply with the law. Article 1 Section 8 of the Constitution's mandate is uniform oversight of regulation of the nation's roadways. The US Constitution, Congress' intent in this field is to establish uniformity in the vehicle code and traffic control devices. In the United States, there are 80,000 posting authorities and about 4 million miles of roads, how would a person know what is expected of them, or the penalties as they go from sign to sign? The Uniform Vehicle Code (UVC) and Manual of Uniform Traffic Control Devices establish the rules for which posting authorities shall conform to when establishing posted speed limits.

Speed limits for most roadways are established by prescribed procedures in accordance with the CVC and the MUTCD. The CVC requires that an Engineering and Traffic Survey be conducted every five years to justify a posted speed limit. Section 40802 of the CVC specifies the time periods within which speed surveys must be performed if the use of radar is to be employed to enforce speed limits. If the E&TS are more than 5 years old, the speed zone is considered to be a "speed trap" under CVC 40802 and courts may reject evidence of speeding obtained through radar or other electronic devices. E&TS may be up to 7 years old if conditions under CVC 40802(c)(1) related to enforcement training and equipment certification have been met. If an E&TS is not performed within the required time frame, posted speed limits are no longer valid and cannot be enforced properly, which allow for vehicular speeds to gradually rise on given roadway. Local roads with specific characteristics as classified by the Federal Highway Administration (Attachment 3), do not require E&TS and a 25 mph prima facie speed limit is considered legitimate. Local roads provide direct access to adjacent lands and a higher transportation system. Local roads do not carry through traffic movement within the transportation network.

The MUTCD process of establishing a speed zone is built around a spot speed survey that typically consists of measuring speeds with a radar gun or other electronic device of motor vehicles traveling at free-flow speeds. Measured speeds create a data set and the most relevant data point is the 85th percentile speed. The 85th percentile speed is the speed at or below which 85 percent of motor vehicles travel. The 85 percentile is identified as the maximum speed that the majority of drivers who drive a roadway consider reasonable and safe. As a result, posted speeds are a reflection of the speed that most drivers deem to be safe, as opposed to a minority of drivers who do not drive in a reasonable manner.

According to the California MUTCD Section 2B.13 Paragraph 12a, the posted speed limit "shall be established at the nearest 5-mph increment of the 85th percentile speed of free-flowing traffic." For example, a segment with a measured 85th percentile speed of 37 mph would be rounded-down to have a posted speed limit of 35 mph. While another segment with a measured 85th percentile speed of 33 mph would be rounded-up to have a posted speed limit of 35 mph. The California MUTCD allows the posted speed limit to be decreased by no more than 5 mph from a rounded speed, using one of two options described below that depend on whether the 85th percentile speed has been rounded down or up. There are no provisions for increasing the speed limit above the nearest 5-mph increment of the 85th percentile speed.

California MUTCD option 1 is defined in Section 2B.13 which states, “The posted speed may be reduced by 5 mph from the nearest 5-mph increment of the 85th percentile speed, in compliance with CVC Sections 627 and 22358.5.” The cited CVC Section 627 defines an E&TS that is required to consider prevailing speeds, accident records, and conditions not readily apparent to the driver, and optionally consider residential density as well as pedestrian and bicycle safety.

California MUTCD option 2 is defined in Section 2B.13 which states, “For cases in which the nearest 5-mph increment of the 85th percentile speed would require a rounding up, then the speed limit may be rounded down to the nearest 5-mph increment below the 85th percentile speed, if no further reduction is used.” An Option 2 round-down, which became available when CVC Section 21400(b) went into effect January 1, 2012, requires no engineering and traffic survey to post the speed limit sign. The E&TS is required nevertheless, however, to allow radar or similar devices to be used for enforcement.

Why is this method used for establishing speed limits? The Federal Highway Administration has conducted numerous studies on the practice of establishing speed zones. The conclusions found in these studies states, “the speed limit should be set at the speed driven by 85 to 90 percent of the free-moving vehicles rounded up to the next 5 mph increment. This method results in speed limits that are not only acceptable to a majority of the motorist, but also fall within the speed range where accident risk is lowest.” (Report No. FHWA/RD-85/096 Technical Summary, "Synthesis of Speed Zoning Practice"). Like other traffic laws, it is based upon the assumption that the majority of drivers will behave in a reasonable manner. Laws that arbitrarily restrict the majority of motorist encourage wholesale violations, lack of public support, and usually fail to bring about desirable changes in driving behavior. This is especially true of speed limits.

Public works staff identified twenty-nine (29) roadway segments where the posted speed limit expired in 2020 or scheduled to expire in 2021. Public works staff prepared the 2021 Engineering and Traffic Survey for Speed Limits Technical Report (Attachment 2), which details the methodology and findings of the speed survey. The report details the CVC regulations and California MUTCD policies. Of the twenty-nine (29) roadway segments five (5) are increasing, four (4) are decreasing, and twenty (20) segments posted speed limits will remain the same. All other roadway segments not evaluated in the 2021 E&TS report will remain the same. All existing school zones contained within these segments will remain the same. Highlighted are those street segments where speed limits are required to change in accordance with the MUTCD.

At its meeting of Traffic and Transportation Commission on September 9, 2021, a concern was raised regarding the increase of the speed limit at Towt Street. The original segment was from Towt Street between E Alisal St and Freedom Pkwy. Public works staff conducted a speed survey that identified on Towt Street between Garner Avenue and Freedom Pkwy the 85th percentile of 31 mph rounded down to 30 mph and reduced to 25 mph per MUTCD option 1. This survey suggested that the speed limit of 25 mph should be retained for that particular segment. The results determined that the original limits should be adjusted to have two E&TS on the street of Towt Street as noted on the following table.

