### SENATE BILL NO. 22

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## INTRODUCED BY STORY, RANEY, KOEHNKE

IN THE SENATE

January 7, 1985	Introduced and referred to Committee on Highways and Transportation.
January 17, 1985	On motion by Chief Sponsor, Representatives Raney and Koehnke added as sponsors.
February 22, 1985	On motion, SB 22 taken from Committee on Highways and Transportation and ordered printed and placed on second reading. Motion adopted.
February 23, 1985	Bill printed and placed on members' desks.
February 25, 1985	Second reading, do pass as amended.
February 26, 1985	Correctly engrossed.
February 27, 1985	Third reading, passed. Ayes, 49; Noes, 1.
	Transmitted to House.
IN THE I	HOUSE
March 7, 1985	Introduced and referred to Committee on Highways and Transportation.
April 11, 1985	Committee recommend bill be concurred in as amended. Report adopted.
April 12, 1985	Second reading, concurred in.

April 13, 1985	Third reading, concurred in.
	Returned to Senate with amendments.
	IN THE SENATE
April 13, 1985	On motion, rules suspended to accept. Motion adopted.
April 15, 1985	Received from House.
April 17, 1985	Second reading, amendments concurred in.
April 18, 1985	Third reading, amendments concurred in. Ayes, 49; Noes, 0.
	Sent to enrolling.
	Reported correctly enrolled.

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LC 0183/01

1	SENATE BILL NO. 22
2	INTRODUCED BY STORY
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE COUNTIES
5	TO ESTABLISH SPEED LIMITS ON COUNTY ROADS, STATE HIGHWAYS,
6	AND FEDERAL-AID SECONDARY HIGHWAYS WITHIN THE JURISDICTIONS
7	OF SUCH COUNTIES, AND TO AUTHORIZE MUNICIPALITIES TO
8	ESTABLISH SPEED LIMITS ON STATE AND FEDERAL-AID HIGHWAYS IN
9	MUNICIPALITIES AND URBAN AREAS; AMENDING SECTIONS 61-8-303
10	AND 61-8-310, MCA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	NEW SECTION. Section 1. County authority to establish
14	speed limits. A board of county commissioners may, by
15	ordinance, establish a special speed limit in accordance
16	with 61-8-306 and 61-8-310 on any county road, state
17	highway, or federal-aid secondary highway within the
18	jurisdiction of the county and prescribe and enforce a
19	penalty for violation of such an ordinance. A speed limit
20	ordinance must substantially comply with the provisions of
21	7-5-103 through 7-5-107.
22	Section 2. Section 61-8-303, MCA, is amended to read:
23	"61-8-303. Speed restrictions basic rule. (1) A

person operating or driving a vehicle of any character on a

public highway of this state shall drive it in a careful and

prudent manner, and at a rate of speed no greater than is 1 reasonable and proper under the conditions existing at the 2 point of operation, taking into account the amount and 3 character of traffic, condition of brakes, weight of 4 vehicle, grade and width of highway, condition of surface, 5 6 and freedom of obstruction to view ahead, and he shall drive it so as not to unduly or unreasonably endanger the life, 7 8 limb, property, or other rights of a person entitled to the 9 use of the street or highway.

10 (2) Where no special hazard exists that requires lower 11 speed for compliance with subsection (1) of this section, 12 the speed of a vehicle not in excess of the limits specified 13 in this section or established as authorized in 61-8-309, 14 61-8-310, 61-8-311, and 61-8-313 is lawful, but a speed in 15 excess of those limits is unlawful:

16 (a) 25 miles per hour in an urban district;

17 (b) 35 miles per hour on a highway under construction18 or repair;

(c) 55 miles per hour in other locations during the
nighttime, except that the nighttime speed limit on
completed sections of interstate highways is 63 miles per
hour.

23 (3) "Daytime" means from one-half hour before sunrise
24 to one-half hour after sunset. "Nighttime" means at any
25 other hour.

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Montana Legislative Counci

#### LC 0183/01

(4) The speed limits set forth in this section may be
 altered by the highway commission as authorized in 61-8-3097
 61-8-3107 and 61-8-313.

