

Assembly Bill No. 382

CHAPTER 555

An act to amend Sections 22358.4 and 40802 of, to amend, repeal, and add Section 22352 of, and to add and repeal Section 22352.5 of, the Vehicle Code, relating to pedestrian safety.

[Approved by Governor October 10, 2025. Filed with Secretary
of State October 10, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 382, Berman. Pedestrian safety: school zones: speed limits.

Existing law establishes a prima facie speed limit of 25 miles per hour when approaching or passing a school building or grounds contiguous to a highway or when the school grounds are not separated from the highway, as specified. Existing law authorizes a local authority, by ordinance or resolution, to reduce the prima facie speed limit based on an engineering and traffic survey, as specified.

This bill would, notwithstanding the above provision and until January 1, 2031, authorize a local authority, by ordinance or resolution, to determine and declare a prima facie speed limit of 20 miles per hour in a school zone. The bill would, beginning on January 1, 2031, establish a prima facie speed limit of 20 miles per hour in a school zone, as defined, subject to specified conditions, including, among others, when a school speed limit sign states “children are present” and children are present, as defined, and when a school speed limit sign states specific hours, as specified. By establishing new prima facie speed limits in school zones that would require changes to local speed limit signs, this bill would create a state-mandated local program.

Existing law authorizes a local authority, by ordinance or resolution, to modify the prima facie speed limit based on distance from a school if the highways have a maximum of 2 traffic lanes and a maximum posted prima facie speed limit of 30 miles per hour immediately before and after the school zone, as specified.

The bill would instead authorize a local authority, by ordinance or resolution, to determine and declare a prima facie speed limit of 15 miles per hour in a residence district on a highway with a posted speed limit of 30 miles per hour or slower in a school zone, or 25 miles per hour when approaching from a school zone at a distance of 500 to 1,000 feet, without the above-mentioned conditions, as specified.

The bill would, for purposes of the above provisions, define “school zone” as an area of a highway within 500 feet of school grounds in any direction, unless otherwise posted, marked with appropriate signs giving notice of the area.

Existing law defines a “speed trap,” under certain circumstances, to mean, among other things, a particular section of a highway or state highway with a prima facie speed limit that is provided by law, as specified, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within a certain specified time period, and enforcement of the speed limit involves the use of radar or another specified electronic device. Existing law exempts application of that definition to a local street, road, or school zone, senior zone, business activity district, or speed limit adopted by a local authority under certain conditions.

This bill would change the definition of school zone for purposes of these provisions to conform with the definition of school zone described above.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

SECTION 1. Section 22352 of the Vehicle Code is amended to read:

22352. The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(a) Fifteen miles per hour:

(1) When traversing a railway grade crossing, if, during the last 100 feet of the approach to the crossing, the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This paragraph does not apply in the case of any railway grade crossing where a human flagperson is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(2) When traversing any intersection of highways, if, during the last 100 feet of the driver’s approach to the intersection, the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(3) On any alley.

(b) Twenty-five miles per hour:

(1) On any highway in any business or residence district unless a different speed is determined by local authority or the Department of Transportation under procedures set forth in this code.

(2) When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard “SCHOOL” warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching or passing any school grounds which are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard “SCHOOL” warning sign. For purposes of this subparagraph, standard “SCHOOL” warning signs may be placed at any distance up to 500 feet away from school grounds.

(3) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard “SENIOR” warning sign. A local authority may erect a sign pursuant to this paragraph when the local agency makes a determination that the proposed signing should be implemented. A local authority may request grant funding from the Active Transportation Program pursuant to Chapter 8 (commencing with Section 2380) of Division 3 of the Streets and Highways Code, or any other grant funding available to it, and use that grant funding to pay for the erection of those signs, or may utilize any other funds available to it to pay for the erection of those signs, including, but not limited to, donations from private sources.

(c) This section shall remain in effect until January 1, 2031, and as of that date is repealed.

