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H.470

Introduced by Representative Fagan of Rutland City

Referred to Committee on

Date:

Subject: Motor vehicles; town highways; speed limits; cut-through traffic

Statement of purpose of bill as introduced: This bill proposes to:

(1) eliminate the requirement for a municipality to conduct a traffic and engineering investigation in order to establish a speed limit on a town highway or portions thereof that abut residential property; and

(2) authorize municipalities to restrict and regulate cut-through traffic on town highways.

An act relating to the authority of municipalities to regulate town highways

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 23 V.S.A. § 1007 is amended to read:

§ 1007. LOCAL SPEED LIMITS

(a)(1) The legislative body of a municipality may establish, ~~on the basis of an engineering and traffic investigation,~~ a speed limit on all or a part of any city, town, or village highway (town highway) within its jurisdiction, which:

(A) is not more than 50 miles per hour; ~~however, after considering neighborhood character, abutting land use, bicycle and pedestrian use, and~~

1 ~~physical characteristics of the highways, the legislative body of a municipality~~
2 ~~may vote to set the maximum speed limit, without an engineering and traffic~~
3 ~~investigation, at not more than 50 miles per hour nor less than 35 miles per~~
4 ~~hour, on all or a portion of unpaved town highways within its boundaries,~~
5 ~~unless otherwise posted in accordance with the provisions of this~~
6 ~~section; or, and~~

7 (B) is not less than 25 miles per hour.

8 (2) The legislative body shall establish speed limits under this
9 subsection on the basis of an engineering and traffic investigation, except that
10 such investigation is not required if:

11 (A) The speed limit applies to a town highway or a portion thereof
12 that abuts residential property. As used in this subdivision (a)(2)(A),
13 “residential property” means property zoned residential or property on which is
14 located a structure designed primarily to provide principal dwelling
15 accommodations.

16 (B) After considering neighborhood character, abutting land use,
17 bicycle and pedestrian use, and physical characteristics of the highways, the
18 legislative body votes to set the maximum speed limit at not more than
19 50 miles per hour nor less than 35 miles per hour on all or a portion of unpaved
20 town highways within its boundaries, unless otherwise posted. If the
21 legislative body of a municipality so votes to set the speed limit on all unpaved

1 ~~town highways in its boundaries at no more than 50 miles per hour nor less~~
2 ~~than 35 miles per hour as provided for in subdivision (a)(1) of this section,~~
3 signs shall be located at points of change from one speed limit to another.

4 * * *

5 Sec. 2. 23 V.S.A. § 1008 is amended to read:

6 § 1008. REGULATIONS IN MUNICIPALITIES

7 * * *

8 (c)(1) As used in this subsection, “cut-through traffic” means vehicular
9 traffic passing through an area without an origin or destination within the area.

10 (2) The legislative body of a municipality may make special regulations
11 to restrict, prevent, or otherwise regulate cut-through traffic on town highways
12 within the municipality. The legislative body may authorize that barriers be
13 erected pursuant to such regulations.

14 (d) Municipal motor vehicle regulations shall not duplicate or contradict
15 any provision of this title.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on July 1, 2015.