

SENATE BILL 133

Introduced by Hertel

1/13 Introduced
1/13 Referred to Highways & Transportation
1/13 First Reading
1/19 Hearing
1/19 Committee Report--Bill Passed
1/20 2nd Reading Passed
1/21 3rd Reading Passed

Transmitted to House

1/22 First Reading
1/22 Referred to Highways & Transportation
2/03 Hearing
2/05 Committee Report--Bill Concurred
2/09 2nd Reading Concur Motion Failed

1 Senate BILL NO. 133
2 INTRODUCED BY Hentel
3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PERSONS
6 OPERATING OR DRIVING MOTOR VEHICLES ENGAGED IN WORK ON
7 HIGHWAYS UNDER CONSTRUCTION OR REPAIR TO OBEY THE APPLICABLE
8 SPEED LIMIT; AND AMENDING SECTION 61-8-303, MCA."
9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 **Section 1.** Section 61-8-303, MCA, is amended to read:
12 "61-8-303. Speed restrictions -- basic rule. (1) A
13 person operating or driving a vehicle of any character on a
14 public highway of this state shall drive it in a careful and
15 prudent manner, and at a rate of speed no greater than is
16 reasonable and proper under the conditions existing at the
17 point of operation, taking into account the amount and
18 character of traffic, condition of brakes, weight of
19 vehicle, grade and width of highway, condition of surface,
20 and freedom of obstruction to view ahead, ~~and he~~. The person
21 shall drive it the vehicle so as not to unduly or
22 unreasonably endanger the life, limb, property, or other
23 rights of a person entitled to the use of the ~~street or~~
24 highway.
25 (2) ~~Where~~ When no special hazard exists that requires

1 lower speed for compliance with subsection (1) ~~of this~~
2 ~~section~~, the speed of a vehicle not in excess of the limits
3 specified in this section or established as authorized in
4 61-8-309, 61-8-310, 61-8-311, and 61-8-313 is lawful, but a
5 speed in excess of those limits is unlawful:
6 (a) 25 miles per hour in an urban district;
7 (b) 35 miles per hour on a highway under construction
8 or repair or on a highway being surveyed;
9 (c) 55 miles per hour in other locations during the
10 nighttime, except that the nighttime speed limit on
11 completed sections of interstate highways is 65 miles per
12 hour.
13 (3) "Daytime" means from one-half hour before sunrise
14 to one-half hour after sunset. "Nighttime" means at any
15 other hour.
16 (4) The speed limits set forth in this section may be
17 altered by the highway commission as authorized in 61-8-309,
18 61-8-310, and 61-8-313.
19 (5) The driver of a vehicle shall, consistent with
20 subsection (1), drive at an appropriate reduced speed when
21 approaching and crossing an intersection or railway grade
22 crossing, when approaching and going around a curve, when
23 approaching a hill crest, when traveling upon a narrow or
24 winding roadway, and when a special hazard exists with
25 respect to pedestrians or other traffic or by reason of

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1 weather or highway condition.

2 (6) A person operating or driving a motor vehicle
3 engaged in work on a highway under construction or repair
4 shall obey the speed limit established in subsection
5 (2)(b)."

-End-

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

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