

House File 2103 - Introduced

HOUSE FILE 2103
BY FISHER

A BILL FOR

- 1 An Act relating to the speed limit on unpaved roads under county
- 2 jurisdiction, and making penalties applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321.285, subsection 4, Code 2026, is
2 amended to read as follows:

3 4. A reasonable and proper speed is required, but not greater
4 than ~~fifty-five~~ forty-five miles per hour at ~~any time between~~
5 ~~sunrise and sunset, and not greater than fifty miles per hour at~~
6 ~~any time between sunset and sunrise,~~ on secondary roads unless
7 such roads are surfaced with concrete or asphalt or a combination
8 of both, in which case the speed limits shall be the same
9 as provided in subsection 3. When the board of supervisors
10 of any county ~~shall determine~~ determines upon the basis of an
11 engineering and traffic investigation that the speed limit on any
12 secondary road is greater than is reasonable and proper under the
13 conditions found to exist at any intersection or other place or
14 upon any part of a secondary road, the board shall determine and
15 declare a reasonable and proper speed limit at the intersection
16 or other part of the secondary road. The speed limits as
17 determined by the board of supervisors shall be effective when
18 appropriate signs giving notice of the speed limits are erected
19 by the board of supervisors at the intersection or other place or
20 part of the highway.

21 Sec. 2. IMPLEMENTATION. Notwithstanding section 321.252,
22 321.255, 321.285, or any other provision of law to the contrary,
23 when updating speed limit signs as a result of the enactment of
24 this Act, a county may attach nonpermanent overlays or stickers
25 approved by the department of transportation to existing speed
26 limit signs in order to display the new speed limit. The
27 nonpermanent overlays or stickers may be used by the county
28 until the applicable speed limit sign is replaced based on the
29 county's replacement schedule and any applicable specifications
30 or requirements.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 Under current law, the maximum speed limit on roads under
35 county jurisdiction (secondary roads) is 55 miles per hour,

1 unless such roads are not surfaced with concrete or asphalt, in
2 which case the maximum speed limit is 55 miles per hour at any
3 time between sunrise and sunset and 50 miles per hour at any
4 time between sunset and sunrise. If, based on an engineering and
5 traffic investigation, the board of supervisors finds that the
6 speed limit on a secondary road under the board's jurisdiction
7 is greater than is reasonable and proper, the board is required
8 to determine and declare a reasonable and proper speed limit and
9 post signs giving notice of the speed limit.

10 This bill reduces the maximum speed limit on secondary roads
11 to 45 miles per hour if such roads are not surfaced with concrete
12 or asphalt, regardless of daylight.

13 The bill authorizes a county, when updating speed limit signs
14 as a result of the bill, to attach nonpermanent overlays or
15 stickers approved by the department of transportation to existing
16 speed limit signs in order to display the new speed limit.

17 The nonpermanent overlays or stickers may be used by the county
18 until the applicable speed limit sign is replaced based on the
19 county's replacement schedule and any applicable specifications
20 or requirements.

21 A person who exceeds a speed limit under Code section 321.285
22 is guilty of a simple misdemeanor punishable by a scheduled fine
23 that varies depending on the excessive speed over the limit. The
24 fine ranges from \$30 for a speed in excess of the limit by not
25 more than 5 miles per hour to \$135 plus \$5 for each mile per hour
26 of excessive speed over 20 miles per hour over the limit, with
27 increased fines in road work zones.