

JAN 20 1975

Place On Calendar

*Transportation 1-30*

House File 66  
Krause, Chairman  
Doyle  
Wulff

HOUSE FILE 66

By COMMITTEE ON TRANSPORTATION

Passed House, Date 6-11-75 (2051) Passed Senate, Date 6-13-75 (2056)

Vote: Ayes 70 Nays 16 Vote: Ayes 35 Nays 12

Approved 6-28

*motion to reconsider 6-11 (2051)*

# A BILL FOR

1 An Act to impose a maximum fifty-five mile per hour speed  
2 limit on the public highways of this state, subject to  
3 penalties provided by law.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section three hundred twenty-one point two  
2 hundred eighty-five (321.285), subsections five (5), seven  
3 (7), and eight (8), Code 1975, are amended to read as follows:

4 5. ~~Sixty~~ Fifty-five miles per hour from sunset to sunrise  
5 and ~~seventy~~ fifty-five miles per hour from sunrise to sunset.

6 7. Reasonable and proper, but not greater than ~~sixty~~  
7 fifty-five miles per hour at any time between sunrise and  
8 sunset, and not greater than fifty miles per hour at any time  
9 between sunset and sunrise, on secondary roads unless such  
10 roads are surfaced with concrete or asphalt or a combination  
11 of both, in which case the speed limits shall be the same  
12 as provided in subsection 5 of this section. Whenever the  
13 board of supervisors of any county shall determine upon the  
14 basis of an engineering and traffic investigation conducted  
15 by the department when so requested by said board that the  
16 speed limit on any secondary road is greater than is reasonable  
17 and proper under the conditions found to exist at any  
18 intersection or other place or upon any part of a secondary  
19 road, said board shall determine and declare a reasonable  
20 and proper speed limit thereat. Such speed limits as  
21 determined by the board of supervisors shall be effective  
22 when appropriate signs giving notice thereof are erected by  
23 the board of supervisors at such intersection or other place  
24 or part of the highway.

25 8. Notwithstanding any other speed restrictions, the  
26 speed limits for all vehicular traffic, except vehicles subject  
27 to the provisions of section 321.286 on fully controlled-  
28 access, divided, multilaned highways ~~included-in, and-as-a~~  
29 ~~part-of,~~ including the national system of interstate highways  
30 designated by the federal ~~bureau-of-public-roads~~ highway  
31 administration and this state, 23 U.S.C. 103 (d), shall be  
32 ~~seventy-five~~ fifty-five miles per hour ~~from-sunrise-to-sunset~~  
33 ~~and-sixty-five-miles-per-hour-from-sunset-to-sunrise,~~ ~~except~~  
34 ~~that-the-speed-limit-for-any-motor-vehicle-drawing-a-one-wheel~~  
35 ~~or-two-wheel-trailer-or-a-tandem-wheel-trailer-shall-be-sixty-~~

1 ~~five-miles-per-hour~~. However, the department or the cities,  
2 with the approval of the department, may establish a lower  
3 speed limit upon such highways located within the corporate  
4 limits of any city used as city alternate routes, commonly  
5 referred to as "~~freeways-~~" "freeways". For the purposes of  
6 this subsection a fully controlled-access highway is a highway  
7 that gives preference to through traffic by providing access  
8 connections with selected public roads only and by prohibiting  
9 crossings at grade or direct private driveway connections.  
10 It is further provided that a minimum speed of forty miles  
11 per hour, road conditions permitting, shall be established  
12 on the highways referred to in this subsection.

13 Sec. 2. Section three hundred twenty-one point two hundred  
14 eighty-six (321.286), subsection one (1), Code 1975, is amended  
15 to read as follows:

16 1. ~~Sixty-five~~ Fifty-five miles per hour on all fully  
17 controlled-access, divided, multilaned highways including  
18 interstate highway-systems highways.

19 Sec. 3. Section three hundred twenty-one point two hundred  
20 eighty-seven (321.287), Code 1975, is amended to read as  
21 follows:

22 321.287 BUS SPEED LIMITS. No passenger-carrying motor  
23 vehicle used as a common carrier, except school buses, shall  
24 be driven upon the highways at a greater rate of speed than  
25 ~~sixty~~ fifty-five miles per hour at any time. No school bus  
26 shall be operated in violation of section 321.377.

