

CC-28

CITY COUNCIL MEETING  
MAY 2, 1984

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AB 2894

City Clerk Reinche presented the following letter which had been received from Mayor Peggy Mensinger, City of Modesto, re seeking passage of AB 2894:

"The City of Modesto is seeking passage of AB 2894 (Condit) which would give cities greater control of safety on residential collector streets.

Enclosed is a copy of AB 2894 which would amend the Vehicle Code to allow for 30 mph radar speed limits on streets that qualify for 25 mph non-radar limits. The intent is to give local governments the authority to set "prima facie" speed limits on residential collector streets and to use radar to enforce those speed limits.

Present law does not permit radar speed limits on collector streets unless there has been a "traffic and engineering survey." The surveys set the limit at what 85% of the cars are doing. This often results in limits that are in excess of normal 25 mph and 30 mph speeds for residential areas. Of major concern to us is the danger to school children who use the streets to and from school.

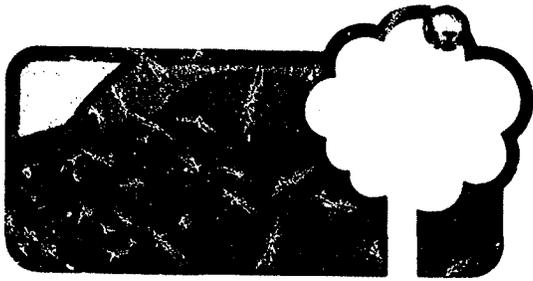
AB 2894 is set for hearing in the Assembly Transportation Committee on April 24. The league of California Cities strongly supports AB 2894. We are anticipating heavy opposition from the Automobile Club of Southern California, the California State Automobile Association and the Teamsters, and need a strong lobbying effort from cities if this important bill is to become law. The Assemblymember who represents your city sits on this Committee. Please contact him/her and ask for a "Yes" vote on AB 2894. Thank you.

Sincerely,

s/Peggy Mensinger  
Mayor"

RES. 84-052  
SUPPORTING  
AB 2894

Following discussion, on motion of Mayor Snider, Reid second, Council adopted Resolution No. 84-052 supporting passage of AB 2894. The City Clerk was directed to forward copies of the subject Resolution to "our" Legislators and to Mayor Peggy Mensinger of Modesto.



# CITY of MODESTO



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ALICE M. WICKS  
CITY CLERK  
CITY OF MODESTO

Peggy Mensinger, Mayor 801 11th Street, P.O. Box 642, Modesto, CA 95353, (209) 577-5223  
April 12, 1984

The Honorable Evelyn M. Olson  
Mayor, City of Lodi  
City Hall  
221 W. Pine Street  
Lodi, CA 95240

Dear Mayor Olson:

The City of Modesto is seeking passage of AB 2894 (Condit) which would give cities greater control of safety on residential collector streets.

Enclosed is a copy of AB 2894 which would amend the Vehicle Code to allow for 30 mph radar speed limits on streets that qualify for 25 mph non-radar limits. The intent is to give local governments the authority to set "prima facie" speed limits on residential collector streets and to use radar to enforce those speed limits.

Present law does not permit radar speed limits on collector streets unless there has been a "traffic and engineering survey." The surveys set the limit at what 85% of the cars are doing. This often results in limits that are in excess of normal 25 mph and 30 mph speeds for residential areas. Of major concern to us is the danger to school children who use the streets to and from school.

AB 2894 is set for hearing in the Assembly Transportation Committee on April 24. The League of California Cities strongly supports AB 2894. We are anticipating heavy opposition from the Automobile Club of Southern California, the California State Automobile Association and the Teamsters, and need a strong lobbying effort from cities if this important bill is to become law. The Assemblymember who represents your city sits on this Committee. Please contact him/her and ask for a "Yes" vote on AB 2894. Thank you.

Sincerely,

Peggy Mensinger  
Mayor

PH:wpc

Attachments: AB 2894  
Assembly Transportation Committee list

**ASSEMBLY BILL****No. 2894**

Introduced by Assembly Member Condit

February 13, 1984

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An act to amend Section 40802 of the Vehicle Code, relating to vehicles.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2894, as introduced, Condit. Vehicles: speed traps.

Existing law defining "speed traps" prohibits the use of radar or other electronic speed-measuring device for the enforcement of specified vehicular prima facie speed limits established by counties and cities unless the speed limit is justified by an engineering and traffic survey conducted within 5 years prior to the date of the alleged violation. Until 1987, this prohibition is not applicable on 2-lane roads, not more than 40 feet wide or ½ mile in uninterrupted length.

