## 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

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Senate BILL NO. 133 1 INTRODUCED BY 2 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION 3 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 SPEED LIMIT: AND AMENDING SECTION 61-8-303, MCA." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 11 Section 1. Section 61-8-303, MCA, is amended to read: "61-8-303. Speed restrictions -- basic rule. (1) A 12 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 vehicle, grade and width of highway, condition of surface, 19 20 and freedom of obstruction to view aheady-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:

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

7 (b) 35 miles per hour on a highway under construction8 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

> -2- SB 133 INTRODUCED BILL

1 weathe	er or	highway	condition.
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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 <u>(2)(b).</u>"

-End-

# INTRODUCED BILL

53rd Legislature

LC 0228/01

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## APPROVED BY COMMITTEE ON HIGHWAYS & TRANSPORTATION

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> -2- 5B 133 SECOND READING

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1	weather	or	highway	condition.
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THIRD READING

5B 133

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