



# Memorandum

**TO:** HONORABLE MAYOR AND CITY COUNCIL      **FROM:** John Ristow

**SUBJECT:** See Below      **DATE:** October 7, 2024

Approved

Date:

10/18/2024

**COUNCIL DISTRICT:** Citywide

**SUBJECT: Speed Safety System Use Policy and Speed Safety System Pilot Program Impact Report Adoption**

## **RECOMMENDATION**

Adopt the Speed Safety System Use Policy and the Speed Safety System Pilot Program Impact Report in accordance with requirements set forth in Assembly Bill 645.

## **SUMMARY AND OUTCOME**

San José is one of six California cities recently authorized under specific requirements outlined in California Assembly Bill 645<sup>1</sup> (AB 645) to establish and operate a Speed Safety System Pilot Program. Speed cameras have been shown to help reduce fatal and severe injuries on roadways by promoting safer driving behavior and deterring excessive speeding.

This memorandum outlines the Speed Safety System Use Policy and Speed Safety System Pilot Program Impact Report and other AB 645 key requirements, introduces the camera location selection methodology and potential deployment locations, and describes equity considerations. The City Council's adoption of the Speed Safety System Use Policy and Speed Safety System Pilot Program Impact Report is required by AB 645 and will help facilitate the rollout and implementation of speed cameras in San José.

<sup>1</sup> California AB 645 (2023):  
[https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB645](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB645)

## **BACKGROUND**

Vision Zero is the City's transportation initiative focused on eliminating traffic fatalities and severe injuries while working to provide safe mobility on City roadways. Vision Zero traffic safety has been highlighted in the City Council's *Increasing Community Safety Focus Area*. Increased enforcement is one of the key strategies identified in the City's Vision Zero Action Plan to help reduce traffic fatalities. Automated speed enforcement has proven to be effective in deterring risky behavior on the road and reducing fatal and severe injury crashes. Excessive speed is the leading contributing factor in fatal and severe injury crashes on City streets. The National Transportation Safety Board analyzed studies of speed safety system programs, and those studies have shown speed cameras reduce roadway fatalities and injuries by 20% to 37%.

In October 2023, the California State Legislature passed AB 645, granting the City of San José the authority to pilot an automated speed safety system. As one of only six cities selected for this pilot, San José is authorized to establish and operate a Speed Safety System Pilot Program under specific conditions and guidelines outlined in the bill. The pilot program is authorized to operate for a maximum of five years and must sunset by January 1, 2032. The introduction of speed cameras through the pilot program will play a crucial role in addressing traffic safety issues by automatically detecting and issuing citations for speeding vehicles, thereby promoting safer driving behaviors and protecting the lives of all who use City roadways.

## **ANALYSIS**

AB 645 is prescriptive, laying out specific conditions and requirements that must be met when initiating and operating a Speed Safety System Pilot Program. Among other requirements, the bill provides specific direction on how many and where cameras can be installed, program outreach, penalties, fines and citation revenue use, data review, analysis, and reporting. A summary of requirements can be found in **Attachment 1 - Summary of AB 645 Requirements**. These requirements will ensure that the pilot programs implemented across the six participating cities are uniform and facilitate an effective comparison at the end of the pilot, to help determine the future of speed cameras in California.

### ***Speed Safety System Use Policy and Speed Safety System Pilot Program Impact Report***

AB 645 requires that the City adopt a Speed Safety System Use Policy and a Speed Safety System Pilot Program Impact Report before implementing a pilot program. Both documents must include specific details related to multiple aspects of the speed camera systems, including system and data use and impacts. **Table 1** below provides a summary of the required program details.

**Table 1 – AB 645 Use Policy and Impact Report Requirement Summary**

Requirement Details	Use Policy	Impact Report
System Description, Purpose, and Use	X	X
Authorized and Prohibited Uses	X	
Data Collection: Procedures, Access, Use, Protection, Storage, Retention, Sharing, Auditing, Training, Oversight	X	
Equity	X	
Community Engagement	X	
Storage and Security	X	
Training	X	
Data Usage Report Requirements	X	
Potential Deployment Locations and Traffic Data		X
Fiscal Costs		X
Potential Impacts to Civil Liberties and Rights and a Plan to Safeguard		X

Both the Speed Safety System Use Policy and a Speed Safety System Pilot Program Impact Report must be made available for public review at least 30 calendar days prior to adoption. The Speed Safety System Use Policy and Speed Safety Pilot System Impact Report were posted on the City’s [website](#)<sup>2</sup> on September 26, 2024, and are included in this memorandum as **Attachment 2** - City of San José Speed Safety System Use Policy and **Attachment 3** - City of San José Speed Safety System Pilot Program Impact Report.