This bill would additionally exempt streets in a business or residence district posted by a city or county for a 30 mile per hour speed limit.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 40802 of the Vehicle Code, as
- 2 amended by Section 1 of Chapter 357 of the Statutes of
- 3 1981, is amended to read:
- 4 40802. A "speed trap" is either of the following:
- 5 (a) A particular section of a highway measured as to
- 6 distance and with boundaries marked, designated, or
- 7 otherwise determined in order that the speed of a vehicle
- 8 may be calculated by securing the time it takes the

1 vehicle to travel the known distance.  
 2 (b) A particular section of a highway with a prima  
 3 facie speed limit provided by this code or by local  
 4 ordinance pursuant to paragraph (1) of subdivision (b) of  
 5 Section 22352, or established pursuant to Section 22354,  
 6 22357, 22358, or 22358.3, which speed limit is not justified  
 7 by an engineering and traffic survey conducted within  
 8 five years prior to the date of the alleged violation, and  
 9 where enforcement involves the use of radar or other  
 10 electronic devices which measure the speed of moving  
 11 objects. ~~The provisions of this~~ This subdivision ~~do~~ does  
 12 not apply to ~~local streets and roads~~ any street which  
 13 qualifies for a prima facie speed limit of 25 miles per hour  
 14 if the local authority having jurisdiction over the street  
 15 has, pursuant to Section 22357, erected signs establishing  
 16 a prima facie speed limit of 30 miles per hour for the  
 17 street.

18 *This subdivision does not apply to local streets and*  
 19 *roads.* For purposes of this section, local streets and roads  
 20 shall be defined by the latest functional usage and  
 21 federal-aid system maps as submitted to the Federal  
 22 Highway Administration. When these maps have not  
 23 been submitted, the following definition shall be used: A  
 24 local street or road primarily provides access to abutting  
 25 residential property and shall meet the following three  
 26 conditions:

- 27 ~~1-~~  
 28 (1) Roadway width of not more than 40 feet.  
 29 ~~2-~~  
 30 (2) Not more than one-half mile of uninterrupted  
 31 length. Interruptions shall include official traffic control  
 32 devices as defined in Section 445.  
 33 ~~3-~~  
 34 (3) Not more than one traffic lane in each direction.  
 35 (c) This section shall remain in effect only until  
 36 January 1, 1987, and as of that date is repealed, unless a  
 37 later enacted statute, which is chaptered before January  
 38 1, 1987, deletes or extends that date.

39 SEC. 2. Section 40802 of the Vehicle Code, as  
 40 amended by Section 2 of Chapter 357 of the Statutes of

1 1981, is amended to read:  
 2 40802. A "speed trap" is either of the following:  
 3 (a) A particular section of a highway measured as to  
 4 distance and with boundaries marked, designated, or  
 5 otherwise determined in order that the speed of a vehicle  
 6 may be calculated by securing the time it takes the  
 7 vehicle to travel the known distance.  
 8 (b) A particular section of a highway with a prima  
 9 facie speed limit provided by this code or by local  
 10 ordinance pursuant to paragraph (1) of subdivision (b) of  
 11 Section 22352, or established pursuant to Section ~~22354~~  
 12 22357, 22358, or 22358.3, which speed limit is not justify  
 13 by an engineering and traffic survey conducted within  
 14 five years prior to the date of the alleged violation, and  
 15 where enforcement involves the use of radar or other  
 16 electronic devices which measure the speed of moving  
 17 objects.  
 18 *This subdivision does not apply to any street which*  
 19 *qualifies for a prima facie speed limit of 25 miles per hour*  
 20 *if the local authority having jurisdiction over the street*  
 21 *has, pursuant to Section 22357, erected signs establishing*  
 22 *a prima facie speed limit of 30 miles per hour for the*  
 23 *street.*  
 24 (c) This section shall become operative on January 1,  
 25 1987.

Assembly Transportation Committee

Assemblyman Bruce E. Young  
Chairman, Room 5016  
916-445-6047

Assemblyman Marian LaFollette  
Room 5150  
916-445-8366

Assemblywoman Lucy Killea  
Vice Chairperson, Room 5128  
916-445-7210

Assemblyman Bill Lancaster  
Room 5158  
916-445-9234

Assemblyman Rusty Areias  
Room 4139  
916-445-7380

Assemblywoman Gwen Moore  
Room 2117  
916-445-8800

Assemblyman Steve Clute  
Room 2016  
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Assemblyman Louis J. Papan  
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916-445-8020

Assemblyman William J. Filante  
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Assemblyman Byron Sher  
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Assemblyman Elihu M. Harris  
Room 6031  
916-445-7442

Assemblyman Frank Vicencia  
Room 2148  
916-445-7486

Assemblyman Phillip Isenberg  
Room 2175  
916-445-1611

Assemblyman Phillip D. Wyman  
Room 4164  
916-445-3266

Address letters to the State Capitol, Sacramento, CA 95814, and please send a copy to Assemblyman Condit in Room 3194