



HB 1045/SB 5066 Neighborhood Safe Streets Bill: Frequently Asked Questions

HB 1045/SB 5066 is about local control, increasing government efficiency by cutting red tape and expense, and making neighborhood streets safer. This bill does not lower speed limits by itself; it simply gives cities and towns the option to lower speed limits to 20 miles per hour on **non-arterial** streets without the current requirement for conducting a traffic and engineering study.

Based on questions heard in committee and elsewhere, the Bicycle Alliance is providing an overview of some of the basic questions and highlights about this legislation.

What kind of support has the bill received?

We are happy to note that legislators from both sides of the aisle agree with this legislation that seeks to cut red tape and lower costs for cities that want to lower speeds on non-arterials to 20 miles per hour. This year HB 1045 passed the House of Representatives 86-10 and SB 5066 was unanimously given a do-pass by the Senate Transportation Committee. In 2012 this legislation passed unanimously (96-0) in the House and in 2013 it includes bipartisan House Transportation Committee sponsorship.

The bill also has support from AAA-Washington, AARP-Washington, Association of Washington Cities, City of Kirkland, City of Seattle, Seattle Children's, Tacoma-Pierce County Health Department, Town of Winthrop, Washington Fire Chiefs and additional organizations.

How much does a traffic and engineering study cost?

The House of Representatives fiscal note includes information from the Washington State Association of County Engineers who estimate the cost of such studies typically range from \$1,000 to \$5,000 for jurisdictions with capacity to conduct the studies in-house. Costs could be higher in complex situations, or for smaller jurisdictions needing to employ consultants.

The cost to collect data under the current requirement takes into account the cost of processing, engineering speed analysis, collection and analysis of safety records, decision-making by an engineer, and documentation of all of this in a report. Additional costs are incurred for time involved with other staff and the city council for adopting a speed change. An in-house engineer would cost about \$90/hour. An engineering consultant, which many cities would need as they do not have the staff, would be in the range of \$150-\$180/hour.

In a time of tight budgets, this bill removes a traffic and engineering hurdle that costs cities money and requires scarce staff time to administer.



Where else has this type of legislation been employed?

Idaho, Oregon and British Columbia have variations of this type of law that permits cities to lower speed limits to 20 miles per hour or even lower without requirement for a traffic/engineering study. Such laws typically cite the need to set a speed limit that fits the character of the residential or business district traversed by the street.

What's the difference between 20 MPH and 25 MPH?

It is well established that a person being hit by a motor vehicle at 25 versus 20 miles per hour experiences far more significant consequences. This is especially true for the elderly.

- **According to a 2011 report by AAA, a person's chance of being severely injured sharply increases as vehicle speeds increase.** In the US 10% of people struck by cars travelling at 16 mph will sustain severe injuries, compared to 25% of people struck at speeds of 23 mph. At 31 mph, 50% of those hit will sustain severe injuries.¹
- **Also according to AAA, risks vary significantly by age.** The average risk of severe injury or death for a 70-year-old pedestrian struck by a car traveling at 25 MPH is similar to the risk for a 30-year-old pedestrian struck at 35 MPH.² This is why AARP supports SB 5066.
- **An additional study shows the chances of death at 5% when hit at speeds of 20 MPH, versus a 45% likelihood of death when hit at 30 MPH.**³

What protections and safeguards does this legislation provide for setting speeds in neighborhoods?

HB 1045/SB 5066 includes procedural safeguards by requiring a city or town to develop specific procedures before being able to lower speeds to 20 miles per hour:

(b) A speed limit established under this subsection by a city or town does not need to be determined on the basis of an engineering and traffic investigation if the city or town has developed procedures regarding establishing a maximum speed limit under this subsection.

The legislation also provides the ability for cities and towns to revert back to the previous speed, if any problems arise within the first year.

What procedures would be in place for making sure this type of change will work?

It is up to each city choosing to apply this statute to establish procedures for lowering the speed limit to 20 MPH. We expect cities to develop procedures that fit within their overall traffic and transportation plans, which were developed with the assistance of professional engineers and traffic studies.

¹ <https://www.aaafoundation.org/sites/default/files/2011PedestrianRiskVsSpeed.pdf>

² AAA Foundation, 2011

³ *Killing Speed and Saving Lives*, UK Dept. of Transportation



The City of Spokane already has developed a robust and simple document that guides how decisions on these speeds would be implemented; it can be made available to other cities as one possible model.