(5) The driver of a vehicle shall, consistent with 4 subsection (1), drive at an appropriate reduced speed when 5 approaching and crossing an intersection or railway grade 6 crossing, when approaching and going around a curve, when 7 approaching a hill crest, when traveling upon a narrow or 8 winding roadway, and when a special hazard exists with 9 respect to pedestrians or other traffic or by reason of 10 weather or highway condition." 11

Section 3. Section 61-8-310, MCA, is amended to read: 12 "61-8-310. When local authorities may and shall alter 13 limits. (1) If a local authority in its jurisdiction 14 determines on the basis of an engineering and traffic 15 investigation that the speed permitted under 61-8-303 and 16 61-8-309 through 61-8-313 is greater or less than is 17 reasonable and safe under the conditions found to exist upon 18 a highway or part of a highway, the local authority may set 19 a reasonable and safe limit thereon which: 20

(a) decreases the limit at an intersection;

21

(b) increases the limit within an urban district, but
not to more than 55 miles per hour during the nighttime; or
(c) decreases the limit outside an urban district, but
not to less than 35 miles per hour.

1 (2) A local authority in its jurisdiction shall 2 determine by an engineering and traffic investigation the 3 proper speed for all arterial streets and shall set a 4 reasonable and safe limit thereon which may be greater or 5 less than the speed permitted under 61-8-303 for an urban 6 district.

7 (3) An altered limit established as authorized under
8 this section is effective at all times or at other times
9 determined by the authority when appropriate signs giving
10 notice of the altered limit are erected upon the highway.
11 (4)--The--commission--has-exclusive-jurisdiction-to-set
12 special--speed--limits--on--all--federal-aid---highways---or

13 extensions-thereof-in-all-municipalities-or-urban-areas.-The 14 commission---shall--set--these--limits--in--accordance--with

61-8-309-"

15

16 <u>NEW SECTION.</u> Section 4. Codification instruction.

17 Section 1 is intended to be codified as an integral part of

18 Title 7, chapter 14, part 21, and the provisions of Title 7,

19 chapter 14, part 21, apply to section 1.

-End-

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#### ON MOTION. PRINTED AND PLACED ON SECOND READING COMMITTEE ON HIGHWAYS & TRANSPORTATION

#### SENATE BILL NO. 22

INTRODUCED BY STORY, RANEY, KOEHNKE

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1

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE COUNTIES 4 5 TO ESTABLISH SPEED LIMITS ON COUNTY ROADS, STATE HIGHWAYS. AND FEDERAL-AID SECONDARY HIGHWAYS WITHIN THE JURISDICTIONS 6 7 OF SUCH COUNTIES, AND TO AUTHORIZE MUNICIPALITIES TO 8 ESTABLISH SPEED LIMITS ON STATE AND FEDERAL-AID HIGHWAYS IN 9 MUNICIPALITIES AND URBAN AREAS; AMENDING SECTIONS 61-8-303 10 AND 61-8-310, MCA."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. County authority to establish 13 speed limits. A board of county commissioners may, by 14 15 ordinance, establish a special speed limit in accordance 16 with 61-8-306 and 61-8-310 on any county road, state highway, or federal-aid secondary highway within the 17 18 jurisdiction of the county and prescribe and enforce a penalty for violation of such an ordinance. A speed limit 19 20 ordinance must substantially comply with the provisions of 21 7-5-103 through 7-5-107.

22 Section 2. Section 61-8-303, MCA, is amended to read: "61-8-303. Speed restrictions -- basic rule. (1) A 23 person operating or driving a vehicle of any character on a 24 25 public highway of this state shall drive it in a careful and



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1 prudent manner, and at a rate of speed no greater than is reasonable and proper under the conditions existing at the 2 point of operation, taking into account the amount and 3 4 character of traffic, condition of brakes, weight of vehicle, grade and width of highway, condition of surface, 5 and freedom of obstruction to view ahead, and he shall drive 6 it so as not to unduly or unreasonably endanger the life, 7 limb, property, or other rights of a person entitled to the 8 use of the street or highway. 9

(2) Where no special hazard exists that requires lower 10 speed for compliance with subsection (1) of this section. 11 12 the speed of a vehicle not in excess of the limits specified 13 in this section or established as authorized in 61-8-309. 14 61-8-310, 61-8-311, and 61-8-313 is lawful, but a speed in 15 excess of those limits is unlawful:

16 (a) 25 miles per hour in an urban district;

(b) 35 miles per hour on a highway under construction 17 or repair; 18

(c) 55 miles per hour in other locations during the 19 nighttime, except that the nighttime speed limit on 20 completed sections of interstate highways is 65 miles per 21 22 hour.