27 Sec. 4. Section three hundred twenty-one point three  
28 hundred seventy-seven (321.377), Code 1975, is amended to  
29 read as follows:

30 321.377 SPEED OF SCHOOL BUS. No motor vehicle in use  
31 as a school bus shall be operated at a speed in excess of  
32 ~~sixty~~ fifty-five miles per hour on any fully controlled-access,  
33 divided, multiland highways, interstate highway-system highways  
34 or on any four-lane primary highway. When not in operation  
35 on an interstate highway system or on any four-lane primary

1 highway, the maximum speed for a school bus shall be fifty  
2 miles per hour when used for purposes of an educational trip  
3 or for transporting pupils to and from any extracurricular  
4 activity, and forty-five miles per hour at all other times.  
5 Any violation of this section, by a driver, shall be deemed  
6 sufficient cause for canceling his contract. For the purpose  
7 of this section, interstate highways means those highways  
8 included in the national system of interstate highways  
9 designated by the federal ~~bureau-of-public-roads~~ highway  
10 administration and this state.

11 EXPLANATION

12 This bill provides a maximum speed limit of fifty-five  
13 miles per hour on all of the highways in this state.

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FISCAL NOTE  
HOUSE FILE 66

Date prepared January 31, 1975

Requested by Representative Krause  
Prepared in regard to H.F. 66 - An Act relating to 55  
mph speed limit. Following is the fiscal effect in dollars  
of the legislative proposal as required by Joint Rule 16.

This bill provides a maximum speed limit of fifty-five  
miles per hour on all of the highways in the state.

The fiscal effect would depend entirely on the bills'  
ultimate outcome. Federal funding currently authorized for  
FY-75 amounts to about \$63.2 million. The projected figure  
for FY-76 is \$76.4 million, and projected funds for FY-77  
is \$82.8 million.

Source: Five year highway plan  
Highway Division

Filed  
February 5, 1975

GERRY D. RANKIN  
Legislative Fiscal Director

H-3006

1 Amend House File 66, page 2, line 33, by striking  
2 the word "multiland" and inserting in lieu thereof  
3 the word "multilaned".

H-3006 FILED - *Adopted 6/11 (2355)* BY KRAUSE of Palo Alto  
JANUARY 30, 1975

H-3007

1 Amend House File 66 as follows:  
2 1. Page 1, line 4, by striking the word "fifty-  
3 five" and inserting in lieu thereof the word  
4 "fifty-six".  
5 2. Page 1, line 5, by striking the word "fifty-  
6 five" and inserting in lieu thereof the word  
7 "fifty-six".  
8 3. Page 1, line 7, by striking the word "fifty-  
9 five" and inserting in lieu thereof the word  
10 "fifty-six".  
11 4. Page 1, line 32, by striking the word "fifty-  
12 five" and inserting in lieu thereof the word  
13 "fifty-six".  
14 5. Page 2, line 16, by striking the word  
15 "fifty-five" and inserting in lieu thereof the  
16 word "fifty-six".  
17 6. Page 2, line 25, by striking the word  
18 "fifty-five" and inserting in lieu thereof the  
19 word "fifty-six".  
20 7. Page 2, line 32, by striking the word  
21 "fifty-five" and inserting in lieu thereof the  
22 word "fifty-six".  
23 8. Amend the title by striking the word "fifty-  
24 five" and inserting in lieu thereof the word  
25 "fifty-six".

H-3007 FILED - *Withdrawn 6/11 (2354)* BY HINES of Story  
JANUARY 30, 1975

H-4186

1 Amend House File 66 as follows:  
2 Page 1, by inserting before line 1, the follow-  
3 ing new section:  
4 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one  
5 (321) is amended by adding the following new sec-  
6 tion:  
7 NEW SECTION. On all interstate systems with-  
8 in this state, speeding citations shall not be  
9 issued unless the speed exceeds the speed limit by  
10 ten miles per hour.

H-4186 FILED, LOST (2351) BY WOODS of Polk  
JUNE 11, 1975

H-4194

1 Amend House File 66 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
5 two hundred ten (321.210), Code 1975, is amended by  
6 adding the following new paragraph:

7 NEW PARAGRAPH. A person's operator's or chauffeur's  
A 8 license shall not be suspended under the point system  
9 promulgated by the department for violations of the  
10 speed restrictions of this chapter where the person  
11 has not exceeded the posted speed limit by twenty  
12 miles per hour. Violations of the speed restrictions  
13 of this chapter by a speed of up to twenty miles per  
14 hour over the posted speed limit do not constitute  
15 a violation of subsections one (1) through seven (7)  
16 of this section and such violations shall not be  
17 grounds for suspension or revocation of an operator's  
18 or chauffeur's license."

