



March 20, 2015

ENGROSSED SENATE BILL No. 35

DIGEST OF SB 35 (Updated March 18, 2015 11:53 am - DI 103)

Citations Affected: IC 9-21.

Synopsis: Speed limits in school zones. Provides that a city, town, or county may establish a speed limit of not less than 20 miles per hour on a street or highway upon which a school is located if the street or highway is under the jurisdiction of the city, town, or county. (Current law provides that the speed limit may not be less than 30 miles per hour outside an urban district.) Removes outdated language.

Effective: July 1, 2015.

Boots, Arnold J, Randolph

(HOUSE SPONSORS — SCHAIBLEY, ZENT, SMITH M, WRIGHT)

January 6, 2015, read first time and referred to Committee on Homeland Security & Transportation.

February 3, 2015, reported favorably — Do Pass.

February 5, 2015, read second time, ordered engrossed. Engrossed.

February 9, 2015, read third time, passed. Yeas 40, nays 9.

HOUSE ACTION

March 2, 2015, read first time and referred to Committee on Roads and Transportation.

March 19, 2015, reported — Do Pass.

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March 20, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 35

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-5-6, AS AMENDED BY P.L.52-2011,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 6. (a) Except as provided in subsections (e) and
4 (f), whenever a local authority in the authority's jurisdiction determines
5 that the maximum speed permitted under this chapter is greater or less
6 than reasonable and safe under the conditions found to exist on a
7 highway or part of a highway, the local authority may determine and
8 declare a reasonable and safe maximum limit on the highway. The
9 maximum limit declared under this section may do any of the
10 following:
11 (1) Decrease the limit within urban districts, but not to less than
12 twenty (20) miles per hour.
13 (2) Increase the limit within an urban district, but not to more than
14 fifty-five (55) miles per hour during daytime and fifty (50) miles
15 per hour during nighttime.
16 (3) Decrease the limit outside an urban district, but not to less

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- 1 than thirty (30) miles per hour.
- 2 (4) Decrease the limit in an alley, but to not less than five (5)
- 3 miles per hour.
- 4 (5) Increase the limit in an alley, but to not more than thirty (30)
- 5 miles per hour.
- 6 The local authority must perform an engineering and traffic
- 7 investigation before a determination may be made to change a speed
- 8 limit under subdivision (2), (3), (4), or (5) or before the speed limit
- 9 within an urban district may be decreased to less than twenty-five (25)
- 10 miles per hour under subdivision (1).
- 11 (b) Except as provided in subsection (f), a local authority in the
- 12 authority's jurisdiction shall determine by an engineering and traffic
- 13 investigation the proper maximum speed for all local streets and shall
- 14 declare a reasonable and safe maximum speed permitted under this
- 15 chapter for an urban district. However, an engineering and traffic study
- 16 is not required to be performed for the local streets in an urban district
- 17 under this subsection if the local authority determines that the proper
- 18 maximum speed in the urban district is not less than twenty-five (25)
- 19 miles per hour.
- 20 (c) An altered limit established under this section is effective at all
- 21 times or during hours of darkness or at other times as may be
- 22 determined when appropriate signs giving notice of the altered limit are
- 23 erected on the street or highway.
- 24 (d) Except as provided in this subsection, a local authority may not
- 25 alter a speed limit on a highway or extension of a highway in the state
- 26 highway system. A city or town may establish speed limits on state
- 27 highways upon which a school is located. However, a speed limit
- 28 established under this subsection is valid only if the following
- 29 conditions exist:
- 30 (1) The limit is not less than twenty (20) miles per hour.
- 31 (2) The limit is imposed only in the immediate vicinity of the
- 32 school.
- 33 (3) Children are present.
- 34 (4) The speed zone is properly signed. ~~After June 30, 2011~~, There
- 35 must be:
- 36 (A) a sign located:
- 37 (i) where the reduced speed zone begins; or
- 38 (ii) as near as practical to the point where the reduced speed
- 39 zone begins;
- 40 indicating the reduced speed limit; and
- 41 (B) a sign located at the end of the reduced speed zone
- 42 indicating:



- 1 (i) the speed limit for the section of highway that follows; or
 2 (ii) the end of the reduced speed zone.
- 3 (5) The Indiana department of transportation has been notified of
 4 the limit imposed by certified mail.
- 5 (e) A local authority may decrease a limit on a street to not less than
 6 fifteen (15) miles per hour if the following conditions exist:
- 7 (1) The street is located within a park or playground established
 8 under IC 36-10.
- 9 (2) The:
- 10 (A) board established under IC 36-10-3;
 11 (B) board established under IC 36-10-4; or
 12 (C) park authority established under IC 36-10-5;
 13 requests the local authority to decrease the limit.
- 14 (3) The speed zone is properly signed.
- 15 (f) A city, town, or county may establish speed limits on a street or
 16 highway upon which a school is located if the street or highway is
 17 under the jurisdiction of the city, town, or county, respectively.
 18 However, a speed limit established under this subsection is valid only
 19 if the following conditions exist:
- 20 (1) The limit is not less than
 21 ~~(A) twenty (20) miles per hour. within an urban district; and~~
 22 ~~(B) thirty (30) miles per hour outside an urban district.~~
- 23 (2) The limit is imposed only in the immediate vicinity of the
 24 school.
- 25 (3) Children are present.
- 26 (4) The speed zone is properly signed. ~~After:~~
- 27 ~~(A) June 30, 2011,~~ There must be:
- 28 ~~(i) (A) a sign located where the reduced speed zone begins or~~
 29 ~~as near as practical to the point where the reduced speed zone~~
 30 ~~begins indicating the reduced speed limit and~~
 31 ~~(ii) a sign located at the end of the reduced speed zone~~
 32 ~~indicating the end of the reduced speed zone; and~~
- 33 (B) ~~June 30, 2012,~~ if the school operates on a twelve (12)
 34 month schedule, ~~there must be~~ a sign indicating that the school
 35 is an all year school.



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security & Transportation, to which was referred Senate Bill No. 35, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 35 as introduced.)

YODER, Chairperson

Committee Vote: Yeas 9, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 35, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 35 as printed February 4, 2015.)

SOLIDAY

Committee Vote: Yeas 13, Nays 0

