

**SPEED RESTRICTIONS ON COMMERCIAL  
VEHICLES**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Sheryl L. Allen**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Motor Vehicles Code by amending provisions relating to speed limits.

**Highlighted Provisions:**

This bill:

- provides that a posted speed limit on a freeway or other limited access highway may not exceed 65 miles per hour for a vehicle with five or more axles operating at a gross vehicle weight of more than 26,000 pounds; and

- makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-6a-602**, as renumbered and amended by Chapter 2, Laws of Utah 2005

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **41-6a-602** is amended to read:



**41-6a-602. Speed limits established on state highways.**

(1) (a) The Department of Transportation may determine the reasonable and safe speed limit for each highway or section of highway under its jurisdiction.

(b) Each speed limit shall be based on traffic engineering and safety studies for each highway or section of the highway.

(c) The traffic engineering and safety studies shall include:

(i) the design speed;

(ii) prevailing vehicle speeds;

(iii) accident history;

(iv) highway, traffic, and roadside conditions; and

(v) other highway safety factors.

(2) In addition to the provisions of Subsection (1), the Department of Transportation may establish different speed limits on a highway or section of highway based on:

(a) time of day;

(b) highway construction;

(c) type of vehicle;

(d) weather conditions; and

(e) other highway safety factors.

(3) (a) Except as provided in Subsection (3)(b), a posted speed limit may not exceed 65 miles per hour.

(b) (i) ~~[A] Except as provided in Subsection (3)(b)(ii), a posted speed limit on a freeway or other limited access [highways] highway may not exceed 75 miles per hour.~~

(ii) A posted speed limit on a freeway or other limited access highway may not exceed 65 miles per hour for a vehicle with five or more axles operating at a gross vehicle weight of more than 26,000 pounds.

(c) This Subsection (3) is an exception to the provisions of Subsections (1) and (2).

(4) When establishing or changing a speed limit, the Department of Transportation shall consult with the following entities prior to erecting or changing a speed limit sign:

(a) the county for state highways in an unincorporated area of the county;

(b) the municipality for state highways within the municipality's incorporated area;

(c) the Department of Public Safety; and

59 (d) the Transportation Commission.  
60 (5) The speed limit is effective when appropriate signs giving notice are erected along  
61 the highway or section of the highway.

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**Legislative Review Note**  
**as of 11-16-06 8:52 AM**

**Office of Legislative Research and General Counsel**

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## H.B. 199 - Speed Restrictions on Commercial Vehicles

### Fiscal Note

2007 General Session

State of Utah

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#### State Impact

It is estimated that the Utah Department of Transportation will require a one-time Transportation Fund appropriation of \$81,600 for FY 2008 to implement provisions of this bill.

|                     | <b>FY 2007</b><br><b><u>Approp.</u></b> | <b>FY 2008</b><br><b><u>Approp.</u></b> | <b>FY 2009</b><br><b><u>Approp.</u></b> | <b>FY 2007</b><br><b><u>Revenue</u></b> | <b>FY 2008</b><br><b><u>Revenue</u></b> | <b>FY 2009</b><br><b><u>Revenue</u></b> |
|---------------------|---|---|---|---|---|---|
| Transportation Fund | \$0                                     | \$81,600                                | \$0                                     | \$0                                     | \$0                                     | \$0                                     |
| <b>Total</b>        | <b>\$0</b>                              | <b>\$81,600</b>                         | <b>\$0</b>                              | <b>\$0</b>                              | <b>\$0</b>                              | <b>\$0</b>                              |

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#### Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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1/15/2007, 11:04:24 AM, Lead Analyst: Ricks, G.

Office of the Legislative Fiscal Analyst