Prior to posting the documents for review, staff organized stakeholder workshops and invited 39 community-based organizations to solicit feedback on the City’s AB 645 implementation strategy, draft Speed Safety System Pilot Program Impact Report, and draft Speed Safety System Use Policy, including potential locations. A list of the invited community-based organizations is listed on page 23 of Attachment 3. Approximately 22 of the invited organizations were able to participate in the workshops that took place on August 1, 2024 (in-person) and August 12, 2024 (online via Zoom). Many of the concerns raised during the workshops were addressed through an explanation of the specific program requirements outlined in the bill. These provisions helped clarify key aspects of the program and provided reassurance regarding its implementation and safeguards.

This early engagement allowed City staff to better understand how the speed safety systems could impact different communities and explore ways to mitigate any potential negative effects. Feedback from these workshops has been incorporated into the City’s program operational strategy, including system requirements. Additionally, further information on digital privacy and the City’s action plan to safeguard against negative

<sup>2</sup> Speed Safety System Use Policy and Speed Safety Pilot System Impact Report: <https://www.sanjoseca.gov/your-government/departments-offices/transportation/projects/speed-cameras-project>

impacts on communities and roadway users can be found under the Digital Privacy portion of this report.

### ***Potential Speed Safety System Deployment Locations***

The Speed Safety System Pilot Program Impact Report must identify locations where the system may be deployed during the pilot and corresponding traffic data for these locations. The City is required to publish the streets or portions of streets that have been approved for enforcement using a speed safety system on its website. This information must be updated with any changes to approved locations or if/when deployed systems are moved or relocated. Legislation permits the City to install up to 33 speed safety systems in only the following areas listed below.

1. On a street meeting the standards of a safety corridor as defined by the California Department of Transportation.
2. At locations in which law enforcement responded to at least four separate incidences of speed contests or motor vehicle exhibitions of speed within a two-year period.
3. Within a school zone.

Given the limited number (33) of camera systems authorized by AB 645, staff prioritized locations along the Priority Safety Corridors. This network consists of streets that have a high concentration of fatal and severe injury crashes and makes up 6% of City streets and account for 46% of fatal and severe injuries. On average, 30% of fatal and severe injuries occurring along these identified corridors involved speeding. Over the last five years, an average of 76% of the City's fatal and severe injuries have occurred on major roadways with posted speed limits of 35 mph or higher.

Staff considered other areas of concern for residents and found that speed contests and motor vehicle exhibitions in San José do not consistently occur at the same locations, posing challenges to the effectiveness of fixed camera placements. Additionally, the San José's pilot program will aim to prioritize locations where the speed camera systems can operate 24 hours a day for maximum coverage, effectiveness, and impact. Cameras placed in school zones, on corridors with varying and often lower posted speed limits would be restricted to automated enforcement only a few hours of operational time each day. AB 645 only allows speed camera system enforcement within school zones to be active during drop-off, lunch, and pick-up times, meaning cameras would only be in operation for short periods during weekdays. San José's approach to focus on safety corridor deployment during the pilot ensures that cameras are deployed where they can have the greatest and most consistent impact on safety.

When developing the list of potential deployment locations, staff reviewed a wide range of historical and recently collected speed and traffic volume data and crash records involving fatal and severe injuries along the City's Priority Safety Corridors. The location

analysis focused on identifying areas where fatal and severe injury crashes related to speeding, red light running, and vehicles failing to yield to pedestrians occurred. Further, to ensure compliance with AB 645, speed and volume data were reviewed to determine where vehicles were traveling 10 miles per hour or more in excess of the posted speed limit. The resulting locations were further reviewed to confirm they meet the standards of a safety corridor as defined by the California Department of Transportation.

