

FILED MAR 13 1997

SENATE FILE **462**
BY HALVORSON

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to speed limits and speeding violations for
2 license suspension and insurance purposes.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 462

1 Section 1. Section 321.210, subsection 2, paragraph d,
2 Code 1997, is amended to read as follows:

3 d. The first two speeding violations within any twelve-
4 month period of ten five miles per hour or less over the legal
5 speed limit in speed zones having a legal speed limit between
6 thirty-four equal to or greater than thirty-five miles per
7 hour and-fifty-six but not greater than fifty-five miles per
8 hour.

9 Sec. 2. Section 321.285, subsections 4, 5, and 6, Code
10 1997, are amended to read as follows:

11 4. Notwithstanding any other speed restrictions, the speed
12 limit for all vehicular traffic shall be fifty-five sixty
13 miles per hour.

14 5. a. Reasonable and proper, but not greater than fifty-
15 five miles per hour at any time between-sunrise-and-sunset;
16 and-not-greater-than-fifty-miles-per-hour-at-any-time-between
17 sunset-and-sunrise; on secondary roads unless-such-roads-are
18 surfaced with concrete or asphalt or a combination of both, -in
19 which-case-the-speed-limits-shall-be-the-same-as-provided-in
20 subsection-4-of-this-section.

21 b. Reasonable and proper, but not greater than fifty miles
22 per hour at any time on secondary roads which are not surfaced
23 with concrete or asphalt or a combination of both.

24 c. When the board of supervisors of any county shall
25 determine upon the basis of an engineering and traffic
26 investigation that the speed limit on any secondary road is
27 greater than is reasonable and proper under the conditions
28 found to exist at any intersection or other place or upon any
29 part of a secondary road, the board shall determine and
30 declare a reasonable and proper speed limit at the
31 intersection or other part of the secondary road. The speed
32 limits as determined by the board of supervisors shall be
33 effective when appropriate signs giving notice of the speed
34 limits are erected by the board of supervisors at the
35 intersection or other place or part of the highway.

1 6. Notwithstanding any other speed restrictions, the speed
2 limit ~~for all vehicular traffic on fully controlled access,~~ on
3 divided, multilaned highways including the national system of
4 interstate highways and highways which are part of the
5 commercial and industrial network is sixty-five seventy miles
6 per hour for all vehicular traffic except commercial vehicles
7 and sixty-five miles per hour for commercial vehicles. The
8 ~~department may establish a speed limit of sixty-five miles per~~
9 ~~hour on certain divided, multilaned highways.~~ However, the
10 department or cities with the approval of the department may
11 establish a lower speed limit upon such highways located
12 within the corporate limits of a city. ~~For the purposes of~~
13 ~~this subsection, a fully controlled access highway is a~~
14 ~~highway that gives preference to through traffic by providing~~
15 ~~access connections with selected public roads only and by~~
16 ~~prohibiting crossings at grade or direct private driveway~~
17 ~~connections.~~ A minimum speed may be established by the
18 department on the highways referred to in this subsection if
19 warranted by engineering and traffic investigations.

20 It is further provided that any kind of vehicle, implement,
21 or conveyance incapable of attaining and maintaining a speed
22 of forty miles per hour shall be prohibited from using the
23 interstate system.

24 Sec. 3. Section 516B.3, subsection 1, Code 1997, is
25 amended to read as follows:

26 1. The commissioner shall require that insurance companies
27 transacting business in this state not consider speeding
28 violations occurring on or after July 1, 1986, but before May
29 12, 1987, which are for speeding violations for ten miles per
30 hour or less over the legal speed limit in speed zones that
31 have a legal speed limit greater than thirty-five miles per
32 hour, or speeding violations occurring on or after May 12,
33 1987, which are for speeding violations for ten miles per hour
34 or less over the legal speed limit in speed zones that have a
35 legal speed limit equal to or greater than thirty-five miles

1 per hour but not greater than fifty-five miles per hour, or
2 speeding violations occurring on or after July 1, 1997, which
3 are for speeding violations for five miles per hour or less
4 over the legal speed limit in speed zones that have a legal
5 speed limit equal to or greater than thirty-five miles per
6 hour but not greater than fifty-five miles per hour for the
7 purpose of establishing rates for motor vehicle insurance
8 charged by the insurer and shall require that insurance
9 companies not cancel or refuse to renew any such policy for
10 such violations. In any twelve-month period, this section
11 applies only to the first two such violations which occur.

12 EXPLANATION

13 This bill increases the speed limit on divided, multi-laned
14 highways and commercial and industrial network highways to 70
15 miles per hour for all vehicular traffic except commercial
16 vehicles. The bill sets the speed limit on those highways for
17 commercial vehicles at 65 miles per hour. The bill also
18 increases the general speed limit in the state to 60 miles per
19 hour. The maximum speed limit for paved secondary roads
20 remains at 55 miles per hour, which now applies to both day
21 and night. The maximum speed on unpaved secondary roads is
22 set at 50 miles per hour, day or night. Commercial vehicles,
23 generally, are vehicles designed to carry cargo or passengers
24 and which have gross vehicle weights of over 26,000 pounds.

25 The bill also provides that the first two speeding
26 violations of five miles per hour or less in speed zones with
27 legal speed limits of 35 to 55 miles per hour do not count for
28 purposes of license suspension or insurance.

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