

SPEED LIMIT ENFORCEMENT ON PRIVATE ROADS



ROADS & TRANSPORTATION

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CAN SPEED LIMITS BE ENFORCED ON PRIVATE ROADS?

Under sections 21107.5 and 21107.7 of the California Vehicle Code (CVC), law enforcement officers can enforce speed limits on private roads that primarily provide access to non-commercial buildings in unincorporated areas of the County if certain procedures are followed by the road owners and the County of Ventura to enact enforcement and certain conditions are met.

CVC section 21107.5 addresses the necessary procedures setting up enforcement on private roads open for public use which connect with highways such that the public cannot determine that the roads are not highways. No ordinance or resolution enacted under this section shall apply to roads on which the owner has erected a notice of a size, shape, and color as to be readily legible during daylight hours from a distance of at least 100 feet to the effect that the road is privately owned and maintained and that it is not subject to public traffic regulations or control.

CVC section 21107.7 discusses the required procedures for enactment of enforcement on privately owned and maintained roads not generally held open for public vehicular travel which by reason of their proximity to or connection with highways, are best served by enforcement of the CVC.

The processes require a public hearing before the Board of Supervisors and a mailing of notices. In order for the law enforcement officers to conduct enforcement patrols, the Board of Supervisors has to adopt a resolution to that effect.

Vehicle Code enforcement in the unincorporated area of the County is the responsibility of the California Highway Patrol (CHP). Approval of the resolution by the Board of Supervisors does not constitute a commitment by the CHP or Sheriff's Department to provide enforcement patrols on a regular basis.

The local homeowners' association is responsible for noticing all owners and advising the Ventura County Public Works Agency – Roads & Transportation (VCPWA–RT) by providing a copy of the notice and mailing list. A list of all of the private roads proposed for enforcement and a petition filled out by the property owners need to be submitted to the VCPWA–RT by the homeowners' association.

The County then reviews the petition to confirm that a majority of the roads' property owners support speed limit enforcement, or at least a majority of the board of directors of the common interest development that is responsible for maintaining the roads.

Next, a Board letter with a map of the affected roads is prepared by the County to set the stage for the Board of Supervisors (BOS) hearings. There will be two public hearings held; the first is to provide notice to the public of the intention to apply the CVC to the listed private roads, and the second is to approve or deny the proposal to apply the CVC to the roads.

Once enforcement on the private roads is approved by the BOS, the homeowners' association may contract with law enforcement agencies for enforcement of speed limits on their private roads.

The County charges a fee of \$500 for processing each request. Payment must be provided before the formal process can be initiated.

AFTER A RESOLUTION IS PASSED, HOW DO WE ESTABLISH SPEED LIMITS?

The local homeowners' association is responsible for any engineering studies required to establish an enforceable speed limit, as well as furnishing, installing, and maintaining any signs and other traffic-control devices. Any speed limit can be posted on a private road; however, if the speed limit is to be enforceable, it must be established in accordance with existing law.

For information on how speed limits are established, see our "Speed Limits" Fact Sheet.

RESIDENTIAL AREAS

The most common concerns about speeding generally originate from residential areas. Twenty-five mph speed-limit signs may be posted on residential streets without conducting a speed survey, if the street or segment of street being considered (CVC 515) meets the following:

- a) A "residence district" is that portion of a highway and the property contiguous thereto, other than a business district upon one side of which highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures, or
- b) Both sides of which highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate-dwelling houses or business structures. A residence district may be longer than one-quarter of a mile if the above ratio of separate-dwelling houses or business structures to the length of the highway exists.

VEHICLE CODE ENFORCEMENT

The CHP is responsible for enforcing traffic laws on roads in the unincorporated area. If you have a question about enforcement of speed limits, please contact the CHP Dispatcher at: **(805) 477-4100**.