

SANTA ANA POLICE DEPARTMENT

DAVID VALENTIN · CHIEF OF POLICE

TRAINING BULLETIN

"Education promotes professional and responsive law enforcement"

Speed Enforcement

Purpose

The purpose of this training bulletin is to provide officers with a summary of California Vehicle Code sections pertaining to speed violations and to act as a guide for enforcing those laws.

Introduction

The National Highway Transportation Safety Administration (NHTSA) considers a collision to be speed-related if the driver was charged with a speed-related offense or if an officer indicated that racing, driving too fast for conditions, or exceeding the posted speed limit was a contributing factor in the collision. Speeding is one of the most prevalent factors contributing to traffic collisions. Speeding reduces a driver's ability to steer safely around curves or objects in the roadway, extends the distance necessary to stop a vehicle, and increases the distance a vehicle travels while the driver reacts to a dangerous situation. Likewise, the faster a vehicle travels is directly related to the amount of energy that is produced during a collision.

In 2008, speed contributed to 1/3 of all fatal collisions and 11,674 lives were lost in speed-related collisions across the country. In 2011, there were 4030 traffic collisions in the City of Santa Ana. The Primary Collision Factor in 598 (14%) of those collisions was unsafe speed, which resulted in a 67% injury rate.

I. Speed Laws

A. SAMC Section 36-227

Prima facie speed limits in general

The city council of the City of Santa Ana determines and declares, upon the basis of engineering and traffic surveys made on or after January 11, 2011, which surveys are public records on file in the offices of the public works agency of the city, that the prima facie speed limits specified in those sections are **reasonable, safe and most appropriate to facilitate the orderly movement of traffic upon the streets and portions of streets** specified in those sections, which streets and portions of streets would otherwise be subject to the prima facie speed limits established in the California Vehicle Code. The prima facie speed limits can be found in the WikiPDa or by following this link:

B. CVC 22348 (a)

Exceeding posted speed limit

Notwithstanding subdivision (b) of Section 22351, a person shall not drive a vehicle upon a highway with a speed limit established pursuant to Section 22349 or 22356 at a speed greater than that speed limit.

C. CVC 22348 (b)

Exceeding 100 MPH

A person who drives a vehicle upon a highway at a speed greater than 100 miles per hour is guilty of an infraction.

D. CVC 22349 (a)

Exceeding maximum posted speed limit

Except as provided in Section 22356, no person may drive a vehicle upon a highway at a speed greater than 65 miles per hour.

E. CVC 22350

Unsafe speed

No person shall drive a vehicle upon a highway 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.

F. CVC 22400 (a)

Impeding traffic

No person shall drive upon a highway at such a slow speed as to impede or block the normal and reasonable movement of traffic unless the reduced speed is necessary for safe operation, because of a grade, or in compliance with law. No person shall bring a vehicle to a complete stop upon a highway so as to impede or block the normal and reasonable movement of traffic unless the stop is necessary for safe operation or in compliance with law.

II. Speed Laws (Misdemeanors)

A. CVC 23103

Reckless driving

- (a) A person who drives a vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.
- (b) A person who drives a vehicle in an off street parking facility, as defined in subdivision (c) of Section 12500, in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

B. CVC 23109

Engage in speed contest

- (a) A person shall not engage in a motor vehicle speed contest on a highway. As used in this section, a motor vehicle speed contest includes a motor vehicle race against another vehicle, a clock, or other timing device. For purposes of this section, an event in which the time to cover a prescribed route of more than 20 miles is measured, but where the vehicle does not exceed the speed limits, is not a speed contest.
- (b) A person shall not aid or abet in any motor vehicle speed contest on any highway.
- (c) A person shall not engage in a motor vehicle exhibition of speed on a highway, and a person shall not aid or abet in a motor vehicle exhibition of speed on any highway.

Aside from making an arrest or issuing a citation misdemeanor violations, CVC section 23109.2 (a) (1) allows a police officer to “cause the removal and seizure of the motor vehicle used in that offense in accordance with Chapter 10 (commencing with Section 22650). A motor vehicle so seized may be impounded for not more than 30 days.”

III. Enforcement

All department personnel, in addition to their normal enforcement duties, should apply additional focus on speed violations. Methods of enforcing speed laws include the use of radar, lidar and “bumper pacing”. Bumper Pacing is a method/procedure whereby the officer follows another vehicle in an attempt to determine its speed by staying equidistance from the vehicle and using the police unit's speedometer to determine the speed of the vehicle being paced. It is important to document the information contained on the police unit's most recent Odometer Calibration Certificate when pacing a vehicle. **Pacing should only be performed in a safe manner in accordance with Department Order 110, Section V Subsection S (Safe and Legal Operation of Departmental Vehicle) and if there is a current Odometer Calibration Certificate on file with CDC for the police vehicle being used.**

Summary

This Training Bulletin provides an overview of speed laws and places an importance on enforcing those laws. Through strict speed enforcement, our officers can have a significant impact on our collision rate and greatly reduce the number of unnecessary deaths and injuries to the motoring public.

Acknowledgment: This training bulletin was researched and prepared by Corporal M. Wharton #2888 with research data provided by NHTSA.