Other cities that already do not have this type of procedure in place could go through a rule-making process that could include the DOT, police department, fire department, streets and public works, and the public to determine where this speed limit would best be applicable. As HB 1045's language indicates, jurisdictions would need to develop procedures for setting speed limits to 20 miles per hour, and would need to consult the manual on uniform traffic control devices adopted by the Washington State Department of Transportation. With this legislation, cities and towns still must check the MUTCD and other design manuals and must explain why, if deviations occur.

Using the term “highway” sounds to me like a bigger street. Is this bill only about smaller, neighborhood and residential streets?

Yes, the scope of this legislation is intentionally narrow and focuses on smaller, low-volume streets. The definition of "Highway" in RCW 46.04 is broader than common usage. Under RCW 46.04.197, "Highway means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel." This includes city streets; under RCW 46.04.120, "City street" means every public highway, or part thereof located within the limits of cities and towns, except alleys."

All state highways are designated as "arterials", and this bill explicitly applies to "non-arterial highways", in other words: not state highways. During the House Transportation Committee hearing, questions about the scope of this bill came up and staff and the bill report noted that the de-facto speeds this bill applied to would typically be 25 mph. The intent for the Bicycle Alliance of Washington is to give cities and towns the ability to lower speeds from 25 to 20 MPH, which does offer public safety benefits, particularly around Safe Routes to Schools and for elderly.

Is a 20 MPH speed limit sign all that's needed to lower speeds?

No. This legislation can be used in conjunction with several cost-effective engineering treatments to reduce real travel speeds. Conversely, where existing street design already helps slow vehicle traffic the 20 MPH speed limit could help reinforce the appropriate safe speed of travel. It is an optional but effective tool to be used with the priorities and planning contained in a city or town's transportation plan to help improve safety on selected neighborhood streets or corridors. Ultimately, appropriate engineering and design treatments can be applied by cities to help slow vehicle traffic on streets where the speed limit has been lowered.

How will law enforcement respond if speed limits are lowered?

Concerns around speed traps have been mentioned. On the low-volume, slower-speed streets that this legislation applies to, they don't pencil out for law enforcement to even consider.



What about Automated Safety Cameras—could they be used instead of individual law enforcement?

No. RCW 46.63.170, which is not amended by this legislation, is strict in its application of where automated safety cameras can be used and is limited to use at: *“(i) Intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera; (ii) railroad crossings; and (iii) school speed zones.”*

What are the typical speeds of non-arterial streets?

As the House of Representatives bill report notes, 25 is the de facto speed on this type of street.

So this bill doesn’t affect Interstates, state highways, or arterials in Washington state?

Exactly. It does not remove the need for traffic engineering on the arterial networks in cities and towns, state highways, or interstates; it only applies to smaller, lower volume non-arterial streets where kids, elderly, and neighbors live. Even on these non-arterial streets, it only applies in the situation when the speed is lowered to 20 MPH.

This narrow scope is the reason why the Washington State Department of Transportation has not taken a position – because its roadways are not impacted by this legislation.

Could this type of legislation address cut-through traffic on my neighborhood street?

This bill could be an especially helpful tool in the toolbox of cities and towns to reduce cut-through traffic on neighborhood streets by expediting a reduction in speeds and giving city and town engineers a jump-start in making engineering improvements to the street. “Cut-through traffic” off of arterials and onto non-arterial streets affects property values, safety, and livability in cities and towns across Washington.

There are a lot of places and situations where traffic and engineering studies are needed, right?

Absolutely—we couldn’t agree more. Many roadways across Washington state require this analysis and study. But given the scarce resources in money and in traffic engineers that cities and towns now have, requiring a traffic and engineering study on small non-arterial streets is, as former WSDOT Secretary Douglas MacDonald noted in supporting testimony last year, “a make-work study, which we don’t need for our state’s neighborhood streets.”

Why are slower speeds on neighborhood streets important?

As Peggy Quan from AARP noted in her public testimony in support of the legislation, pedestrian safety measures like what this legislation could help with will benefit all ages—young and old—and are particularly important to older adults who will always be at higher risk of getting hit by motor vehicles.