

## HOUSE BILL NO. HB0232

Highway speed limits.

Sponsored by: Representative(s) Brown and Senator(s) Coe

A BILL

for

1 AN ACT relating to highways; limiting the authority of the  
2 director of the department of transportation to establish  
3 lower maximum speed limits as specified; requiring a review  
4 of certain speed limits and a report; and providing for an  
5 effective date.

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

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9 **Section 1.** W.S. 31-5-302 is amended to read:

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11 **31-5-302. Establishment of specific maximum speed**  
12 **limits by superintendent.**

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14 Whenever the superintendent determines upon the basis of an  
15 engineering and traffic investigation, or in the event of a  
16 vehicle or weather emergency, that a maximum speed greater  
17 or less than that authorized herein is required for safe

1 and reasonable vehicle operation under the conditions found  
2 to exist at any intersection or other place or upon any  
3 part of the state highway system, the superintendent,  
4 except as provided for in W.S. 31-5-303(b), may determine  
5 and declare a reasonable and safe maximum limit thereat,  
6 which shall be effective when appropriate signs giving  
7 notice thereof are erected. The maximum speed limit may be  
8 declared to be effective at all times or at such times as  
9 are indicated upon the signs and differing limits may be  
10 established for different times of day, different types of  
11 vehicles, varying weather conditions, and other factors  
12 bearing on safe speeds, which shall be effective when  
13 posted upon appropriate fixed or variable signs. This  
14 section does not grant power to the superintendent to  
15 declare statewide or countywide maximum speed limits but  
16 grants power to declare maximum speed limits for the public  
17 safety in localized geographic areas. The superintendent  
18 shall not, pursuant to this section, establish a speed  
19 limit which is below that established by W.S.  
20 31-5-301(b)(iv) for any highway or segment thereof, or  
21 enter into any agreement to establish or maintain a speed  
22 limit less than that established by W.S. 31-5-301(b)(iv),  
23 in order to comply with any provision of the National  
24 Environmental Policy Act.

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**Section 2.**

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(a) The department of transportation shall report by September 1, 2013, to the joint transportation, highways and military affairs interim committee the following:

(i) All highways and the segments of those highways in Wyoming for which the authority granted by W.S. 31-5-302 has been exercised;

(ii) For those highways and segments identified pursuant to paragraph (i) of this subsection, the report shall state whether the authority was exercised to, in any manner, comply with any provision of the National Environmental Policy Act, including, but not limited to, the exercise of that authority or agreement to exercise that authority in order to facilitate a favorable environmental impact statement. The report shall identify additional reasons relied upon by the director of transportation to establish the speed limit for any highway reported under this paragraph.

1           (b) The joint transportation, highways and military  
2 affairs interim committee shall study the effects of  
3 establishing different speed limits for highways reported  
4 under subsection (a) of this section and shall introduce  
5 legislation in the 2014 legislative budget session as it  
6 determines appropriate.

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8           **Section 3.** This act is effective immediately upon  
9 completion of all acts necessary for a bill to become law  
10 as provided by Article 4, Section 8 of the Wyoming  
11 Constitution.

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(END)