

HIGH OCCUPANCY VEHICLE LANE AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to high occupancy vehicle lanes.

Highlighted Provisions:

This bill:

► provides that the Department of Transportation may establish a posted speed limit for a vehicle operating in a high occupancy vehicle lane of up to 75 miles per hour if:

- the freeway or limited access highway has a lane designated for the use of high occupancy vehicles; and

- the posted speed limit on the freeway or limited access highway with the high occupancy vehicle lane is 65 miles per hour; 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 2008, Chapter 350



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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.

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

(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~~ Subsections (3)(b) ~~[and]~~, (c), and (d) a posted speed limit may not exceed 65 miles per hour.

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

(c) (i) The department may establish a posted speed limit on a freeway or other limited access highway that exceeds the maximum speed limit in Subsection (3)(b) if the speed limit is:

- (A) based on a highway traffic engineering and safety study; and
- (B) is located on a portion of Interstate 15 that is between milepost 222 and milepost

59 64.

60 (ii) The department shall consider the roadway geometry and population density that
61 may be appropriate for a higher speed limit when establishing a speed limit under this
62 Subsection (3)(c).

63 (iii) If the department establishes a posted speed limit that exceeds the limit under
64 Subsection (3)(b), the department shall evaluate the results and impacts of increasing a speed
65 limit under this Subsection (3)(c).

66 (iv) The department shall report the findings of an evaluation conducted under
67 Subsection (3)(c)(iii) to the Transportation Interim Committee no later than one year after a
68 speed limit has been imposed under this Subsection (3)(c).

69 (d) The department may establish a posted speed limit for a vehicle operating in a high
70 occupancy vehicle lane designated under Section 41-6a-702 of up to 75 miles per hour if:

71 (i) the freeway or limited access highway has a lane designated for the use of high
72 occupancy vehicles; and

73 (ii) the posted speed limit on the freeway or limited access highway with the high
74 occupancy vehicle lane is 65 miles per hour.

75 [~~(d)~~] (e) This Subsection (3) is an exception to the provisions of Subsections (1) and
76 (2).

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

- 79 (a) the county for state highways in an unincorporated area of the county;
- 80 (b) the municipality for state highways within the municipality's incorporated area;
- 81 (c) the Department of Public Safety; and
- 82 (d) the Transportation Commission.

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

Legislative Review Note
as of 1-11-12 4:05 PM

Office of Legislative Research and General Counsel