23 (3) "Daytime" means from one-half hour before sunrise to one-half hour after sunset. "Nighttime" means at any 24 other hour. 25 SECOND READING

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(4) The speed limits set forth in this section may be
 altered by the highway commission as authorized in 61-8-3097
 61-8-3107 and 61-8-313.

4 (5) The driver of a vehicle shall, consistent with 5 subsection (1), drive at an appropriate reduced speed when 6 approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when 7 8 approaching a hill crest, when traveling upon a narrow or 9 winding roadway, and when a special hazard exists with 10 respect to pedestrians or other traffic or by reason of weather or highway condition." 11

12 Section 3. Section 61-8-310, MCA, is amended to read: "61-8-310. When local authorities may and shall alter 13 limits. (1) If a local authority in its jurisdiction 14 determines on the basis of an engineering and traffic 15 16 investigation that the speed permitted under 61-8-303 and 17 61-8-309 through 61-8-313 is greater or less than is 18 reasonable and safe under the conditions found to exist upon 19 a highway or part of a highway, the local authority may set 20 a reasonable and safe limit thereon which:

21 (a) decreases the limit at an intersection;

(b) increases the limit within an urban district, but
not to more than 55 miles per hour during the nighttime; or
(c) decreases the limit outside an urban district, but
not to less than 35 miles per hour.

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1 (2) A local authority in its jurisdiction shall 2 determine by an engineering and traffic investigation the 3 proper speed for all arterial streets and shall set a 4 reasonable and safe limit thereon which may be greater or 5 less than the speed permitted under 61-8-303 for an urban 6 district.

7 (3) An altered limit established as authorized under
8 this section is effective at all times or at other times
9 determined by the authority when appropriate signs giving
10 notice of the altered limit are erected upon the highway.

11 (4)--The--commission--has-exclusive-jurisdiction-to-set 12 special--speed--limits--on--all--federal-aid---highways---or 13 extensions-thereof-in-all-municipalities-or-urban-areas--The 14 commission---shall--set--these--limits--in--accordance--with 15 61-8-309-\*" 16 NEW SECTION. Section 4. Codification instruction.

17 Section 1 is intended to be codified as an integral part of

18 Title 7, chapter 14, part 21, and the provisions of Title 7,

19 chapter 14, part 21, apply to section 1.

-End-

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#### SB 0022/03

Montana Legislative Council

49th Legislature

SB 0022/03

SB 22

THIRD READING

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1	SENATE BILL NO. 22	1	prudent-manner,-and-at-a-rate-of-speed-nogreaterthanis
2	INTRODUCED BY STORY, RANEY, KOEHNKE	2	reasonableandproper-under-the-conditions-existing-at-the
3		3	point-of-operation;takingintoaccounttheamountand
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE COUNTIES	4	characteroftraffic,conditionofbrakes,weightof
5	TO ESTABLISH SPEED LIMITS ON COUNTY ROADS7-STATE-HIGHWAYS7	5	vehicle,-grade-and-width-of-highway-conditionofsurface;
6	and-federal-aid-secondary-highways-within-thejurisdictions	6	and-freedom-of-obstruction-to-view-ahead7-and-he-shall-drive
7	ofSuchCounties7AndToAuthoriseMunicipalitiesTo	7	itsoasnot-to-unduly-or-unreasonably-endanger-the-life;
8	establish-speed-limits-on-state-and-pederal-aid-highwaysin	8	limb7-property7-or-other-rights-of-a-person-entitled-tothe
9	MUNICIPALITIESANDURBAN-ARBAS; AMENDING SECTIONS-61-8-303	9	use-of-the-street-or-highway:
10	AND SECTION 61-8-310, MCA."	10	<del>(2)</del> Where-no-special-hazard-exists-that-requires-lower
11		11	speedforcompliancewith-subsection-(1)-of-this-section;
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	12	the-speed-of-a-vehicle-not-in-excess-of-the-limits-specified
13	NEW SECTION. Section 1. County authority to establish	13	in-this-section-or-established-asauthorizedin61-8-3097
14	speed limits. A board of county commissioners may, by	14	61-8-310761-8-3117and-61-8-313-is-lawful7-but-a-speed-in
15	ordinance, establish a special speed limit in accordance	15	excess-of-those-limits-is-unlawful:
16	with 61-8-306 and 61-8-310 on any county road7state	16	<del>(a)25-miles-per-hour-in-an-urban-district;</del>
17	highway7orfederal-aidsecondaryhighwaywithinthe	17	(b)35-miles-per-hour-on-a-highway-underconstruction
18	jurisdiction-of-thecountyandprescribeandenforcea	18	or-repair;
19	penalty-forviolationof-such-an-ordinanceA-speed-limit	19	<pre>(c)55milesperhour-in-other-locations-during-the</pre>
20	ordinance-must-substantially-comply-with-theprovisionsof	20	nighttime;exceptthatthenighttimespeedlimiton
21	7-5-103-through-7-5-107.	21	completedsectionsofinterstate-highways-is-65-miles-per
22	Section-2Section61-8-3037-MCA7-is-amended-to-read:	22	hour-
23	#61-8-303Speed-restrictionsbasicrule(1)A	23.	(3)"Baytime"-means-from-one-half-hour-beforesunrise
24	person-coperating-or-driving-a-vehicle-of-any-character-on-a	24	toonc-halfhouraftersunset"Nighttime"-means-at-any
25	public-highway-of-this-state-shall-drive-it-in-a-careful-and	25	other-hour-

