



Public Hearing

City of San Bernardino Request for Council Action

Date: April 16, 2025

To: Honorable Mayor and City Council Members

From: Bill Gallardo Clayton, Interim City Manager.
Lynn Merrill, Director of Public Works

Department: Public Works

Subject: **Conduct a Public Hearing and Introduce for First Reading an Ordinance Amending Chapter 10.52 of the San Bernardino Municipal Code to Update the Existing Speed Zones City Wide**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Hold a Public Hearing; and
2. Introduce, read by title only, and waive further reading of Ordinance No. MC-1651, Amending Chapter 10.52 of the San Bernardino Municipal Code to Update Existing Speed Zones City Wide; and
3. Schedule the adoption of Ordinance No. MC-1651 to the regular scheduled meeting of the Mayor and the City Council on May 21, 2025.

Executive Summary

The Engineering and Traffic Survey was conducted to evaluate the current roadway conditions, traffic flow and overall effectiveness of the existing speed limit speeds in the City. It is intended to ensure that local traffic regulations remain consistent with current roadway conditions, usage patterns, and best practices in traffic engineering. Since the original survey was conducted in 2016, changes in land use, population growth, travel patterns and vehicle technology have altered travel behaviors, impacting both traffic flow and safety. To address these evolving conditions, the amended Engineering and Traffic Survey includes updated data collection, revised speed zoning recommendations, and targeted safety corridor speed reductions improvements. The proposed updates strive to create a balanced approach to

mobility, safety, and compliance, contributing to the overall well-being of the residents and roadway users.

Background

In California, Engineering and Traffic (E&T) Surveys must be conducted according to guidelines set forth by the California Vehicle Code (CVC) sections 22357 and 22358 and the California Manual on Uniform Traffic Control Devices (CA MUTCD). These surveys typically involve measuring prevailing traffic speeds—often using the 85th percentile criterion—along with evaluating collision history and roadway characteristics. Data is collected under conditions that reflect normal, free-flowing traffic, ensuring the resulting speed recommendations accurately represent real-world driving behaviors. Once completed, E&T Surveys provide the evidence-based foundation for setting or adjusting speed limits, helping local agencies maintain consistency, enhance safety, and reduce speed variability on public roads.

Speed limits determined through the E&T Survey are typically set near the 85th percentile speed, which is the speed at or below which 85% of traffic is traveling. Research has shown that setting speed limits at this threshold enhances safety and reduces variations in vehicle speeds.

Additionally, Assembly Bill 43 (AB 43), signed into law in October 2021, modifies how speed limits are set in California by providing local jurisdictions with greater flexibility to prioritize road safety. The California Vehicle Code was amended in 2022 and the California MUTCD was amended in March 2023 to implement laws and guidelines with the changes set forth in AB 43. Under AB 43, cities and counties can now consider factors beyond prevailing traffic speeds—such as pedestrian and cyclist safety, collision history, and roadway conditions when conducting Engineering and Traffic Surveys. This change allows for more complex and specific speed limit setting, particularly in areas with vulnerable road users or higher collision risks, ultimately helping to reduce traffic-related injuries and fatalities. There were three major changes to how speed limits can be recommended under AB 43 as follows:

1. An E&T Survey conducted more than 7 years ago may be extended to 14 years (previously to 10 years) if a traffic engineer certifies that no changes in roadway or traffic conditions have occurred [CVC 40802 (c)(2)(B)(i)(II)].
2. A local authority may establish and designate safety corridors throughout their jurisdiction. The local authority may recommend a speed limit with an additional five mile per hour reduction on segments designated as safety corridors. Local authorities may not lower the speed limit under this section until June 30, 2024, or until the Judicial Council has developed an online tool for adjudicating infraction violations statewide, whichever is sooner.
3. If a local authority, after completing an E&T Survey, finds that the speed limit is still reasonable or safe, the local authority may retain the current speed limit or

restore the immediately prior speed limit if that speed limit was established with an E&T 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

Public Hearing Noticing

April 16, 2025

Legal advertisement was published in the San Bernadino Sun Newspaper and proof of Publication was sent back to the City of San Bernadino on March 29, 2025. The Spanish language advertisement is scheduled to run in El Chicano on this upcoming Thursday, April 03, 2025.

Discussion

The City of San Bernardino has engaged Willdan Engineering, through its on-call consulting contract, to conduct the required Engineering and Traffic Survey (E&T Survey). This collaboration ensures compliance with California Vehicle Code sections mandating that speed limits be established based on professional engineering analyses rather than arbitrary determinations. Willdan's role involves gathering and reviewing data on roadway conditions, traffic volumes, and collision histories, as well as identifying the 85th percentile speeds. By utilizing Willdan's expertise, the City aims to adopt speed limits that are consistent with state guidelines while enhancing road safety for drivers.

