

**DEPARTMENT OF TRANSPORTATION**

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*Flex your power!  
Be energy efficient!*

October 28, 2010

Jim Goodwin  
City Manager  
City of Live Oak  
9955 Live Oak Boulevard  
Live Oak, CA 95953

Dear Mr. Goodwin:

This letter is in response to our telephone conversation concerning the speed limits on State Route (SR) 99 in the City of Live Oak.

At your request, we reexamined our proposals and determined that they are in accordance with the California Vehicle Code (CVC) and are the safest speed limits for the City of Live Oak. Speed zones are governed by the CVC and the California Manual on Uniform Traffic Control Devices (CAMUTCD). These publications define how speed zones are determined. These publications also restrict how speed zones can be set. We find in the CAMUTCD Section 2B.13 that "When a speed limit is to be posted, it shall be established at the nearest 10 km/h (5 mph) increment of the 85th-percentile speed of free-flowing traffic." It further provides for a reduction to the 85th-percentile; "The posted speed may be reduced by 10 km/h (5 mph) from the nearest 10 km/h (5 mph) increment of the 85th-percentile speed, in compliance with CVC Sections 627 and 22358.5." CVC Section 22358.5 outlines things we cannot consider when reducing the 85th-percentile speed; "It is the intent of the Legislature that physical conditions such as width, curvature, grade, and surface conditions, or any other condition readily apparent to a driver, in the absence of other factors, would not require special downward speed zoning, as the basic rule of Section 22350 is sufficient regulation as to such conditions." Accident histories are one of the conditions not readily apparent to a driver. The 5 mph reduction to the 85th-percentile speed for the speed zone from PM 40.02 to 40.50 has been included in our proposal to account for accidents.

When lowering the 85th-percentile speed the CAMUTCD Section 2B.13 cautions us that "The establishment of a speed limit of more than 10 km/h (5 mph) below the 85th percentile speed should be done with great care as studies have shown that establishing a speed limit at less than the 85th percentile generally results in an increase in collision rates." A close example of this can be found in the City of Live Oak. The current 35 mph speed zone came into existence in 2002 as a result of the previous E&TS. Prior to that, it was signed for 40 mph. After the speed reduction from 40 mph to 35 mph, both the accident rate and the prevailing speeds increased for this speed zone. While the applied 5 mph reduction to the 85th-percentile speed was justified at the time, it had negative results.

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The CAMUTCD Section 2B.13 states that "A section of highway shall be defined as a speed trap if the prima facie speed limit is not justified by an engineering and traffic survey (E&TS) within five years, and the enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects." We can extend it to seven years when the citing officer has had proper training and uses the proper radar equipment. Speed traps are also covered in CVC Section 40802. The previous E&TS for the City of Live Oak was completed in 2002 and has expired. We are allowed to conduct another E&TS anytime before a speed zone expires. If and when a significant change occurs, such as a new signal, we will redo the E&TS twelve months after the change is in place.

If you have any questions regarding this response, please contact Ron Sykes at (530) 741-5747.

Sincerely,



STEVE KIRKPATRICK, P.E.  
Deputy District Director  
Maintenance & Traffic Operations



Mrs. Hodges  
September 15, 2010  
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As with most laws, speed limits need to depend on the voluntary compliance of the greater majority of motorists. It is essential to set speed limits in accordance with the CVC or the California Highway Patrol cannot enforce the speed limit.

If you have any questions regarding this response, please contact me at (530) 741-5747.

Sincerely,



RONALD S. SYKES, P.E.  
Chief, Traffic Operations Branch

cc: Canal