

JAN 10 1996
TRANSPORTATION

HOUSE FILE 2039
BY RANTS

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

A BILL FOR

1 An Act increasing the speed limit on interstate highways,
2 increasing penalties, and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2039

1 Section 1. Section 321.285, unnumbered paragraphs 1 and 2,
2 Code 1995, are amended to read as follows:

3 Any A person driving operating a motor vehicle on a highway
4 shall drive operate the same vehicle at a careful and prudent
5 speed not greater than nor less than is reasonable and proper,
6 having due regard to the traffic, surface, and width of the
7 highway and of any other existing conditions ~~then-existing,~~
8 ~~and-no.~~ A person shall drive not operate any vehicle upon a
9 highway at a speed greater than will permit the person to
10 bring it to a stop within the assured clear distance ahead,
11 such. However, the driver-having operator has the right to
12 assume ~~however,~~ that all persons using said the highway will
13 observe the law.

14 The following shall be the lawful speed ~~except-as-provided~~
15 ~~by-this-section, or~~ except as posted pursuant to sections
16 262.68; 321.236, subsection 5; 321.288, subsection 6; 321.289;
17 321.290; 321.293; 321.295; and 461A.36, and any speed in
18 excess thereof of these speeds shall be unlawful:

19 Sec. 2. Section 321.285, subsection 6, unnumbered
20 paragraph 1, Code 1995, is amended to read as follows:

21 Notwithstanding any other speed restrictions, the speed
22 limit for ~~all~~ vehicular traffic on fully controlled-access,
23 divided, multilaned highways ~~including-the-national-system-of~~
24 ~~interstate-highways-designated-by-the-federal-highway~~
25 ~~administration-and-this-state-(23-U.S.C.--§-103-(e))~~ is sixty-
26 five miles per hour and the speed limit for vehicular traffic
27 on the national system of interstate highways is seventy-five
28 miles per hour. However, the department or cities with the
29 approval of the department may establish a lower speed limit
30 upon such highways located within the corporate limits of a
31 city. For the purposes of this subsection, a fully
32 controlled-access highway is a highway that gives preference
33 to through traffic by providing access connections with
34 selected public roads only and by prohibiting crossings at
35 grade or direct private driveway connections. A minimum speed

1 of forty miles per hour, road conditions permitting, is
2 established on the highways referred to in this subsection.

3 Sec. 3. Section 805.8, subsection 2, paragraph g, is
4 amended by adding the following new subparagraph:

5 NEW SUBPARAGRAPH. (4A) Notwithstanding subparagraphs (1),
6 (3), and (4) for excessive speed violations in speed zones
7 greater than sixty-five miles per hour when in excess of the
8 limit by five miles per hour or less the fine is ten dollars,
9 by more than five and not more than ten miles per hour, the
10 fine is twenty dollars, by more than ten and not more than
11 fifteen miles per hour the fine is eighty dollars, by more
12 than fifteen and not more than twenty miles per hour the fine
13 is one hundred twenty dollars, and by more than twenty miles
14 per hour the fine is one hundred twenty dollars plus two
15 dollars for each mile per hour of excessive speed over twenty
16 miles per hour over the limit.

17 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
18 immediate importance, is effective upon enactment.

19 EXPLANATION

20 This bill increases the speed limit on interstate highways
21 from 65 miles per hour to 75 miles per hour. In addition, the
22 bill establishes penalties for excessive speed in speed zones
23 that are greater than 65 miles per hour. The fine is \$10 for
24 speeds that are over the limit by 5 miles per hour or less,
25 \$20 for speeds that are over the limit by more than 5 miles
26 per hour but not more than 10 miles per hour, \$80 for more
27 than 10 miles per hour, but not more than 15 miles per hour
28 over the limit, \$120 for more than 15 miles per hour but not
29 more than 20 miles per hour over the limit, and \$120 plus two
30 dollars for each additional mile per hour that is over 20
31 miles per hour over the speed limit.

32 The bill is effective upon enactment.

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**HOUSE FILE 2039
FISCAL NOTE**

A fiscal note for House file 2039 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2039 increases the speed limit on interstate highways to 75 miles per hour.

ASSUMPTIONS

1. There are 782 miles of interstate highways with an estimated 450 speed limit signs.
2. Changing the speed limit signs could be dealt with in two ways: The first is to install an overlay over the number, the second is to install new signs. The cost for overlays is estimated at \$34,000. The cost to install new signs is estimated at \$110,400.
3. The above cost estimates include labor, materials, and equipment.

FISCAL IMPACT

The estimated FY 1997 cost of HF 2039 will range from \$34,000 to \$110,400 depending on how many new speed limit signs are installed verses how many sign overlays are used. The cost will be paid from the Primary Road Fund.

SOURCE

Department of Transportation

(LSB 3266hh, DLR)

FILED FEBRUARY 6, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR