1	SPEED LIMIT ON INTERSTATE HIGHWAYS
2	1998 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: A. Lamont Tyler
5	AN ACT RELATING TO MOTOR VEHICLES; PROVIDING FOR NOISE ABATEMENT
6	THROUGH REDUCED SPEED LIMITS IN CERTAIN CIRCUMSTANCES.
7	This act affects sections of Utah Code Annotated 1953 as follows:
8	AMENDS:
9	41-6-47, as last amended by Chapter 49, Laws of Utah 1996
10	Be it enacted by the Legislature of the state of Utah:
11	Section 1. Section 41-6-47 is amended to read:
12	41-6-47. Speed limits established on state highways.
13	(1) The Department of Transportation may determine the reasonable and safe speed limit
14	for each highway or section of highway under its jurisdiction. Each speed limit shall be based on
15	traffic engineering and safety studies for each highway or section of the highway including:
16	(a) the design speed;
17	(b) prevailing vehicle speeds;
18	(c) accident history;
19	(d) highway, traffic, and roadside conditions; and
20	(e) other highway safety factors.
21	(2) In addition to the provisions of Subsection (1), the Department of Transportation may
22	establish different speed limits on a highway or section of highway based on time of day, highway
23	construction, type of vehicle, weather conditions, and other highway safety factors.
24	(3) (a) A posted speed limit may not exceed 65 miles per hour except on limited access
25	highways which may not exceed 75 miles per hour.
26	(b) This Subsection (3) is an exception to the provisions of Subsections (1) and (2).
27	(4) (a) The Department of Transportation shall reduce the speed limit otherwise

H.B. 262 01-14-98 3:19 PM

1	established under this section on portions of a highway that is part of the interstate system if:
2	(i) the portion of the highway is adjacent to a residential area;
3	(ii) the decibel levels of traffic noise in the residential area exceed the standards
4	established under Section 27-12-109; and
5	(iii) the Department of Transportation is unable to reduce noise levels below the standards
6	by constructing noise abatement measures.
7	(b) This Subsection (4) is an exception to the provisions of Subsections (1) and (2).
8	[(4)] (5) When establishing or changing a speed limit, the Department of Transportation
9	shall consult with:
10	(a) the county or municipality prior to erecting or changing any signs within the county
11	or municipality's political boundaries; and
12	(b) the Department of Public Safety and the Transportation Commission.
13	[(5)] (6) The speed limit is effective when appropriate signs giving notice are erected along
14	the highway or section of the highway.

Legislative Review Note as of 12-23-97 9:54 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel