



Public Safety & Transportation Committee Report

City of Newton **In City Council**

Wednesday, January 4, 2017

Present: Councilors Ciccone (Chair), Blazar, Fuller, Yates, Cote, Harney, Lipof and Norton

Also Present: Councilors Crossley (Chair), Lennon, Lappin, Laredo, Albright and Brousal-Glaser
Hess-Mahan, Rice, Leary, Auchincloss and Sangiolo

Absent: Councilor Danberg and Gentile

City Staff: Shane Mark, Director of Operations and Jim McGonagle, Commissioner, Department of Public Works; Nicole Freedman, Director of Transportation; Stephen Simoglou, Traffic Engineer and Sgt. Jay Babcock, Newton Police Department

Others Present: James Fitzgerald, Director of Transportation, Environmental Partners Group, Inc.

Referred to Public Safety & Transportation and Public Facilities Committees

#7-17 Request for approval of intersection improvements at Harvard and Washington Street
COMMISSIONER OF PUBLIC WORKS requesting approval of the design and installation of intersection improvements including a traffic signal and bump outs at the intersection of Harvard and Washington Street. [12/28/2016 @ 4:35 PM]

ACTION: **Public Facilities Approved 6-0**
 Public Safety & Transportation Approved 8-0

NOTE: The Public Safety & Transportation Committee discussed this item jointly with the Public Facilities Committee. Please refer to the Public Facilities report for a detailed account of this discussion.

Councilor Norton made the motion to approve this item in Public Safety & Transportation Committee. Committee members agreed 8-0.

#427-16 Accept Sec 193 & 194 of Ch 218 to establish a 25 mph speed limit on certain roadways
COUNCILORS LENNON and HESS-MAHAN requesting acceptance of Section 193 and 194 of Chapter 218 of the Acts of 2016, authorizing the City Council without further authority, to establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the City on any way that is not a state highway; and to allow for the creation of designated safety zones on, at or near any way in the City which is not a state highway, with the approval of MassDOT if the same is a state

highway. Such safety zones would have a posted speed limit of 20 miles per hour.
[12/5/2016 @ 9:13 AM]

ACTION: **Approved 7-0, Cote not voting**

NOTE: Councilors Lennon and Hess-Mahan, Shane Mark, Director of Operations, Jim McGonagle, Commissioner, Department of Public Works; Nicole Freedman, Director of Transportation and Sgt. Jay Babcock, Newton Police Department joined the Committee for discussion on this item

Ms. Freedman said that she has spoken with MassDOT regarding this item. To date, Somerville, Cambridge, Arlington and Boston have adopted Section 193 and 194 of Chapter 218. There is no clarity on how to implement this change.

Ms. Freedman explained the difference between statutory and regulatory speed limits.

Statutory Speed Limit: Speed limit signs are not posted on every road. The default speed limit in the City is 30 mph, a thickly settled area. Almost every road in this City is 30 mph unless posted otherwise. If this act were approved, no new signs would be posted indicating a slower speed limit. When speed limit signs are not posted, vehicles must be tracked for 1/8 mile making police enforcement difficult.

Regulatory Speed Limit: Speed limit signs are posted. If this act is approved, it does not permit the City to change any posted speed limit signs.

Ms. Freedman said that Mass Dot recommends posting a different type of sign, (signs that do not resemble speed limit signs) to be posted at the entrance points on the major roads to the City. For example, the sign may indicate, "Thickly settled area, 30 mph unless posted otherwise". Posted speed limit signs make police enforcement easier.

Ms. Freedman said that if this docket request were approved, signs posted in the City would not change reflecting the new speed limit regulation of 25 mph. 25 mph zones will not decrease to 20 mph and school zones will remain at 20 mph; they will not decrease to 15 mph. Additional speed limit signs indicating 25 mph would not be posted. No signs would be removed. In order to install additional signs or remove current signs a speed analysis and study must be conducted and submitted to MassDOT for approval requesting permission to remove posted speed limit signs. Drivers will need to be educated and if this act is approved, many drivers will oblige to a lower speed limit. Ms. Freedman said that statistics prove that slowing vehicle speeds increases the chance of survival in accidents with pedestrians and bicyclists.