SEC. 2. Section 22352 is added to the Vehicle Code, to read:

22352. The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(a) Fifteen miles per hour:

(1) When traversing a railway grade crossing, if, during the last 100 feet of the approach to the crossing, the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This paragraph does not apply in the case of any railway grade crossing where a human flagperson is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(2) When traversing any intersection of highways, if, during the last 100 feet of the driver’s approach to the intersection, the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(3) On any alley.

(b) Twenty miles per hour in a school zone when any of the following apply:

(1) A school speed limit sign with attached beacons states “speed limit 20 when flashing” and the beacons are flashing.

(2) A school speed limit sign states “children are present” and children are present.

(3) A school speed limit sign with specific hours, which shall be determined by the local jurisdiction.

(c) Twenty-five miles per hour:

(1) On any highway in any business or residence district unless a different speed is determined by local authority or the Department of Transportation under procedures set forth in this code.

(2) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard “SENIOR” warning sign. A local authority may erect a sign pursuant to this paragraph when the local agency makes a determination that the proposed signing should be implemented. A local authority may request grant funding from the Active Transportation Program pursuant to Chapter 8 (commencing with Section 2380) of Division 3 of the Streets and Highways Code, or any other grant funding available to it, and use that grant funding to pay for the erection of those signs, or may utilize any other funds available to it to pay for the erection of those signs, including, but not limited to, donations from private sources.

(d) For purposes of this section, the following definitions shall apply:

(1) “School zone” means an area of a highway within 500 feet of school grounds in any direction, unless otherwise posted, marked with appropriate signs giving notice of the area.

(2) (A) “Children are present” means whenever either of the following occurs:

(i) Children are going to or leaving the school.

(ii) School grounds are in use by children and the highway is posted with a standard “SCHOOL” warning sign.

(B) “Children are present” does not include children who are separated from the highway by a fence, gate, or other physical barrier.

(e) This section shall become operative on January 1, 2031.

SEC. 3. Section 22352.5 is added to the Vehicle Code, to read:

22352.5. (a) Notwithstanding Section 22352, a local authority may, by ordinance or resolution, determine and declare a prima facie speed limit of 20 miles per hour in a school zone.

(b) For purposes of this section, “school zone” has the same meaning as defined in Section 22352.

(c) This section shall remain in effect until January 1, 2031, and as of that date is repealed.

SEC. 4. Section 22358.4 of the Vehicle Code is amended to read:

22358.4. (a) (1) Whenever a local authority determines upon the basis of an engineering and traffic survey that the prima facie speed limit established by subdivision (b) of Section 22352 is more than is reasonable or safe, the local authority may, by ordinance or resolution, determine and declare a prima facie speed limit of 15 miles per hour if justified as the appropriate speed limit by that survey.

(2) An ordinance or resolution adopted under paragraph (1) shall not be effective until appropriate signs giving notice of the speed limit are erected upon the highway and, in the case of a state highway, until the ordinance is approved by the Department of Transportation and the appropriate signs are erected upon the highway.

(b) (1) Notwithstanding subdivision (a) or any other provision of law, a local authority may, by ordinance or resolution, determine and declare prima facie speed limits as follows:

(A) A 15 miles per hour prima facie limit in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, in a school zone.

(B) A 25 miles per hour prima facie limit on a highway when approaching, at a distance of 500 to 1,000 feet from, a school zone.

(2) The prima facie limit established under subparagraph (A) of paragraph (1) applies only to highways that meet all of the following conditions:

(A) A maximum of two traffic lanes.

(B) A maximum posted 30 miles per hour prima facie speed limit immediately prior to and after the school zone.

(3) The prima facie limits established under paragraph (1) apply to all lanes of an affected highway, in both directions of travel.

(4) When determining the need to lower the prima facie speed limit, the local authority shall take the provisions of Section 627 into consideration.

(5) (A) An ordinance or resolution adopted under paragraph (1) shall not be effective until appropriate signs giving notice of the speed limit are erected upon the highway and, in the case of a state highway, until the ordinance is approved by the Department of Transportation and the appropriate signs are erected upon the highway.

