

HOUSE BILL 337

Introduced by Stang, et al.

1/21	Introduced
1/23	Referred to Highways & Transportation
1/24	Fiscal Note Requested
1/28	Fiscal Note Received
1/30	Fiscal Note Printed
1/31	Hearing
2/14	Tabled in Committee

1 *House* BILL NO. 337
 2 INTRODUCED BY *Handwritten Signature*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THAT THE
 5 MAXIMUM SPEED LIMIT ON INTERSTATE HIGHWAYS IS 65 MILES PER
 6 HOUR AND ON OTHER HIGHWAYS THE MAXIMUM SPEED LIMIT IS 55
 7 MILES PER HOUR; DELETING THE DISTINCTION BETWEEN DAYTIME AND
 8 NIGHTTIME SPEED LIMITS; PROVIDING A PENALTY OF \$25 FOR
 9 EXCEEDING A STATE SPEED LIMIT BY 15 THROUGH 19 MILES PER
 10 HOUR AND INCREASING THE AMOUNT OF THE PENALTY BY INCREMENTS
 11 TO A MINIMUM FINE OF \$100 NOT TO EXCEED \$500 FOR EXCEEDING
 12 THE SPEED LIMIT BY MORE THAN 34 MILES PER HOUR; AND AMENDING
 13 SECTIONS 61-8-303 AND 61-8-312, MCA."

14
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 NEW SECTION. Section 1. Penalty for violation of
 17 speed limit. A person violating the speed limit imposed
 18 pursuant to 61-8-303 or 61-8-309 is guilty of the offense of
 19 speeding and upon conviction shall be fined according to the
 20 following schedule:

21 Miles Per Hour Over Speed Limit	Fine
22 15 through 19	\$25
23 20 through 24	\$30
24 25 through 29	\$50
25 30 through 34	\$60

1 over 34 \$100 minimum
 2 not to exceed \$500

3 Section 2. Section 61-8-303, MCA, is amended to read:

4 "61-8-303. Speed restrictions -- basic rule. (1) A
 5 person operating or driving a vehicle of any character on a
 6 public highway of this state shall drive it in a careful and
 7 prudent manner, and at a rate of speed no greater than is
 8 reasonable and proper under the conditions existing at the
 9 point of operation, taking into account the amount and
 10 character of traffic, condition of brakes, weight of
 11 vehicle, grade and width of highway, condition of surface,
 12 and freedom of obstruction to view ahead, and he shall drive
 13 it so as not to unduly or unreasonably endanger the life,
 14 limb, property, or other rights of a person entitled to the
 15 use of the street or highway.

16 (2) Where no special hazard exists that requires lower
 17 speed for compliance with subsection (1) of this section,
 18 the speed of a vehicle not in excess of the limits specified
 19 in this section or established as authorized in 61-8-309,
 20 61-8-310, 61-8-311, and 61-8-313 is lawful, but a speed in
 21 excess of those limits is unlawful:

22 (a) 25 miles per hour in an urban district;
 23 (b) 35 miles per hour on a highway under construction
 24 or repair;
 25 (c) 55 miles per hour in other locations during the

nighttime, except that the nighttime speed limit on completed sections of interstate highways is 65 miles per hour.

~~(3)--"Daytime"--means--from--one--half--hour--before--sunrise to--one--half--hour--after--sunset;--"Nighttime"--means--at--any other--hour--~~

~~(4)~~ (3) The speed limits set forth in this section may be altered by the highway commission as authorized in 61-8-309, 61-8-310, and 61-8-313.

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

Section 3. Section 61-8-312, MCA, is amended to read:

"61-8-312. Special speed limitations on trucks, truck tractors, motor-driven cycles, and vehicles towing house trailers. (1) No person shall operate any truck or truck tractor the gross weight of which exceeds 8,000 pounds at a speed greater than 65 miles per hour on those completed sections of interstate and four-lane divided highways and 60 55 miles per hour on those completed sections of primary and

~~secondary highways. However, the truck nighttime speed limit shall not exceed that of automobiles as stated in 61-8-303.~~

(2) No person shall operate any truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124(4) at a speed greater than 55 miles per hour.

(3) No person shall operate any motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such motor-driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

(4) No person shall operate a vehicle which is towing a house trailer at a speed greater than a maximum of 50 miles per hour. (Subsection (2) terminates July 1, 1989--sec. 8, Ch. 474, L. 1987.)"

NEW SECTION. **Section 4.** Daytime -- nighttime.

"Daytime" means from one-half hour before sunrise to one-half hour after sunset. "Nighttime" means at any other time.

NEW SECTION. **Section 5.** Codification instruction. (1)

[Section 1] is intended to be codified as an integral part of Title 61, chapter 1, and the provisions of Title 61, chapter 1, apply to [section 1].

(2) [Section 4] is intended to be codified as an integral part of Title 61, chapter 8, and the provisions of

LC 1051/01

1 Title 61, chapter 8, apply to [section 4].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB337, as introduced.


DESCRIPTION OF PROPOSED LEGISLATION:

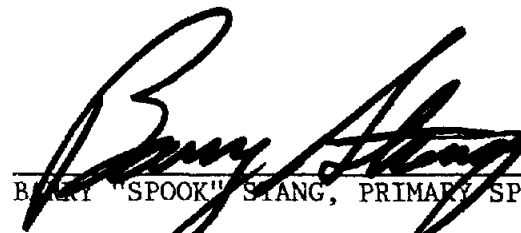
An act establishing that the maximum speed limit on interstate highways is 65 miles per hour and on other highways the maximum speed limit is 55 miles per hour; deleting the distinction between daytime and nighttime speed limits; providing a penalty of \$25 for exceeding a state speed limit by 15 through 19 miles per hour and increasing the amount of the penalty by increments to a minimum fine of \$100 not to exceed \$500 for exceeding the speed limit by more than 34 miles per hour; and amending Sections 61-8-303 and 61-8-312, MCA.

FISCAL IMPACT:

Impossible to give a definite fiscal impact.

1. State revenue from fines would be least impacted because the higher speed limit fines (bonds) tend to be comparable to the proposed law.
2. City police fines would be most effected by the bill.
3. The conservation ticket is unaffected by this bill.

 1/28/89
RAY SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING

 1/28/89
BARRY "SPOOK" SIANG, PRIMARY SPONSOR DATE
Fiscal Note for HB337, as introduced

HB 337