The E&T Surveys for the City were conducted in accordance with procedures outlined in the California MUTCD and as required by Section 627 of the CVC. The Code further describes three elements of an E&T Survey:

1. Measurement of prevailing speed;
2. Accident history; and
3. Roadway characteristics not readily apparent to the motorist.

Additionally, it is generally accepted that speed limits cannot be successfully enforced without voluntary compliance by most drivers. Consequently, only the driver whose behavior is clearly out of line with the normal flow of traffic is usually targeted for enforcement.

Average Daily Traffic Counts (ADT and field reviews were conducted at 157 locations during the months of October and November 2023, August and October 2024. Segments that used the 14-year extension did not need speed data or crash data collected.

The 157 segments throughout the City of San Bernardino were reviewed, evaluated with comparing 2016 and 2024 field review and ADT data. No significant changes have occurred, including, but not limited to, changes in adjoining property or land use, roadway width or traffic volume for 48 street segments. Therefore, based on

the above reasons, the most recent Engineering and Traffic Survey may be extended up to 14 years from March 2016 to March, 2032.

Safety Corridors – New from AB 43

The provisions of CVC Section 22358.7, a new section added through AB 43, to additionally lower the speed limit by designating a safety corridor, shall not be applicable until actions required per CVC Section 22358.7 by Department of Transportation and Judicial Council are completed or June 30, 2024, whichever is sooner. Data used to determine a safety corridor may be from the most recent E&T Survey performed. The crash data source may include, but is not limited to, California Highway Patrol's (CHP) Statewide Integrated Traffic Records System (SWITRS). The prioritized subset of safety corridors shall:

1. Identify specific locations with high crash occurrences.
2. Identify corridor-level segments with a pattern of crash reoccurrence.
3. Be able to be stratified by mode.

The total reduction in the speed limit using the nearest 5 mph increment, rounding up, rounding down and using 5 mph speed reduction, plus an additional 5 mph speed reduction for safety corridor designation, shall not exceed 12.4 mph from the 85-percentile speed. Refer to CVC Section 22358.6(e).

Retain Currently Adopted or Restore Immediately Prior Speed Limit – New from AB 43

The City may retain the currently adopted speed limit without further reduction or restore the immediately prior adopted speed limit without further reduction as provided in CVC Section 22358.8, added through AB 43. The currently adopted speed limit or immediately prior adopted speed limit shall only be retained, by ordinance, if after completing an E&T Survey, the City finds that the speed limit is still more than reasonable or safe, and that speed limit was established with an E&T 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. If the City decides to use a lower speed limit based on CVC Section 22358.8, after completing an E&T Survey and finding that the speed limit is still more than is reasonable or safe, it shall not be reduced by any more than 5 mph from the currently adopted speed limit or not below the immediately prior speed limit. Refer to CVC Section 22358.8(b).

Results of the E&TS

The Engineering and Traffic Survey (E&TS) results indicate the following updates to street segment speed limits:

- 48 street segments will retain their current speed limits and qualify for a 14-year

extension.

- 90 street segments have recommended changes to the posted speed limit.
- 19 street segments will maintain their existing speed limits.
- 114 street segments have been designated as safety corridors, with 71 street segments resulting in additional reduced speed limits.

In compliance with state law, the updated speed limits will be established in the Municipal Code through an Ordinance.

2021-2025 Strategic Targets and Goals

This project aligns with the City's Key Strategic Target and Goal No. 3: Improved Quality of Life, specifically section C, which focuses on evaluating and enhancing public safety services. By implementing the recommendations from the Engineering and Traffic Survey, the City seeks to enhance traffic flow on these roadway segments, and improve overall safety for all users. This data-driven approach ensures smoother travel, better roadway efficiency, and a more reliable transportation network for the entire community.

Fiscal Impact

There is no General Fund impact associated with this action. The installation of the signs will be funded by funds appropriated for the Calstripe Contract at an average cost range from \$100 per sign, \$150 Sign and Post and \$300 per pavement message with an estimated cost range of \$25,000.00.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Hold a Public Hearing; and
2. Introduce, read by title only, and waive further reading of Ordinance No. MC-1651, Amending Chapter 10.52 of the San Bernardino Municipal Code to Update Existing Speed Zones City Wide; and
3. Schedule the adoption of Ordinance No. MC-1651 to the regular scheduled meeting of the Mayor and the City Council on May 21, 2025.

Attachments

Attachment 1	Ordinance No. MC-1651
Attachment 2	E & TS Study Report
Attachment 3	Proof of Publication – Notice of Public Hearing
Attachment 4	PowerPoint Presentation

Ward:

All

Synopsis of Previous Council Actions:

February 4, 2016 Final reading MC No-1421 Amended Chapter 10.52 of the San Bernardino Municipal Code for Speed Limits.

November 20, 2012 Ordinance No. MC- 1382 Amended Chapter 10. 52 of the San Bernardino Municipal Code for Speed Limits.