(B) For purposes of subparagraph (A) of paragraph (1), school warning signs indicating a speed limit of 15 miles per hour may be placed at a distance up to 500 feet away from school grounds.

(C) For purposes of subparagraph (B) of paragraph (1), school warning signs indicating a speed limit of 25 miles per hour may be placed at any distance between 500 and 1,000 feet away from the school grounds.

(D) A local authority shall reimburse the Department of Transportation for all costs incurred by the department under this subdivision.

(c) For purposes of this section, “school zone” has the same meaning as defined in Section 22352.

SEC. 5. Section 40802 of the Vehicle Code is amended to read:

40802. (a) A “speed trap” is either of the following:

(1) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(2) A particular section of a highway with a prima facie speed limit that is provided by this code or by local ordinance pursuant to Section 22352, 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years

prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects. This paragraph does not apply to a local street, road, school zone, senior zone, business activity district, or speed limit adopted under Section 22358.7 or 22358.8.

(b) (1) For purposes of this section, a local street or road is one that is functionally classified as “local” on the “California Road System Maps,” that are approved by the Federal Highway Administration and maintained by the Department of Transportation. It may also be defined as a “local street or road” if it primarily provides access to abutting residential property and meets the following three conditions:

(A) Roadway width of not more than 40 feet.

(B) Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control signals as defined in Section 445.

(C) Not more than one traffic lane in each direction.

(2) For purposes of this section, “school zone” has the same meaning as defined in Section 22352.

(3) For purposes of this section, “senior zone” means that area approaching or passing a senior center building or other facility primarily used by senior citizens, or the grounds thereof that is contiguous to a highway and on which is posted a standard “SENIOR” warning sign, pursuant to Section 22352.

(4) For purposes of this section, “business activity district” means a section of highway described in subdivision (b) of Section 22358.9 in which a standard 25 miles per hour or 20 miles per hour speed limit sign has been posted pursuant to paragraph (1) of subdivision (a) of that section.

(c) (1) When all of the following criteria are met, paragraph (2) of this subdivision shall be applicable and subdivision (a) shall not be applicable:

(A) When radar is used, the arresting officer has successfully completed a radar operator course of not less than 24 hours on the use of police traffic radar, and the course was approved and certified by the Commission on Peace Officer Standards and Training.

(B) When a laser or any other electronic device is used to measure the speed of moving objects, the arresting officer has successfully completed the training required in subparagraph (A) and an additional training course of not less than two hours approved and certified by the Commission on Peace Officer Standards and Training.

(C) (i) The prosecution proved that the arresting officer complied with subparagraphs (A) and (B) and that an engineering and traffic survey has been conducted in accordance with subparagraph (B) of paragraph (2). The prosecution proved that, prior to the officer issuing the notice to appear, the arresting officer established that the radar, laser, or other electronic device conformed to the requirements of subparagraph (D).

(ii) The prosecution proved the speed of the accused was unsafe for the conditions present at the time of alleged violation unless the citation was for a violation of Section 22349, 22356, or 22406.

(D) The radar, laser, or other electronic device used to measure the speed of the accused meets or exceeds the minimal operational standards of the National Highway Traffic Safety Administration, and has been calibrated within the three years prior to the date of the alleged violation by an independent certified laser or radar repair and testing or calibration facility.

(2) A “speed trap” is either of the following:

(A) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(B) (i) A particular section of a highway or state highway with a prima facie speed limit that is provided by this code or by local ordinance under paragraph (1) of subdivision (b) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within one of the following time periods, prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects:

(I) Except as specified in subclause (II), seven years.

(II) If an engineering and traffic survey was conducted more than seven years prior to the date of the alleged violation, and a registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, 14 years.

(ii) This subparagraph does not apply to a local street, road, or school zone, senior zone, business activity district, or speed limit adopted under Section 22358.4, 22358.7, or 22358.8.

SEC. 6. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.