1 f4}--The-speed-limits-set-forth-in-this-section-may--Be 2 altered-by-the-highway-commission-as-authorized-in-61-8-3097 3 61-8-3107-and-61-0-3137 4 +5+--The--driver--of--a--vehicle-shall7-consistent-with 5 subsection-(1),-drive-at-an-appropriate-reduced--speed--when 6 approaching--and--crossing--an-intersection-or-railway-grade 7 crossingy-when-approaching-and-going-around--a--curvey--when 8 approaching--a--hill--crest;-when-traveling-upon-a-marrow-or 9 winding-roadway7-and--when--a--special--hazard--exists--with respect--to--pedestrians--or--other--traffic-or-by-reason-of 10 11 weather-or-highway-condition-" 12 Section 2. Section 61-8-310, MCA, is amended to read: "61-8-310. When local authorities may and shall alter 13 limits. (1) If a local authority in its jurisdiction 14 determines on the basis of an engineering and traffic 15

16 investigation that the speed permitted under 61-8-303 and 17 61-8-309 through 61-8-313 is greater or less than is 18 reasonable and safe under the conditions found to exist upon 19 a highway or part of a highway, the local authority may set 20 a reasonable and safe limit thereon which:

21 (a) decreases the limit at an intersection;

(b) increases the limit within an urban district, but
not to more than 55 miles per hour during the nighttime; or
(c) decreases the limit outside an urban district, but
not to less than 35 15 miles per hour.

1	(2) A BOARD OF COUNTY COMMISSIONERS MAY SET LIMITS AS
2	PROVIDED IN SUBSECTION (1) WITHOUT AN ENGINEERING AND
3	TRAFFIC INVESTIGATION ON A COUNTY ROAD, AS DEFINED IN
4	<u>60-1-103.</u>
5	<del>(2)(3)</del> A local authority in its jurisdiction shall
6	determine by an engineering and traffic investigation the
7	proper speed for all arterial streets and shall set a
8	reasonable and safe limit thereon which may be greater or
9	less than the speed permitted under 61-8-303 for an urban
10	district.
11	<del>(3)<u>(4)</u> An altered limit established as authorized</del>
12	under this section is effective at all times or at other
13	times determined by the authority when appropriate signs
14	giving notice of the altered limit are erected upon the
15	highway.
16	(4)Thecommissionhas-exclusive-jurisdiction-to-set
17	specialspeedlimitsonallfederal-aidhighwaysor
18	extensions-thereof-in-all-municipalities-or-urban-areas-The
19	commissionshallsettheselimitsinaccordancewith
20	61-8-309 <del>.</del>
21	(5) THE COMMISSION HAS EXCLUSIVE JURISDICTION TO SET
22	SPECIAL SPEED LIMITS ON ALL FEDERAL-AID HIGHWAYS OR
23	EXTENSIONS THEREOF IN ALL MUNICIPALITIES OR URBAN AREAS. THE
24	COMMISSION SHALL SET THESE LIMITS IN ACCORDANCE WITH
25	<u>51-8-309,</u> "

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SB 22

#### SB 0022/03

<u>NEW SECTION.</u> Section 3. Codification instruction.
 Section 1 is intended to be codified as an integral part of
 Title 7, chapter 14, part 21, and the provisions of Title 7,
 chapter 14, part 21, apply to section 1.