Street Segment	Limits	Existing	New
Abbott Street	Sanborn Road to Harkins Road	45	40
Airport Boulevard	Skyway Boulevard to Hansen Street	25/45*	45
Chaparral Street	North Main Street to Natividad Road	30/25*	25
Constitution Boulevard	Independence Boulevard to Boronda Road	45	40
Romie Lane	Riker Street to Abbott Street	25/35*	30
Natividad Road	East Bernal Drive to East Laurel Drive	40	40
San Juan Grade Road	North Main Street to Russell Road	45	45
Towt Street	East Alisal Street to Garner Avenue	25	30
Williams Road	East Alisal Steet to Boronda Road	35	35
Post Drive	Calle Del Adobe to North Davis Road	25	30
Navajo Drive	North Main Street to Adams Street	25	25
Villa Street	West Market Street to Central Avenue	25	25
Maple Street	South Main Street to Abbott Street	25	25
Clay Street	Iverson Street to South Main Street	25	25
Lincoln Avenue	West Market Street to Clay Street	25	25
Salinas Street	West Market Street to Clay Street	25	25
Monterey Street	West Market Street to John Street	25	25
Pajaro Street	East Market Street to East Blanco Road	25	25
Hebbron Avenue	East Market Street to John Street	25	25
Tyler Street	West Laurel Drive to Iris Drive	25	25
Terven Avenue	Sanborn Road to Airport Boulevard	25	25
Hansen Street	Airport Boulevard to Harkins Road	25	30
Los Palos Drive	Abbott Street to San Miguel Avenue	25	25
John Street	Wood Street to East Alisal Street	35	35
Freedom Parkway	Williams Road to Sconberg Parkway	25	35
Sconberg Parkway	Alisal Road to Freedom Parkway	25	25
Davis Road, North	Larkin Street to Westridge Parkway	35	35
Alisal Street, West/East	Capitol Street to Front Street	25	25
Towt Street	Garner Avenue to Freedom Parkway	25	25

Highlighted are segments where speed limits are proposed to change.

**Segment contained two different speed limits.*

It is important to note that using the Engineering and Traffic Survey to establish speed zones is not only a federal requirement, it also lowers the risk of accidents. However, acknowledges this practice is only good for lowering the risk of collision while accident severity tends to increase with higher speeds. The California MUTCD process is required in order to be able to conduct speed enforcement by radar. Otherwise, speeding citations cannot be justified in court. Without enforcement drivers traveling at unreasonable speeds, over the 85th percentile speed, cannot be cited for speeding using radar and may continue to go unenforced.

Why not keep the existing speed limit signs arbitrarily low to slow the speed of traffic? This is a misconception. Many before and after studies have found that changing the speed limit signs does not change how fast Americans drive. The best known study is the “Parker Report”, (Report No. FHWA-RD-92-084: The Effects of Raising and Lowering the Speed Limit). The federal Department of Transportation hired a consultant to prove that low speed limits slowed traffic and improved safety. The study looked at data from 100 sites in 22 states where speed limits were either raised or lowered. Counter to the hypothesis of the federal DOT, the study found low speed

limits had no effect on the operating traffic speed. Posting the appropriate speed limit not only lowers collision potential it also enables law enforcement to effectively issue speeding citations.

Staff recommends the Traffic and Transportation Commission recommend that the City Council to receive the 2021 Engineering and Traffic Survey and adopt a resolution establishing speed limits in accordance with federal regulations.

TRAFFIC AND TRANSPORTATION COMMISSION:

The recommendation for the establishment of the 2021 Engineering and Traffic Survey for speed limits was presented to the Traffic and Transportation Commission at its September 9, 2021 meeting. The Commission expressed concerns specifically with a higher posted speed limit on Towt Street. Staff evaluated possible remedies and was able to separate Towt Street into two segments. The Alisal Street to Garner Avenue segment is still proposed to increase in accordance with the original survey, and the Garner Avenue to Freedom Parkway segment will retain a 25mph posted speed limit. The Commission voted unanimously (6-0) to recommend to City Council the establishment of the 2021 Engineering and Traffic Survey for speed limits.

CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

STRATEGIC PLAN INITIATIVE:

The establishment of legitimate speed limits support the City Council's goal of "Public Safety".

DEPARTMENTAL COORDINATION:

The Public Works Department survey, recommend and monitor posted speed limits. Established speed zones allow the Salinas Police Department to enforce posted speed limits. Public Works provides the Police Department and the Traffic Court with updates and changes to the established speed zones for proper enforcement.

FISCAL AND SUSTAINABILITY IMPACT:

The City must replace or install existing speed limit signage and school zone signage on the nine

(9) changing roadway segments. Additionally, some speed zones are missing required speed limit signs which need to be installed. The estimated labor and material cost to replace and install missing signs is \$53,470. Sufficient funding is available in the CIP 9162, which funds the replacement of regulatory signs to meet national retro reflectivity standards.

ATTACHMENTS:

Attachment 1: Resolution

Attachment 2: 2021 Engineering and Traffic Survey for Speed Limits Technical Report

Attachment 3: FHWA Functional Classification Maps

Attachment 4: Speed Limit Informational Brochure