

MAR 12 2003
Place On Calendar

HOUSE FILE 532
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 100)

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

A BILL FOR

1 An Act increasing the speed limit for vehicular traffic on
2 interstate highways.

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

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HF 532

1 Section 1. Section 321.285, subsection 6, Code 2003, is
2 amended to read as follows:

3 6. a. Notwithstanding any other speed restrictions, the
4 speed limit for all vehicular traffic on fully controlled-
5 access, divided, multilaned highways ~~including the national~~
6 ~~system of interstate highways~~ is sixty-five miles per hour.
7 However, the speed limit for all vehicular traffic on highways
8 that are part of the interstate road system, as defined in
9 section 306.3, is seventy miles per hour. The department may
10 establish a speed limit of sixty-five miles per hour on
11 certain divided, multilaned highways not otherwise described
12 in this paragraph.

13 b. ~~However, the~~ The department, or cities a city with the
14 approval of the department, may establish a lower speed limit
15 upon such highways on a highway described in this subsection
16 that is located within the corporate limits of a city.

17 c. For the purposes of this subsection, a fully
18 controlled-access highway is a highway that gives preference
19 to through traffic by providing access connections with
20 selected public roads only and by prohibiting crossings at
21 grade or direct private driveway connections.

22 d. A minimum speed may be established by the department on
23 the highways referred to in this subsection if warranted by
24 engineering and traffic investigations.

25 e. ~~It is further provided that any~~ Any kind of vehicle,
26 implement, or conveyance incapable of attaining and
27 maintaining a speed of forty miles per hour shall be
28 prohibited from using the interstate road system.

29 EXPLANATION

30 This bill increases the speed limit for interstate highways
31 from 65 to 70 miles per hour for all vehicles. The bill
32 retains the current provision that allows the state department
33 of transportation, or a city with the approval of the
34 department, to establish a lower speed limit for such a
35 highway located within the corporate limits of a city.

Description

House File 532 increases the speed limit from 65 to 70 miles per hour for vehicular traffic on interstate highways. The Bill allows a city with the approval of the Department of Transportation to establish a lower speed limit for such a highway located within the corporate limits of the city.

Assumptions

1. Charge, conviction, and sentencing patterns and trends will not change over the projection period.
 2. Prisoner length of stay, revocation rates, and other corrections' practices and policies will not change over the projection period.
 3. There is a six-month lag time from the effective date (July 1, 2003) of the proposed legislation to the date of first entry of affected offenders into the correctional system.
 4. This analysis is based on information obtained from the Justice Data Warehouse, which includes statewide court information. Conviction and penalty information is based on FY 2002 data.
 5. In FY 2002, there were 41,800 citations written for exceeding the 55 miles per hour (mph) speed limit. Speeding 6 to 10 mph over the posted speed limit of 55 mph resulted in 16,000 violations. This includes both interstates and blacktop roads.
 6. The Governor's Traffic Safety Bureau reported a 10.0% increase in fatalities among midwestern states following the increase speed limits. Regarding crimes associated with fatalities, drivers are seldom charged and the most frequent charge would be a simple misdemeanor.
 7. The average court costs for a simple misdemeanor is \$15.
 8. The average cost for the State Public Defender's Office for a simple misdemeanor is \$250.
 9. The average collection rate on a simple misdemeanor is 61.0%.
 10. The Governor's Traffic Safety Bureau reported that 20.0% of the fatalities on Iowa interstates are due to drunk driving, and of those, 60.0% are the drunk drivers themselves.
 11. There are approximately 31 fatalities each year on Iowa's interstates. If fatalities increase by 10.0%, the result would be approximately three more fatalities per year. If 20.0% were drunk-driving related, one additional drunk-driving fatality would occur and would likely be the drunk drivers themselves.
 12. Vehicular Homicide Operating While Intoxicated (OWI) is a Class B felony. The marginal cost per day is \$12. The average prison stay for a Vehicular Homicide OWI is 111 months. The average length of stay for a Vehicular Homicide OWI re-admission is 16 months.
 13. The average court costs for a Vehicular Homicide OWI is \$2,000.
 14. The average cost for the State Public Defender's Office for a Vehicular Homicide OWI is \$3,500.
 15. The average length of stay on probation for a Vehicular Homicide OWI is 25 months. The marginal cost per day is \$1.82.
 16. The average length of stay on parole for a Vehicular Homicide OWI is 30 months. The marginal cost per day is \$1.82.
 17. The average collection rate for a Vehicular Homicide OWI is 47.1%.
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18. There are 782 miles of interstate highway with an estimated 450 speed limit signs in Iowa. The Department of Transportation (DOT) has two replacement options regarding speed limit signage. The DOT can install an overlay with the new speed limit or replace the existing sign with new signs.