19 2. Page 3, by inserting after line 10 the  
20 following:

21 "Sec. \_\_\_\_ . Chapter three hundred twenty-one (321),  
B 22 Code 1975, is amended by adding the following new  
23 section:

24 NEW SECTION. VIOLATIONS OF SPEED RESTRICTIONS.  
25 Upon conviction of a violation of the speed restric-  
26 tions of this chapter of up to ten miles per hour  
27 over the posted speed limit, a person may be punished  
28 only by a fine which shall not exceed ten dollars.  
29 Court costs shall not be imposed for a violation  
30 punished under this section.

31 Sec. \_\_\_\_ . Section seven hundred fifty-three point  
32 fifteen (753.15), subsection six (6), Code 1975, is  
33 amended to read as follows:

34 6. Excess speed up to ten miles per hour over  
35 the legal limit, ~~twenty~~ ten dollars."

C 36 3. Renumber the sections and correct internal  
37 references in conformance with this amendment.

H-4194 FILED *A - Ruled not germane motion* BY MILLER of Buchanan  
*to suspend Rule Book 6/11 (2353)* SCHROEDER of Pottawattamie  
JUNE 11, 1975 *B - Same 6/11 (2354)* TAUKE of Dubuque  
HORN of Linn  
BAKER of Buena Vista  
WOODS of Polk  
NIELSEN of Polk  
BYERLY of Polk  
MONROE of Des Moines

House File 66

H-4191

1 Amend House File 66 by inserting before line 1  
2 the following new section:  
3 "Section 1. Chapter three hundred twenty-one  
A 4 (321), Code 1975, is amended by adding the following  
5 new sections:  
6 NEW SECTION. No combination of two or more  
7 vehicles, one of which is a motor vehicle, shall  
8 travel on snow packed or ice covered highways except  
9 in emergency situations."  
10 NEW SECTION. The provisions of this chapter  
11 notwithstanding, a motor vehicle shall not travel  
B 12 upon the highways of this state in excess of fifty  
13 miles per hour if the highway is rain-slicked or  
14 rain-covered."

H-4191 FILED, H-4191 A RULED NOT BY HOWELL of Floyd  
GERMANE, MOTION TO SUSPEND RULES  
LOST, H-4191B LOST (2352)  
JUNE 11, 1975

H-4199

1 Amend House File 66 as follows:  
2 1. Page 3, by inserting after line 10 the  
3 following:  
4 "Sec. \_\_\_\_ Chapter three hundred twenty-one (321),  
5 Code 1975, is amended by adding the following new  
6 section:  
7 NEW SECTION. Upon conviction of a violation of  
8 section one (1) of House File four hundred twenty-  
9 one (421), enacted by the Sixty-sixth General Assembly,  
10 1975 Session, a person may be punished only by a fine  
11 which shall not exceed ten dollars. Court costs shall  
12 not be imposed for a violation punished under this  
13 section."  
14 2. Amend the title, line 1, by striking the words  
15 "to impose" and insert in lieu thereof the words  
16 "relating to motor vehicles providing for a punish-  
17 ment for a violation of motorcycle helmet laws and  
18 imposing".  
19 3. Renumber sections and correct internal  
20 references in conformance with this amendment.

H-4199 FILED. *Ruled no germane 6/11 (2355)* BY HORN of Linn  
JUNE 11, 1975

H-4206

1 Amend House File 66 as follows:  
2 Page 3, by inserting after line 10 the following:  
3 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
4 Code 1975, is amended by adding the following new  
5 section:  
6 NEW SECTION. VIOLATIONS OF SPEED RESTRICTIONS.  
7 Upon conviction of a violation of the speed restric-  
8 tions of this chapter of up to ten miles per hour  
9 over the posted speed limit, a person may be punished  
10 only by a fine which shall not exceed five dollars.  
11 Court costs shall be imposed for a violation punished  
12 under this section. Nothing in this section shall  
13 be deemed to exempt a violator from the provisions  
14 of section three hundred twenty-one point two  
15 hundred ten (321.210) of the Code.  
16 Sec. \_\_\_\_\_. Section seven hundred fifty-three  
17 point fifteen (753.15), subsection six (6), Code 1975,  
18 is amended to read as follows:  
19 6. Excess speed up to ten miles per hour over  
20 the legal limit, twenty five dollars."