-End-

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# **STANDING COMMITTEE REPORT**

HOUSE	·	April 11	
MR. SPEAKER:			
We, your committee onHO	JSE HIGHWAYS	AND TRANSPORTATION	
having had under consideration	SENATE B	ILL	. Bill No. <u>22</u>
THIRDreading copy () color			
TO AUTHORIZE COUNTIES TO ESTABLE	SH SPEED LIMI	ts on county roads	,

STATE HIGHWAYS, AND FEDERAL-AID SECONDARY HIGHWAYS WITHIN THE JURISDICTIONS OF SUCH COUNTIES, AND TO AUTHORIZE MUNICIPALITIES TO ESTABLISH SPEED LIMITS ON STATE AND FEDERAL-AID HIGHWAYS IN MUNICIPALITIES AND URBAN AREAS; AMENDING SECTIONS 61-8-303 AND 61-8-310, MCA.

1. Page 4, line 2
 Following: "(1)"
 Insert: "(c)"

AND AS AMENDED

BE CONCURRED IN

ALCONS.

1 Lc

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Represenzative John G. Harp,

Chairman,

an sa an Thuatsan sa Angu Anguna Shawara

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SB 0022/04

1	SENATE BILL NO. 22	1	prudent-manner7-and-at-a-rate-of-speed-nogreaterthanis
2	INTRODUCED BY STORY, RANEY, KOEHNKE	2	reasonableandproper-under-the-conditions-existing-at-the
3		3	point-of-operation;takingintoaccounttheamountand
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE COUNTIES	4	characteroftraffic,conditionofbrakes,weightof
5	TO ESTABLISH SPEED LIMITS ON COUNTY ROADS7-STATE-HIGHWAYS7	5	vehicle;-grade-and-width-of-highway;-conditionofsurface;
6	AND-PEBERAL-AID-SECONDARY-HIGHWAYS-WITHIN-THEJURISDICTIONS	6	and-freedom-of-obstruction-to-view-ahead;-and-he-shall-drive
7	opSuchCountiesAndToAuthoriseMunicipalitiesTo	7	itsoasnot-to-unduly-or-unreasonably-endanger-the-life;
8	establish-speed-limits-on-state-and-federal-aid-highwaysin	8	limby-propertyy-or-other-rights-of-a-person-entitled-tothe
9	MUNICIPALITIESANDURBAN-AREAS; AMENDING SECTIONS-61-8-303	9	use-of-the-street-or-highway.
10	AND SECTION 61-8-310, MCA."	10	<pre>t2)Where-no-special-hazard-exists-that-requires-lower</pre>
11		11	speedforcompliancewith-subsection-(1)-of-this-section;
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	12	the-speed-of-a-vehicle-not-in-excess-of-the-limits-specified
13	NEW SECTION. Section 1. County authority to establish	13	in-this-section-or-established-asauthorizedin61-8-3097
14	speed limits. A board of county commissioners may, by	14	61-8-318761-8-3117and-61-8-313-is-lawful7-but-a-speed-in
15	ordinance, establish a special speed limit in accordance	15	excess-of-those-limits-is-unlawful:
16	with 61-8-306 and 61-8-310 on any county roadstate	16	ta)25-miles-per-hour-in-an-urban-district;
17	highway7orfederal-aidsecondaryhighwaywithinthe	17	(b)35-miles-per-hour-on-a-highway-underconstruction
18	jurisdiction-of-thecountyandprescribeandenforcea	18	or-repair;
19	penaltyforviolationof-such-an-ordinanceA-speed-limit	19	<pre>(c)55milesperhour-in-other-locations-during-the</pre>
20	ordinance-must-substantially-comply-with-theprovisionsof	20	nighttimeexceptthatthenighttimespeedlimiton
21	7-5-103-through-7-5-107.	21	completedsectionsofinterstate-highways-is-65-miles-per
22	Section-2Section61-8-3037-MCA7-is-amended-to-read-	22	hour -
23	"61-0-303Speed-restrictionsbasic-~rule(1)A	23	(3)"Baytime"-means-from-one-half-hour-beforesunrise
24	person-operating-or-driving-a-vehicle-of-any-character-on-a	24	toone-halfhouraftersunset#Nighttime"-means-at-any

