



### Speed Limit Misconceptions

Four widely held misconceptions about speed limits are:

- Speed limit signs will slow down traffic
- Speed limit signs will decrease accidents and increase safety
- Raising a posted speed limit will increase the speed of traffic
- Lowering a speed limit will automatically decrease the speed of traffic

However, several studies have consistently shown that there are no significant changes in average vehicle speed following the posting of new or revised speed limits. Similar research has found no direct relationship between posted speed limits and crash frequency.

## Contact Us

### Enforcement

The Orinda Police Department is responsible for enforcing traffic laws on roads in the City of Orinda. If you have a question about enforcement of speeds limits, please contact the Police Department at 925-254-6820.

### Engineering

For more information on how speed limits are set, or for current speed survey reports, please contact the City of Orinda Public Works and Engineering Services Dept.

Phone: 925-253-4231

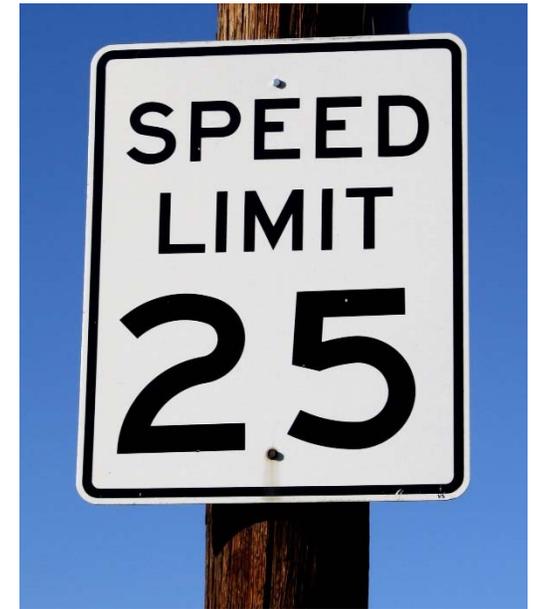
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**CITY OF ORINDA**

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## SPEED LIMITS



*Laws, Enforcement, and  
Common Misconceptions*

# Speed Limits

## General

The following information is intended to explain the basics of speed limits, summarize the applicable laws, and provide a brief outline of how and why speed limits are determined.

Traffic rules account for most of the contact by average citizens with law enforcement and the courts.

## California Speed Law

The primary legal justification for Vehicle Code enforcement in California is the California Vehicle Code (CVC).

All states base their speed regulations on the *Basic Speed Law*: “No person shall drive a vehicle at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.” (CVC 22350)

State law also establishes maximum speed limits. For example, the maximum speed on an undivided two-lane roadway is 55 MPH (CVC 22349b).

All other speed limits are called *prima facie speed limits*, which are considered by law to be safe and prudent under normal conditions.

Certain *prima facie* speed limits are established by State law and include the 25 MPH speed limit in business and residential districts and the 25 MPH in school zones when children are present. Residential district speed limits do not have to be posted to be enforceable.

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*“No person shall drive a vehicle at a speed greater than is reasonable or prudent...”  
(CVC 22350)*

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Local authorities have authority to establish reduced speed limits on the basis of *engineering and traffic surveys* (CVC 22358). Such surveys must include an analysis of roadway conditions, accident records, and a sampling of the prevailing speed of traffic (CVC 627). Other factors may be considered, but an unreasonable speed limit, which is called a *speed trap*, may not be established (CVC 40802). Citations issued where a speed trap is found to exist are likely to be dismissed, particularly if radar enforcement methods are used (CVC 40803-40805).

In general, speed limits are normally established at the nearest 5 MPH increment to the *85<sup>th</sup> percentile speed*, defined as that speed at or below which 85 percent of the traffic is moving. The posted speed may be reduced by a 5 MPH increment if it is clearly documented by an engineering & traffic survey. For further details, see the California Manual of Uniform Traffic Control Devices – Section 2B.13.



School zone speed limits are set by State law at the *prima facie* speed limit of 25 MPH when children are present. A lower speed limit can be set based on an engineering and traffic survey, down to 15 MPH.

## Residential Districts

The most common concerns about speeding generally originate from residential districts. 25 MPH speed limit signs may be posted on residential streets without conducting a speed survey, if the street or segment of street being considered (CVC 515) meets the following criteria:

- Width of 40 feet or less
- Uninterrupted length must be less than ½ mile; interruptions include official traffic control devices, such as stop signs and traffic signals
- There can be only one traffic lane in each direction
- The street is not a collector or higher classification as defined by federal standards. (see maps at [http://dot.ca.gov/hq/tsip/hseb/crs\\_maps/index.php](http://dot.ca.gov/hq/tsip/hseb/crs_maps/index.php))