Correctional Impact

The correctional impact for HF 532 is not expected to be significant. It is estimated that there are about 31 fatalities each year on Iowa interstates. If fatalities increased by 10.0%, there would be three additional fatalities per year. Regarding crimes associated with fatalities, drivers are seldom charged and the most frequent charge would be a simple misdemeanor.

If there was a 20.0% increase in drunk-driving related fatalities, it is estimated that one additional drunk-driving fatality would occur each year. However, it is likely the additional fatality would be the drunk drivers themselves.

Fiscal Impact

General Fund

The estimated fiscal impact for HF 532 is expected to be minimal. The cost for three additional simple misdemeanors due to a 10.0% increase in traffic fatalities is approximately \$800. The impact for one Vehicular Homicide OWI would be approximately \$50,000. However, it is likely the additional fatality would be the drunk driver.

General Fund/Local Governments/Victim's Compensation Fund

The impact on speeding violation revenues cannot be determined due to insufficient information. If additional law enforcement resources are devoted to speeding violations, additional fine revenues could be collected. However, speeding violations between 65 and 70 mph would no longer be a violation and could result in less overall revenue being collected.

Primary Road Fund

The estimated one-time cost for overlays is approximately \$45,000 and the one-time cost for new signs is approximately \$200,000. Funding would come from the Primary Road Fund. These costs include labor, materials, and equipment. The option selected would depend on the condition of the existing sign.

Sources

Department of Transportation
Department of Human Rights, Criminal and Juvenile Justice Planning Division
Judicial Branch
Department of Corrections
State Public Defender

/s/ Dennis C Prouty

March 17, 2003

HOUSE FILE 532

H-1094

1 Amend House File 532 as follows:

2 1. Page 1, by inserting after line 28 the
3 following:

4 "Sec. ____ . NEW SECTION. 602.8106A SPEEDING FINE
5 INCREASES -- APPROPRIATION TO LAW ENFORCEMENT FOR
6 PATROL VEHICLES.

7 Notwithstanding sections 602.8106 and 602.8108,
8 when a peace officer issues a citation for speeding
9 for which a scheduled fine is assessed under section
10 805.8A, subsection 5, paragraph "b", fifty percent of
11 the increase in such fine, as provided for in this
12 Act, is appropriated to the department of public
13 safety for allocation to the law enforcement agency of
14 which the peace officer is a member, to be used for
15 acquisition and maintenance of patrol vehicles.

16 Sec. ____ . Section 805.8A, subsection 5, paragraph
17 b, Code 2003, is amended to read as follows:

18 b. Notwithstanding paragraph "a", for excessive
19 speed violations in speed zones greater than fifty-
20 five miles per hour, the scheduled fine shall be:

21 (1) ~~Ten~~ One hundred dollars for speed not more
22 than ~~five ten~~ ten miles per hour in excess of the limit.

23 ~~(2) Twenty dollars for speed greater than five but~~
24 ~~not more than ten miles per hour in excess of the~~
25 ~~limit.~~

26 ~~(3) (2) Forty Two hundred~~ Forty Two hundred dollars for speed
27 greater than ten but not more than ~~fifteen~~ twenty
28 miles per hour in excess of the limit, which is in
29 addition to the fine assessed in subparagraph (1).

30 ~~(4) Sixty dollars for speed greater than fifteen~~
31 ~~but not more than twenty miles per hour in excess of~~
32 ~~the limit.~~

33 ~~(5) (3) Sixty dollars plus two Ten~~ Ten dollars for
34 each mile per hour of excessive speed over twenty
35 miles per hour over the limit, which is in addition to
36 the fine assessed in subparagraphs (1) and (2)."

37 2. Title page, line 2, by inserting after the
38 word "highways" the following: ", increasing fines,
39 and making an appropriation".

40 3. By renumbering as necessary.

By BAUDLER of Adair

H-1094 FILED MARCH 19, 2003

HOUSE FILE 532

H-1114

1 Amend House File 532 as follows:

2 1. Page 1, line 9, by inserting after the word
3 "hour" the following: "except that the speed limit on
4 such highways for vehicles with a gross weight
5 exceeding ten thousand pounds is sixty-five miles per
6 hour".

By BAUDLER of Adair

H-1114 FILED MARCH 20, 2003

*Chair, Chambers
Klemme
Bukta*

Submitted By
SF 532

HSB 100
TRANSPORTATION

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON ARNOLD)

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