This analysis resulted in a list of 63 potential locations. A list of potential speed safety system deployment locations is provided on page 11 of Attachment 3. This longer list will provide the City with maximum flexibility as the pilot project develops and moves forward. The larger list will allow for alternate locations should unforeseen challenges arise during the installation phase of the project. Additionally, the larger list will allow for systems to be relocated during the project's lifespan. In accordance with AB 645, the effectiveness of speed systems at specific locations must be evaluated within 18 months of operation. If the data does not demonstrate a reduction in speeding or a decrease in citation violations for repeat offenders, as outlined in the bill, the system will need to be moved to an alternate location.

### ***Equity Considerations***

AB 645 further states that during the pilot, speed safety systems must be placed across geographically and socioeconomically diverse communities. San José will ensure that the systems will be deployed across all 10 City Council Districts and include locations with varying equity rankings as identified through the San José Equity Atlas<sup>3</sup>. The Equity Atlas provides a collection of maps with demographic and equity-related data. The central component of the Equity Atlas is a set of maps that use a quintile-based scoring system to assign equity rankings for census tracts in the City. Scores ranging between 2-10 identify areas where the highest concentrations of both people of color and low-income households are, based on information collected during the 2020 Census. The final selection of the 33 speed safety system locations will aim for a balanced distribution across the City's socioeconomically diverse communities while prioritizing areas with high rates of fatal and severe injury crashes related to speeding.

The potential system locations identified through the deployment analysis are spread Citywide, covering areas with Equity Atlas scores ranging from 2 to 10. Notably, over 50% of the candidate locations fall within the 7 to 10 range, reflecting a focus on equity-priority neighborhoods where traffic safety interventions are most needed. Corridors where speed safety systems are installed will benefit from safer roads, as these systems have been proven to reduce fatal and severe injury crashes. By consistently enforcing speed limits, speed cameras deter reckless driving and encourage safer behaviors, making streets safer for everyone.

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<sup>3</sup> <https://gis.sanjoseca.gov/maps/equityatlas/>

### ***Digital Privacy***

The City's Speed Safety System Pilot Program is designed to protect personal privacy and to prevent access to any information that could identify individuals by keeping all photographic and administrative records confidential. Vehicle owner name and mailing address information will be obtained from the California Department of Motor Vehicles to facilitate the issuance of citations. City staff will establish procedures to protect the confidentiality of these records consistent with the California Vehicle Code and the California Department of Motor Vehicles to safeguard personal information from misuse. City staff will adhere to the City's established Digital Privacy Policy, Manual, and Principles to guide protection efforts.<sup>4</sup> The impact assessment considers the City's 7 Key Elements outlined in the Digital Privacy Policy, adopted by San José City Council on December 8, 2020. The 7 Key Elements are listed on page 9 of Attachment 3. Each element is accompanied by specific actions the City will take to mitigate risks and protect the rights of all residents and roadway users.

### ***Project Timeline***

Since the passage of AB 645, the San José Department of Transportation has been laying the groundwork for establishing and deploying the pilot program. Two new positions dedicated to the program are approved beginning October 1, 2024, and the department is moving to fill these roles. In the meantime, existing staff has been managing the program alongside their traditional responsibilities. This work has included analyzing over 1,500 traffic studies to extract speed and volume data, securing \$8.5 million in the form of a federal grant to support the initiative, drafting the Speed Safety System Use Policy and Speed Safety System Pilot Program Impact Report, and engaging with pilot cities and other municipalities within the United States to discuss implementation strategies and learn from their experiences. Additionally, staff collaborated with the City Attorney's Office to ensure a thorough understanding of the bill's legal requirements and conducted early rounds of stakeholder engagement. Staff is currently working on a speed camera safety system equipment and related services request for proposal and plans to release it shortly after the adoption of the Speed Safety System Use Policy and Speed Safety System Pilot Program Impact Report. **Table 2** below summarizes a list of critical project milestones and estimated timeline.

