REPORT OF THE
CHIEF LEGISLATIVE ANALYST

DATE: June 2, 2022

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso KGL for
Chief Legislative Analyst

Council File: 22-0002-S58
Assignment No. 22-05-0329

SUBJECT: Resolution to Support AB 2336 (Friedman, Ting)

CLA RECOMMENDATION: Adopt Resolution (Blumenfield, Koretz – Buscaino) to include in the City's 2021-2022 State Legislative Program SUPPORT for AB 2336 (Friedman, Ting), which would authorize the City of Los Angeles, and other specified cities, to establish a Speed Safety System Pilot Program.

SUMMARY

Existing law establishes a basic speed law that prohibits a person from driving a vehicle upon a highway at a speed greater than is reasonable or prudent given the weather, visibility, traffic, and highway conditions and in no event at a speed that endangers the safety of persons or property. According to Resolution (Blumenfield, Koretz – Buscaino), introduced on April 6, 2022, automated speed enforcement is a proven street safety tool that has reduced traffic collisions, deaths, and injuries by 70 percent in some cities. AB 2336 (Friedman, Ting) would authorize, until January 1, 2028, the Cities of Los Angeles, Oakland, San Jose, Glendale, and Palm Springs, and the City and County of San Francisco, to establish the Speed Safety System Pilot Program if the system meets specified requirements. The legislation defines a speed safety system as a fixed or mobile radar or laser system or any other electronic devices that utilizes automated equipment to detect a violation of speed laws and is designed to take a photo, video recording or other visual image of a vehicle license plate. The Resolution notes that AB 2336 is consistent with the City's Vision Zero policy to reduce traffic fatalities and collisions, and similar to AB 550 (Chiu), which the City supported in 2021. Support for Automated Speed Enforcement is also included in the City's 2021-2022 State Legislative Program, as submitted by the Department of Transportation, and approved by the Council on March 4, 2022.

Specifically, AB 2336 would require participating cities or city and county to:

- Adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and would require the city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized.

- Issue warning notices rather than notices of violations for violations detected within the first 60 calendar days of the program.

- Develop uniform guidelines for, among other things, the processing and storage of confidential information. The bill would designate all photographic, video, or other visual or administrative records, not including data about the number of violations issued or the speeds at which they were issued for, made by a system as confidential, and would only authorize public agencies to use and allow access to these records for specified purposes.

- Submit reports to the Legislature, as specified, to evaluate the speed safety system to determine the system's impact on street safety and economic impact on the communities where the system is utilized.

Additionally, the bill would require any program created pursuant to these provisions to offer a diversion program for indigent speed safety system violation recipients, which would require a city or city and county to:

  - Allow community service to be performed in lieu of paying the penalty for an automated speed system violation;

  - Offer the ability to pay applicable fines and penalties over a period of time under a payment plan with monthly installments of no more than $25 and limit the processing fee to participate in a payment plan to five dollars or less; and

  - Reduce the applicable fines and penalties by 80 percent for indigent persons, and by 50 percent for individuals 200 percent above the federal poverty level.

The bill would also specify that any violation of a speed law recorded by a speed safety system authorized by these provisions would be subject only to the provided civil penalties. The bill would, among other things, provide for the issuance of a notice of violation, an initial review, an administrative hearing, and an appeals process, as specified, for a violation under this program.

Existing law establishes a $25 filing fee for specified appeals and petitions. This bill would require a $25 filing fee for an appeal challenging a notice of violation issued as a result of a speed safety system until January 1, 2028.

DEPARTMENTS NOTIFIED
Department of Transportation

BILL STATUS
5/19/22 In committee: Held under submission.
5/11/22 In committee: Set, first hearing. Referred to suspense file.
4/25/22 Re-referred to Com. on APPR.
4/21/22 Read second time and amended.
4/20/22 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 10 Noes 1) (April 19).

Mandana Khatibshahidi
Analyst

SMT:mk
Attachment: AB 2336 Resolution (Blumenfield, Koretz – Buscaino)

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

RESOLUTIONRULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or .agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, according to the National Safety Council, vehicle miles traveled dropped 13% in 2020, but the mileage death rate went up 24%, the highest estimated year-over-year jump in 96 years. Over 42,000 Americans lost their lives to traffic collisions in 2020, and an estimated 4.8 million road users were seriously injured last year; and

WHEREAS, the speed that a vehicle travels significantly increases the likelihood of death or serious injuries in an accident; and

WHEREAS, automated speed enforcement is a proven street safety tool that has reduced traffic collisions, deaths and injuries by 70 percent in some cities; and

WHEREAS, AB 2336 (Friedman-Ting) would authorize a five-year speed safety system pilot program from 2023 to 2028, including automated speed enforcement, in Los Angeles and other specified cities; and

WHEREAS, AB 2336 includes protections to ensure that automated speed enforcement is used on streets where they are needed for safety reasons and prove to be effective at reducing speeding; includes various consumer protection and privacy conditions; and requires that revenues be used only for program costs or construction of traffic calming measures; and

WHEREAS, AB 2336 would require the Los Angeles City Council to opt in to an automated speed enforcement system; and

WHEREAS, AB 2336 is consistent with the City's Vision Zero policy to reduce traffic fatalities and collisions, and similar to AB 550 (Chiu), legislation which the City supported in 2021;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2021-2022 State Legislative Program SUPPORT for AB 2336 (Friedman-Ting) that would authorize the City of Los Angeles to implement a speed safety pilot program.

CO-PRESENTED BY _____
BOB BLUMENFIELD
Councilmember, 3rd District

CO-PRESENTED BY _____
PAUL KORETZ
Councilmember, 5th District

SECONDED BY: _____

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