Committee members and others present expressed their concerns, questions and requests.

Concerns:

It is concerning to hear that signs will remain posted indicating a 30 mph speed limit even if this item is approved and lowered to 25 mph because there are many 30 mph speed limit signs posted in the City. If approved, the law may be frustrating because there are many City roads that are not long enough to track drivers traveling for 1/8 mile to enable police enforcement.

A communications plan is necessary on the process of educating drivers.

Questions/Requests:

Please provide the number of 30 mph posted signs in the City.

Please provide the location of each 30 mph posted sign.

Are state numbered roads owned and operated by the state?

Are DCR parkways owned and operated by the State?

Who is authorized to create safety zones?

Where are 20 mph signs posted?

Is it necessary to reduce the speed limit to 25 mph at all times?

Do drivers usually travel above the speed limit?

Please clarify who has the authority to approve this request according to Sec. 4 of Chap. 4 of MGL?

Sgt. Babcock said that 20 mph signs are posted indicating school zones. The speed limit would have to be consistent at all times to avoid confusion. Having different speed limits throughout the City is difficult. He suggested that all villages and business districts should have a slower speed limit area because of the volume of pedestrians, cyclists and distracted drivers. He agrees that drivers, especially the young need to be educated. He then suggested that drivers could be notified by driving schools, parent's night, website, message boards and information in City bills notifying drivers of the speed limit. Everyone travels above the speed limit. The Police Departments intent would be to educate drivers using verbal stings informing drivers of the reduced speed while performing directed patrols.

Councilor Lennon said that safety zones speed limits are the only regulatory speed limits that municipalities can adopt without prior approval from MassDOT. Safety zones cannot, however, be placed on State Highway without MassDOT approval. Speed limits within a safety zone must be set at 20 mph and are intended to be used in areas where vulnerable road users are likely to be present. Examples of such areas are parks and playgrounds, senior citizen housing and centers, hospitals or other medical facilities, high schools and higher education centers, and daycare facilities.

Councilor Lennon then said that MGL allows the municipality or district, by vote of the legislative body, subject to the charter of the municipality, or, in a district, by vote of the district at a district meeting.

Chair Ciccone opened the discussion to members of the public who were present. A resident stated that it is extremely important to approve this request. School parents completed a survey agreeing that they feel vehicles travel too fast and support reducing the speed limit from 30 mph to 25 mph citywide. If the speed limit is reduced, roads can be designed according to new regulations. She said that she agrees with Sgt. Babcock's suggestion of reducing speed limits in village centers. It is important to reduce the speed limit in areas where there are no safety zones. She is hopeful the police will perform directed patrols to address speeding vehicles.

Council members and others present agree that the speed limit in the City should be reduced to 25 mph. by slowing vehicle speeds it increases the chance of survival in accidents with pedestrians and bicyclists. Drivers will need to be educated and overall the City would be safer!

Without further discussion, Councilor Lipof made a motion approving this request. Committee members agreed 7-0, Councilor Cote not voting.

At approximately 8:45 p.m., Councilor Yates made a motion to adjourn. Committee members agreed 7-0, Councilor Cote not voting.

Respectfully submitted,

Allan Ciccone, Jr. Chair

SECTION 193. Chapter 90 of the General Laws is hereby amended by inserting after section 17B the following section:-

Section 17C. (a) Notwithstanding section 17 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city or town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the city or town on any way that is not a state highway.

(b) Upon establishing a speed limit under this section, the city or town shall notify the department. The operation of a motor vehicle at a speed in excess of a speed limit established under this section shall be a violation of section 17.

SECTION 194. Said chapter 90 is hereby further amended by inserting after section 18A the following section:-

Section 18B. (a) Notwithstanding section 18 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city or town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish designated safety zones on, at or near any way in the city or town which is not a state highway, and with the approval of the department if the same is a state highway. Such safety zones shall be posted as having a speed limit of 20 miles per hour.

(b) The operation of a motor vehicle in such zone at a speed exceeding the speed limit established under this section shall be a violation of section 17.