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INTRODUCED BY SENATE BILL NO. 160
[Signature]

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS ON HIGHWAYS BEING SURVEYED OR UNDER CONSTRUCTION OR REPAIR; AND AMENDING SECTION 61-8-303, MCA."

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

Section 1. Section 61-8-303, MCA, is amended to read:

"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 ~~at~~ the vehicle in a careful and prudent manner, and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of traffic, condition of brakes, weight of vehicle, grade and width of highway, condition of surface, and freedom of obstruction to the view ahead, ~~and he.~~ The person operating or driving the vehicle shall drive ~~at~~ the vehicle so as not to unduly or unreasonably endanger the life, limb, property, or other rights of a person entitled to the use of the street or highway.

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

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

(b) 35 miles per hour on a highway under construction or repair or on a highway being surveyed, unless the department establishes and posts a different limit due to traffic conditions or the condition of the construction, repair, or survey project;

(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.

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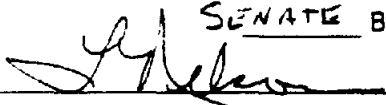
3 (5) The driver of a vehicle shall, consistent with subsection (1), drive at an appropriate reduced
4 speed when approaching and crossing an intersection or railway grade crossing, when approaching and
5 going around a curve, when approaching a hill crest, when traveling upon a narrow or winding roadway,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

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1 SENATE BILL NO. 160

2 INTRODUCED BY L. NELSON

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION
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