H-4206 FILED - *Withdrown 6/11 (2357)*  
JUNE 11, 1975

BY SCHROEDER of Pottawattamie  
HORN of Linn  
PERKINS of Greene

House File 66

H-4212

1 Amend the Schroeder et al amendment H-4206 to  
2 House File 66 as follows:  
3 Page 1, line 10, by striking the word "only".

H-4212 FILED, SUSPENDED RULES, BY SCHROEDER of Pottawattamie  
ADOPTED BY UNANIMOUS CONSENT (2357)  
JUNE 11, 1975

S-4222

1 Amend House File 66, as amended and passed by the  
2 House, page 3, by inserting after line 10, the follow-  
3 ing new section:  
4 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
5 Code 1975, is amended by adding the following new  
6 section:  
7 NEW SECTION. Notwithstanding the provisions of  
8 section seven hundred fifty-three point fifteen  
9 (753.15), subsection six (6), of the Code, upon the  
10 conviction of any person for exceeding the speed  
11 limits on any public highway on which the posted  
12 maximum speed limit is fifty-five miles per hour,  
13 a person shall be subject to a fine of one dollar  
14 for each mile per hour by which the person exceeded  
15 the posted speed limit, plus court costs. Upon the  
16 conviction of any person for exceeding the speed  
17 limits by more than ten miles per hour on any public  
18 highway on which the posted maximum speed limit is  
19 fifty-five miles per hour, a person shall be subject  
20 to a minimum fine of twenty dollars, plus court costs."

S-4222 FILED  
JUNE 13, 1975  
RULED NOT GERMANE (2056)

BY JAMES GALLAGHER  
BERL PRIEBE

S-4219

1 Amend House File 66 as amended and passed by the  
2 House as follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Sec.     . Section three hundred twenty-one point  
6 two hundred ten (321.210), Code 1975, is amended by  
7 adding the following new paragraph:  
8 NEW PARAGRAPH. A person's operator's or chauffeur's  
9 license shall not be suspended under the point system  
10 promulgated by the department for violations of the  
11 speed restrictions of this chapter where the person  
12 has not exceeded the posted speed limit by twenty  
13 miles per hour. Violations of the speed restrictions  
14 of this chapter by a speed of up to twenty miles per  
15 hour over the posted speed limit do not constitute  
16 a violation of subsections one (1) through seven (7)  
17 of this section and such violations shall not be  
18 grounds for suspension or revocation of an operator's  
19 or chauffeur's license."

20 2. Page 3, by inserting after line 10 the  
21 following:

22 "Sec.     . Chapter three hundred twenty-one (321),  
23 Code 1975, is amended by adding the following new  
24 section:

25 NEW SECTION. VIOLATIONS OF SPEED RESTRICTIONS.  
26 Upon conviction of a violation of the speed restric-  
27 tions of this chapter of up to ten miles per hour  
28 over the posted speed limit, a person may be punished  
29 only by a fine which shall not exceed ten dollars.  
30 Court costs shall not be imposed for a violation  
31 punished under this section.

32 Sec.     . Chapter three hundred twenty-one (321),  
33 Code 1975, is amended by adding the following new  
34 section:

35 NEW SECTION. The provisions of sections one (1)  
36 through four (4) of this Act, shall be effective until  
37 federal laws no longer require a maximum fifty-five  
38 miles per hour speed limit to be eligible for approval  
39 by the secretary of transportation of the state highway  
40 construction projects, but not later than July 30,  
41 1977, at which time the speed laws shall be those  
42 laws in effect prior to June 1, 1975.

43 Sec.     . Section seven hundred fifty-three point  
44 fifteen (753.15), subsection six (6), Code 1975, is  
45 amended to read as follows:

46 6. Excess speed up to ten miles per hour over  
47 the legal limit, ~~twenty~~ ten dollars."

48 3. Renumber the sections and correct internal  
49 references in conformance with this amendment.

