

**SPEED LIMIT DESIGNATION AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steven J. Lund**

Senate Sponsor: Derrin R. Owens

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**LONG TITLE**

**General Description:**

This bill addresses the process by which a county or municipality establishes a speed limit.

**Highlighted Provisions:**

This bill:

- ▶ allows a county or municipality to establish a speed limit without completing a traffic engineering and safety study; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-6a-602**, as last amended by Laws of Utah 2016, Chapter 137

**41-6a-603**, as renumbered and amended by Laws of Utah 2005, Chapter 2

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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 shall determine the reasonable and safe speed limit for each highway or section of highway under its jurisdiction.

30 (b) For each highway or section of highway, each speed limit shall be based on a traffic  
31 engineering and safety study consistent with the requirements and recommendations in the  
32 most current version of the "Manual on Uniform Traffic Control Devices."

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

- 34 (i) the design speed;
- 35 (ii) prevailing vehicle speeds;
- 36 (iii) accident history;
- 37 (iv) highway, traffic, and roadside conditions; and
- 38 (v) other highway safety factors.

39 (2) [~~In addition to the provisions of Subsection (1), the~~] The Department of  
40 Transportation may establish different speed limits on a highway or section of highway based  
41 on:

- 42 (a) time of day;
- 43 (b) highway construction;
- 44 (c) type of vehicle;
- 45 (d) weather conditions; and
- 46 (e) other highway safety factors.

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

49 (b) Except as provided in Subsection (3)(c), a posted speed limit on a freeway or other  
50 limited access highway may not exceed 75 miles per hour.

51 (c) (i) The Department of Transportation may establish a posted speed limit on a  
52 freeway or other limited access highway that exceeds the maximum speed limit in Subsection  
53 (3)(b) if the speed limit is based on a highway traffic engineering and safety study.

54 (ii) If the Department of Transportation establishes a posted speed limit that exceeds  
55 the limit under Subsection (3)(b), the Department of Transportation shall evaluate the results  
56 and impacts of increasing a speed limit under this Subsection (3)(c).

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

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

- 60           (a) the county for state highways in an unincorporated area of the county;
- 61           (b) the municipality for state highways within the municipality's incorporated area;
- 62           (c) the Department of Public Safety; and
- 63           (d) the Transportation Commission.

64           (5) The speed limit is effective when appropriate signs giving notice are erected along  
65 the highway or section of the highway.

66           Section 2. Section **41-6a-603** is amended to read:

67           **41-6a-603. Speed limits established by counties and municipalities.**

68           (1) A county or municipality may determine the reasonable and safe speed limit for  
69 each highway or section of highway under its jurisdiction as specified under Title 72, Chapter  
70 3, Highway Jurisdiction and Classification Act.

71           (2) Each speed limit shall be established in accordance with the provisions of  
72 Subsections ~~41-6a-602~~(1), (2), (3), and (5).