

FEB 24 1999

TRANSPORTATION

HOUSE FILE 376
BY RICHARDSON

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

A BILL FOR

1 An Act relating to speed limits on highways which may be
2 | regulated by local authorities.

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

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HF 376

1 Section 1. Section 321.285, subsection 6, Code 1999, is
2 amended to read as follows:

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

21 Sec. 2. Section 321.290, unnumbered paragraph 2, Code
22 1999, is amended to read as follows:

23 Whenever the council in any city ~~shall-determine~~ determines
24 upon the basis of an engineering and traffic investigation
25 that any speed limit ~~hereinbefore-set-forth~~ established by
26 this chapter is greater or less than is reasonable or safe
27 under the conditions found to exist at any intersection or
28 other place or upon any part of the city street system, ~~except~~
29 ~~primary-road-extensions,-said~~ the council shall determine and
30 adopt by ordinance such a higher or lower speed limit as it
31 deems reasonable and safe ~~thereat~~. Such speed limit shall be
32 effective when proper and appropriate signs giving notice
33 thereof are erected at such intersections or other place or
34 part of the street.

35 Sec. 3. Section 321.293, Code 1999, is amended to read as

1 follows:

2 321.293 LOCAL AUTHORITIES MAY ALTER LIMITS.

3 Local authorities in their respective jurisdiction

4 ~~jurisdictions~~ may in their discretion ~~subject-to-the-approval~~
5 ~~of-the-department~~ authorize by ordinance higher speeds than
6 those stated in section 321.285 upon through highways or upon
7 highways or portions thereof where stop or yield signs have
8 been erected at the entrances thereto provided signs are
9 erected giving notice of the authorized speed, but local
10 authorities shall not have authority to authorize by ordinance
11 a speed in excess of fifty-five miles per hour. If local
12 authorities fail to authorize by ordinance higher speeds than
13 those stated in section 321.285 upon through highways or upon
14 highways or portions thereof where stop signs have been
15 erected at the entrances thereto, the department may
16 recommend, upon the basis of an engineering and traffic
17 investigation, to the local authorities that the speed limit
18 be increased. ~~If-local-authorities-fail-to-increase-the-speed~~
19 ~~limit-upon-said-recommendation-of-the-department,-said~~
20 ~~department-shall-declare-a-reasonable-and-safe-speed-limit~~
21 ~~which-shall-be-effective-when-appropriate-signs-are-erected~~
22 ~~giving-notice-thereof.~~

23 EXPLANATION

24 This bill amends several provisions in Code chapter 321 to
25 modify the authority of local authorities to establish speed
26 limits on highways in their respective jurisdictions.

27 Code section 321.285 is amended to provide that a city may
28 establish a speed limit of less than 65 miles per hour on
29 fully controlled-access, divided, multilaned highways,
30 including interstate highways, located within the corporate
31 limits of the city without approval from the department of
32 transportation as is currently required. The bill provides
33 that the department of transportation is to develop nonbinding
34 recommendations to guide cities in establishing lower speed
35 limits on such highways.

1 The bill amends Code section 321.290 to extend the
2 authority of a city to modify a speed limit established by the
3 Code to primary road extensions. Currently, a city may modify
4 such a speed limit if it determines upon the basis of an
5 engineering and traffic investigation that the speed limit is
6 greater or less than is reasonable or safe in the designated
7 area of the city street system, except primary road
8 extensions.

9 The bill also amends Code section 321.293 to provide that
10 local authorities may set higher speed limits than those
11 established by the Code upon through highways or upon highways
12 where stop or yield signs have been erected at the entrances
13 thereto without the approval of the department of
14 transportation as is currently required. The bill retains the
15 restriction that such speed limits may not exceed 55 miles per
16 hour. The bill also strikes a provision in Code section
17 321.293 that directs the department of transportation to set a
18 reasonable and safe speed limit upon a through highway or a
19 highway where stop or yield signs have been erected at the
20 entrances thereto if a local authority fails to increase the
21 speed limit upon the highway pursuant to a recommendation from
22 the department.

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