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<sup>4</sup> City of San José Information Technology Digital Privacy Policy, Manual and Principles

<https://www.sanjoseca.gov/your-government/departments-offices/information-technology/digital-privacy>

**Table 2 – Speed Safety System Pilot Program Project Milestones and Timeline**

Milestones	Timeline
Request for proposal (six weeks posting, includes holidays)	Nov / Dec 2024
Select vendor, Notice of Intent to Award, and 10-day protest period	March 2025
Negotiate contract	April 2025
Award contract	May 2025
Execute contract	June 2025
Kick off and finalize location	July 2025
Install / 30-day public information campaign period	Fall 2025

**EVALUATION AND FOLLOW UP**

Following the adoption of the Speed Safety System Use Policy and Speed Safety System Pilot Program Impact Report, staff will be able to begin the procurement process. Once a vendor has been selected, staff will return to City Council for contract approval. The approval for contract award once a vendor is selected through the request for proposal process is expected to be presented to City Council in spring 2025. Once the speed safety systems are operational, staff will provide an annual update to the Transportation and Environment Committee on the performance of the program.

**COST SUMMARY/IMPLICATIONS**

The San José Department of Transportation estimates that one-time and ongoing costs for a five-year Speed Safety System Pilot Program will range from \$15.4-\$17.9 million, subject to the appropriation of funds, to cover the implementation of the program and staff to manage the program. It is anticipated that a portion of program costs may be recovered through citation revenues; however, the percentage of cost recovery will depend on a variety of factors, including overall citation fine amounts and issuance, citation payment rates, and eligibility/participation in fine reduction and diversion programs. Estimated cost breakdown for a full scope five-year pilot program for 33 speed safety systems includes:

- \$3.15 million for staffing;
- \$10-12.5 million for equipment, installation, and operations;
- \$1.25 million for citation processing, appeal, and review process; and,
- \$1 million for signage, web services, community engagement, etc.

In May of 2024, the San José Department of Transportation was awarded \$8.5 million from the Safe Streets for All federal grant program. The funding will be used for speed camera implementation, public outreach and community engagement activities, data collection and analysis, and racial and socioeconomic equity studies. Additionally, \$2.4 million of Capital Improvement and General Fund money has been programmed to cover local match grant requirements and support program staffing needs. Staff anticipates returning to City Council in November 2024 and recommending approval of the Grant Acceptance of United States Department of Transportation Safe Streets and Roads for All Grants.

There are no fiscal impacts associated with this recommendation at this time.

### **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office and the City Manager's Budget Office.

### **PUBLIC OUTREACH**

The City will continue to engage with stakeholders to ensure that the program remains equitable and responsive to the needs of all residents. As required by AB 645, there will be a public information campaign at least 30 days before the program begins to educate the public on the goals and benefits of the program. This campaign will use social media, local news, and direct outreach to reach a broad representation of the San José public with materials provided in multiple languages, including Spanish, Vietnamese, and traditional Chinese.

In spring 2025, staff will collaborate with City Council Offices, community-based organizations, neighborhood and business associations, and schools to engage residents of San José through at least 10 community workshops near the speed safety system deployment locations. These workshops, along with canvassing and scheduled events, will educate the public about the program. Education and outreach efforts will continue throughout the entire period of the pilot program to ensure ongoing community engagement.

Early outreach and communication efforts to date are outlined below.

- Two stakeholder workshops were held on August 1, 2024 (in-person) and August 12, 2024 (online via Zoom.)
- On September 19, 2024, the San José Department of Transportation presented an update on the Speed Safety Camera Program to the Public Safety, Finance, and Strategic Support Committee. The update included a general overview of the

program, key requirements outlined in the bill, the process for selecting camera locations, and timeline for implementation.

- The Speed Safety System Pilot Program Use Policy and Impact Reports were posted on the City's website for public review on September 26, 2024. Members of the public may submit any concerns via the public comment feature at Speed Safety System Pilot Program Feedback Form.

This memorandum will be posted on the City's Council Agenda website for the October 29, 2024 City Council meeting.

### **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

### **CEQA**

Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

### **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

John Ristow

Director, Department of Transportation

For questions on the Speed Safety System Pilot Program, please contact Lam Cruz, Department of Transportation Division Manager, at [lam.cruz@sanjoseca.gov](mailto:lam.cruz@sanjoseca.gov).

### **ATTACHMENTS**

1. Summary of AB 645 Requirements
2. City of San José Speed Safety System Use Policy
3. City of San José Speed Safety System Pilot Program Impact Report