2	reasonableandproper-under-the-conditions-existing-at-the
3	point-of-operation;takingintoaccounttheamountand
4	characteroftraffic;conditionofbrakes;weightof
5	vehicle;-grade-and-width-of-highway;-conditionofsurface;
6	and-freedom-of-obstruction-to-view-ahead7-and-he-shail-drive
7	itsoasnot-to-unduly-or-unreasonably-endanger-the-life;
8	limby-propertyy-or-other-rights-of-a-person-entitled-tothe
9	use-of-the-street-or-highway.
10	<pre>(2)Where-no-special-hazard-exists-that-requires-lower</pre>
11	speedforcompliancewith-subsection-(1)-of-this-section7
12	the-speed-of-a-vehicle-not-in-excess-of-the-limits-specified
13	in-this-section-or-established-asauthorizedin61-8-3097
14	61-8-310761-8-3117and-61-8-313-is-lawful7-but-a-speed-in
15	excess-of-those-limits-is-unlawful;
16	taj25-miles-per-hour-in-an-urban-district;
17	{b}35-miles-per-hour-on-a-highway-underconstruction
18	or-repair;
19	<pre>tc;55milesperhour-in-other-locations-during-the</pre>
20	nighttimeexceptthatthenighttimespeedlimiton
21	completedsectionsofinterstate-highways-is-65-miles-per
22	hourt
23	(3)"Baytime"-means-from-one-half-hour-beforesunrise
24	toene-halfhouraftersunset"Nighttime"-means-at-any
25	other-hour-

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public-highway-of-this-state-shall-drive-it-in-a-careful-and

SB 22 REFERENCE BILL (4)--The-speed-limits-set-forth-in-this-section-may--be
 altered-by-the-highway-commission-as-authorized-in-61-8-3097
 61-8-3107-and-61-8-3137

4 t5}--The--driver--of--a--vehicle-shally-consistent-with 5 subsection-(1)7-drive-at-an-appropriate-reduced--speed--when 6 approaching--and--crossing--an-intersection-or-railway-grade 7 crossing7-when-approaching-and-going-around--a--curve7--when 8 approaching--a--hill--cresty-when-traveling-upon-a-marrow-or winding-roadway7-and--when--a--special--hazard--exists--with 9 10 respect--to--pedestrians--or--other--traffic-or-by-reason-of 11 weather-or-highway-condition-"

12 Section 2. Section 61-8-310, MCA, is amended to read: 13 "61-8-310. When local authorities may and shall alter 14 limits. (1) If a local authority in its jurisdiction 15 determines on the basis of an engineering and traffic 16 investigation that the speed permitted under 61-8-303 and 17 61-8-309 through 61-8-313 is greater or less than is 18 reasonable and safe under the conditions found to exist upon 19 a highway or part of a highway, the local authority may set 20 a reasonable and safe limit thereon which:

21 (a) decreases the limit at an intersection;

(b) increases the limit within an urban district, but
not to more than 55 miles per hour during the nighttime; or
(c) decreases the limit outside an urban district, but
not to less than 35 15 miles per hour.

 1
 (2) A BOARD OF COUNTY COMMISSIONERS MAY SET LIMITS AS

 2
 PROVIDED IN SUBSECTION (1)(C) WITHOUT AN ENGINEERING AND

 3
 TRAFFIC INVESTIGATION ON A COUNTY ROAD, AS DEFINED IN

 4
 60-1-103.

5 (2)(3) A local authority in its jurisdiction shall 6 determine by an engineering and traffic investigation the 7 proper speed for all arterial streets and shall set a 8 reasonable and safe limit thereon which may be greater or 9 less than the speed permitted under 61-8-303 for an urban 10 district.

11 (1)(4) An altered limit established as authorized 12 under this section is effective at all times or at other 13 times determined by the authority when appropriate signs 14 giving notice of the altered limit are erected upon the 15 highway.

16 (4)--The--commission--has-exclusive-jurisdiction-to-set 17 special--speed--limits--on--all--federal-aid---highways---or extensions-thereof-in-all-municipalities-or-urban-areast-The 18 19 commission---shall--set--these--limits--in--accordance--with 20 61-8-309-21 (5) THE COMMISSION HAS EXCLUSIVE JURISDICTION TO SET 22 SPECIAL SPEED LIMITS ON ALL FEDERAL-AID HIGHWAYS OR EXTENSIONS THEREOF IN ALL MUNICIPALITIES OR URBAN AREAS. THE 23

24 <u>COMMISSION SHALL SET THESE LIMITS IN ACCORDANCE WITH</u> 25 61-8-309."

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SB 22

-4-

#### SB 0022/04

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<u>NEW SECTION.</u> Section 3. Codification instruction.
 Section 1 is intended to be codified as an integral part of
 Title 7, chapter 14, part 21, and the provisions of Title 7,
 chapter 14, part 21, apply to section 1.

-End-

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