

SENATE TRANSPORTATION COMMITTEE
SENATOR LENA GONZALEZ, CHAIR
2021-2022 Session

Committee Policy On: **DOUBLE FINE ZONES**

Recommended Policy: The committee will not consider any measure which would designate a specified highway segment as a “Safety-Enhancement-Double Fine Zone” unless the highway segment is subject to the designation process established in Section 97 of the Streets and Highways Code.

Discussion: Under prior legislation that has since expired, a series of state and county highway segments were designated as double fine zones (DFZs). The courts were authorized to increase, and in some cases, double the base fine for specified moving violations that occur within these zones. The legislation also required the California Department of Transportation (Caltrans) to conduct a study of the DFZs to evaluate their effectiveness in reducing accidents, injuries, and fatalities.

A 2002 Caltrans report concluded that, while some reductions in the number and severity of collisions did occur in some of the DFZs, the reductions were not statistically significant. Further, a number of uncontrolled variables, such as physical improvements to roadway segments, changes in enforcement levels, and the initiation of public awareness campaigns made it virtually impossible to ascertain how much, if any, of the reductions in collisions could be attributed to the doubling of fines. Therefore, Caltrans concluded that the benefits of DFZs could not be proven.

Upon expiration of the various DFZ authorizations, legislators introduced several bills to reinstate the previously authorized DFZs. With one exception, these efforts were unsuccessful due to concerns that the DFZs had not been proven to be effective and that they could be misused as a tool to generate revenue.

To ensure that double fine zones aid in improving a real public safety issue, the legislature passed SB 3 (Torlakson), Chapter 179, Statutes of 2006, which was subsequently amended in 2007 by AB 112 (Wolk), Chapter 258, to establish a process whereby Caltrans may designate highway segments as DFZs provided the following conditions are met:

- The highway segment is identified in statute.
- The Director of Transportation, in consultation with the Commissioner of the California Highway Patrol, certifies that the segment identified in statute meets all of the following criteria:
 - The highway segment is a conventional highway or expressway and is part of the state highway system.

- The rate of total collisions per mile per year on the segment under consideration has been at least 1.5 times the statewide average for similar roadway types during the most recent three-year period for which data are available.
- The rate of head-on collisions per mile per year on the segment under consideration has been at least 1.5 times the statewide average for similar roadway types during the most recent three-year period for which data are available.
- The Department of the California Highway Patrol or local agency having traffic enforcement jurisdiction has concurred with the designation.
- The governing board of each city, or county with respect to an unincorporated area, in which the segment is located has by resolution indicated that it supports the designation.
- An active public awareness effort to change driving behavior is ongoing either by the local agency with jurisdiction over the segment or by another state or local entity.
- Other traffic safety enhancements, including, but not limited to, increased enforcement and other roadway safety measures, are in place or are being implemented concurrent with the designation of the DFZ.

To ensure that road segments for which a DFZ is being sought experience a legitimate safety need, this committee will not consider any measure that establishes a DFZ that is not subject to the process articulated in Streets and Highways Code Section 97.

Adopted by the Senate Committee on Transportation on February 1, 2021.