

SENATE FILE NO. SF0087

Local jurisdictions regulating speed limits.

Sponsored by: Senator(s) Kinnison and Schiffer and
Representative(s) Iekel and Osborn

A BILL

for

1 AN ACT relating to highways and public roads; authorizing
 2 local jurisdictions to regulate highways and public roads
 3 in their jurisdictions; conforming provisions; and
 4 providing for an effective date.

5

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

7

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

11

12 **31-5-108. Local regulations.**

13

14 ~~The provisions of this act shall be applicable and uniform~~
 15 ~~throughout this state and in all political subdivisions and~~
 16 ~~municipalities therein.~~ Local authorities may, ~~however,~~

1 adopt by ordinance, traffic regulations ~~either similar to~~
2 ~~the regulations contained herein, or additional regulations~~
3 ~~so long as they are not in conflict with the provisions of~~
4 ~~this act, and the local authorities~~ for all streets and
5 highways in their jurisdiction and shall have the express
6 authority to enforce the traffic regulations so adopted, by
7 action in their respective local municipal courts.

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9 **31-5-301. Maximum speed limits.**

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

17
18 (iii) Seventy-five (75) miles per hour on
19 interstate highways. Nothing in this paragraph shall be
20 construed to:

21
22 (A) Affect the authority of the
23 superintendent to otherwise designate lower maximum speed

1 limits on interstate highways except as provided for in
2 W.S. 31-5-303(b) in accordance with other laws; or

3

4 **31-5-302. Establishment of specific maximum speed**
5 **limits by superintendent.**

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

1 grants power to declare maximum speed limits for the public
2 safety in localized geographic areas.

3

4 **31-5-303. Establishing maximum speed limits by local**
5 **authorities.**

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

14

15 **31-5-304. Minimum speed limits.**

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17 (b) Whenever the superintendent or local authorities
18 within their respective jurisdictions determine on the
19 basis of ~~an engineering and a~~ traffic investigation that
20 slow speeds on any part of a highway consistently impede
21 the normal and reasonable movement of traffic, the
22 superintendent or local authority may determine and declare
23 a minimum speed limit below which no person shall drive a
24 vehicle except when necessary for safe operation or in

1 compliance with law and that limit is effective when posted
2 upon appropriate fixed or variable signs.

3

4 **Section 2.** W.S. 31-5-102(a)(i), 31-5-301(b)(i) and
5 (ii), 31-5-303(a) and (c) through (e) and 31-5-109(a)(v)
6 are repealed.

7

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

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10

(END)