Traffic Enforcement:
This was submitted by a PVP Watch subscriber and PVP Watch presumes the references to be accurate:

I would like to respond to the deputy Knox issue. The City of Rancho Palos Verdes hired one extra deputy (Knox) to help enforce their traffic-calming scheme. They figured they could generate income from the extra citations to pay his salary and put extra moneys in the city revenue. The city sets the speed limits on the roads in RPV and pays a person to illegally provide a speed survey that does not reflect the actual speed traveled by traffic as it is required to do, if it is to use radar to enforce its set speeds. The city is responsible for our being harassed by these deputies. Everyone that I know that has appealed these citations has won their case. I am surprised the city is not facing another lawsuit from all the people cited. I guess most people just think its no worth the few hundred dollars. Any attorneys out there? There are hundreds of people with illegally issued (knowingly) by this city. You can go back in the records of the city council and see the discussions by the city to do this when they know better. This is no different from thugs holding you up for your time and money. The law is very specific and RPV is not in compliance.

Speed Trap -
Section 40802(b) provides that prima facie speed limits established under Sections 22352(b)(1), 22354, 22357, 22358 and 22358.3 may not be enforced by radar unless the speed limit has been justified by an engineering and traffic survey within the last five years. Under Section 40802(b) an engineering and traffic survey is required where enforcement involves the use of radar or other electronic speed measuring devices. Local streets and roads, as defined in Section 40802(b), primarily serving abutting residential property, are exempt from this requirement.

B. Engineering and Traffic Surveys
Section 627 of the Vehicle Code defines the term engineering and traffic survey and lists its requirements. Section 627 states: "An engineering and traffic survey shall include, among other requirements deemed necessary by the Department of Transportation, consideration of all of the following: prevailing speeds as determined by traffic engineering measurements; accident records; and highway , traffic, and roadside conditions not readily apparent to the driver." The Engineering and Traffic Survey should

contain sufficient information to document that the conditions of CVC Section 627 have been complied with and that other conditions not readily apparent to a motorist are properly identified. Prevailing speeds are determined by a speed zone survey.

Guidelines for a speed zone survey include:

• The intent of the speed measurements is to determine the actual speed of the unimpeded traffic. The speed of traffic should not be altered by concentrated law enforcement, or other means, just prior to, or while taking the speed measurements.

• Only one person is required for the fieldwork. Speeds can be read directly from a radar meter.

• Devices, other than radar, capable of accurately distinguishing and measuring the unimpeded speed of free flowing vehicles unaffected by platoon movement may be used. Special application of devices other than radar are particularly appropriate on low volume facilities.

• A location should be selected where prevailing speeds are representative of the entire speed zone section. If speeds vary on a given route, more than one speed zone section may be required, with separate measurements for each section. Locations for measurements should be chosen so as to minimize the effects of traffic signals or stop signs.

• Speed measurements should be taken during off-peak hours on weekdays. If there is difficulty in obtaining the desired quantity, speed measurements may be taken during any period with free flowing traffic. The weather should be fair with no unusual conditions prevailing. The surveyor and equipment must not affect the traffic speeds. For this reason, an unmarked car is recommended, and the radar speed meter located as inconspicuously as possible. The meter should be placed to survey traffic in both directions, and it should not make an angle greater than 15 degrees with the roadway centerline.

• In order for the sample to be representative of the actual traffic flow, the minimum sample should be 100 vehicles in each survey. In no case should the sample contain less than 50 vehicles.

• Short speed zones of less than 0.8 km should be avoided, except in transition areas.

In a recent ruling (People v. Goulet, 13 Cal.App.4th Supp. 1), the court had held that in order to use radar without creating a speed trap, speed limits must be set in compliance with the CalTrans Traffic Manual, section 8-03.3, subdivision B.2.b. This says that speed

limits should normally be set at the 85th percentile speed, with a further five mile per hour reduction only if there are unusual conditions not readily apparent to drivers, and if those conditions do exist, they should be documented on the engineering report. The establishment of a speed limit of more than 5 miles per hour (8 km/h) below the 85 percentile speed should be done with great care as studies have shown that establishing a speed limit at less than the 85th percentile results in an increase in accident rates, and this may make violators of a disproportionate number of the reasonable majority of drivers.