S-4219 FILED  
JUNE 13, 1976  
RULED NOT GERMANE (2056)

BY RICHARD J. NORPEL, SR.  
C. JOSEPH COLEMAN

## HOUSE FILE 66

## AN ACT

TO IMPOSE A MAXIMUM FIFTY-FIVE MILE PER HOUR SPEED LIMIT  
ON THE PUBLIC HIGHWAYS OF THIS STATE, SUBJECT TO PENAL-  
TIES PROVIDED BY LAW.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section three hundred twenty-one point two hundred eighty-five (321.285), subsections five (5), seven (7), and eight (8), Code 1975, are amended to read as follows:

5. ~~Sixty~~ Fifty-five miles per hour from sunset to sunrise and ~~seventy~~ fifty-five miles per hour from sunrise to sunset.

7. Reasonable and proper, but not greater than ~~sixty~~ fifty-five miles per hour at any time between sunrise and sunset, and not greater than fifty miles per hour at any time between sunset and sunrise, on secondary roads unless such roads are surfaced with concrete or asphalt or a combination of both, in which case the speed limits shall be the same as provided in subsection 5 of this section. Whenever the board of supervisors of any county shall determine upon the basis of an engineering and traffic investigation conducted by the department when so requested by said board that the speed limit on any secondary road is greater than is reasonable and proper under the conditions found to exist at any intersection or other place or upon any part of a secondary road, said board shall determine and declare a reasonable and proper speed limit thereat. Such speed limits as determined by the board of supervisors shall be effective when appropriate signs giving notice thereof are erected by the board of supervisors at such intersection or other place or part of the highway.

8. Notwithstanding any other speed restrictions, the speed limits for all vehicular traffic, except vehicles subject to the provisions of section 321.286 on fully controlled-access, divided, multilaned highways ~~included-in-and-as-a~~

~~part-of,~~ including the national system of interstate highways designated by the federal ~~bureau-of-public-roads~~ highway administration and this state, 23 U.S.C. 103 (d), shall be ~~seventy-five~~ fifty-five miles per hour ~~from-sunrise-to-sunset and-sixty-five-miles-per-hour-from-sunset-to-sunrise,~~ ~~except that-the-speed-limit-for-any-motor-vehicle-drawing-a-one-wheel or-two-wheel-trailer-or-a-tyndem-wheel-trailer-shall-be-sixty-five-miles-per-hour.~~ However, the department or the cities, with the approval of the department, may establish a lower speed limit upon such highways located within the corporate limits of any city used as city alternate routes, commonly referred to as ~~"freeways,"~~ "freeways". For the purposes of this subsection a fully controlled-access highway is a highway that gives preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections. It is further provided that a minimum speed of forty miles per hour, road conditions permitting, shall be established on the highways referred to in this subsection.

Sec. 2. Section three hundred twenty-one point two hundred eighty-six (321.286), subsection one (1), Code 1975, is amended to read as follows:

1. ~~Sixty-five~~ Fifty-five miles per hour on all fully controlled-access, divided, multilaned highways including interstate highway-systems highways.

Sec. 3. Section three hundred twenty-one point two hundred eighty-seven (321.287), Code 1975, is amended to read as follows:

321.287 BUS SPEED LIMITS. No passenger-carrying motor vehicle used as a common carrier, except school buses, shall be driven upon the highways at a greater rate of speed than ~~sixty~~ fifty-five miles per hour at any time. No school bus shall be operated in violation of section 321.377.

Sec. 4. Section three hundred twenty-one point three hundred seventy-seven (321.377), Code 1975, is amended to read as follows:

321.377 SPEED OF SCHOOL BUS. No motor vehicle in use

as a school bus shall be operated at a speed in excess of sixty fifty-five miles per hour on any fully controlled-access, divided, multilaned highways, interstate highway-system highways or on any four-lane primary highway. When not in operation on an interstate highway system or on any four-lane primary highway, the maximum speed for a school bus shall be fifty miles per hour when used for purposes of an educational trip or for transporting pupils to and from any extracurricular activity, and forty-five miles per hour at all other times. Any violation of this section, by a driver, shall be deemed sufficient cause for canceling his contract. For the purpose of this section, interstate highways means those highways included in the national system of interstate highways designated by the federal bureau-of-public-roads highway administration and this state.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 66, Sixty-sixth General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved 6/28, 1975

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ROBERT D. RAY  
Governor