

ORIGINAL SENATE  
FILE NO. 0087

ENROLLED ACT NO. 35, SENATE

FIFTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING  
2002 SPECIAL SESSION

AN ACT relating to highways and public roads; authorizing local jurisdictions to regulate highways and public roads within their city limits under their corporate jurisdictions; conforming provisions; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 31-5-108, 31-5-301(b)(iii)(A), 31-5-302, 31-5-303(b) and 31-5-304(b) are amended to read:

**31-5-108. Local regulations.**

The provisions of this act shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein. Local authorities may, however, adopt by ordinance, traffic regulations ~~either similar to the regulations contained herein, or additional regulations so long as they are not in conflict with the provisions of this act, and the local authorities~~ for all streets within their city limits and highways under their corporate jurisdiction and shall have the express authority to enforce the traffic regulations so adopted, by action in their respective local municipal courts.

**31-5-301. Maximum speed limits.**

(b) Except when a special hazard exists that requires lower speed for compliance with subsection (a) of this section, the limits specified in this subsection or established as otherwise authorized shall be maximum lawful speeds and no person shall drive a vehicle on a highway at a speed in excess of maximum limits:

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(iii) Seventy-five (75) miles per hour on interstate highways. Nothing in this paragraph shall be construed to:

(A) Affect the authority of the superintendent to otherwise designate lower maximum speed limits on interstate highways except as provided for in W.S. 31-5-303(b) in accordance with other laws; or

**31-5-302. Establishment of specific maximum speed limits by superintendent.**

Whenever the superintendent determines upon the basis of an engineering and traffic investigation that a maximum speed greater or less than that authorized herein is required for safe and reasonable vehicle operation under the conditions found to exist at any intersection or other place or upon any part of the state highway system, the superintendent, except as provided for in W.S. 31-5-303(b), may determine and declare a reasonable and safe maximum limit thereat, which shall be effective when appropriate signs giving notice thereof are erected. The maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the signs and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs. This section does not grant power to the superintendent to declare statewide or countywide maximum speed limits but grants power to declare maximum speed limits for the public safety in localized geographic areas.

**31-5-303. Establishing maximum speed limits by local authorities.**

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(b) Local authorities in their respective jurisdictions shall determine by an engineering and a traffic investigation the proper maximum speed for all ~~arterial~~ streets and highways within their city limits under their corporate jurisdiction and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under this act for an urban district.

**31-5-304. Minimum speed limits.**

(b) Whenever the superintendent or local authorities within their respective jurisdictions determine on the basis of an engineering and a traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the superintendent or local authority may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law and that limit is effective when posted upon appropriate fixed or variable signs.

**Section 2.** W.S. 31-5-102(a)(i), 31-5-303(a) and 31-5-109(a)(v) are repealed.

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**Section 3.** This act is effective July 1, 2002.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk