

SENATE FILE NO. SF0072

Seventy miles per hour speed limit-state highways.

Sponsored by: Senator(s) Christensen, Anderson, Bebout, Boner, Burns, Case, Coe, Cooper, Dockstader, Driskill, Emerich, Hicks, Landen, Peterson, Ross, Rothfuss, Von Flatern and Wasserburger and Representative(s) Allen, Berger, Clem, Harshman, Hunt, Kroeker, Laursen, Lindholm, Northrup, Paxton, Reeder, Sommers, Steinmetz, Throne and Walters

A BILL

for

1 AN ACT relating to highways; increasing the maximum speed
2 limit on state highways as specified; amending penalties
3 for violations of speed limits on state highways; amending
4 assessment of court costs for violations of speed limits as
5 specified; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 31-5-301(b)(iv) and by creating a new
10 paragraph (vii), 31-5-302, 31-5-1201(d)(i), (ii), (v) and
11 (g) and 31-18-704 are amended to read:

12

1 **31-5-301. Maximum speed limits.**

2

3 (b) Except when a special hazard exists that requires
4 lower speed for compliance with subsection (a) of this
5 section, subject to W.S. 31-5-203(b), the limits specified
6 in this subsection or established as otherwise authorized
7 shall be maximum lawful speeds and no person shall drive a
8 vehicle on a highway at a speed in excess of maximum
9 limits:

10

11 (iv) For all other locations for which a maximum
12 speed limit is not specified under this subsection,
13 sixty-five (65) miles per hour where the roadway is paved
14 and fifty-five (55) miles per hour where the roadway is
15 unpaved; ~~However, the superintendent may designate higher~~
16 ~~maximum speed limits on paved roadways pursuant to W.S.~~
17 ~~31-5-302;~~

18

19 (vii) Seventy (70) miles per hour on state
20 highways, as defined in W.S. 31-18-101(a)(xvii), that are
21 not interstate highways, as defined in W.S.
22 31-18-801(a)(xvi).

23

1 **31-5-302. Establishment of specific maximum speed**
2 **limits by superintendent.**

3
4 Whenever the superintendent determines upon the basis of an
5 engineering and traffic investigation, or in the event of a
6 vehicle or weather emergency, that a maximum speed greater
7 or less than that authorized herein is safe and reasonable
8 under the conditions found to exist at any intersection or
9 other place or upon any part of the state highway system,
10 the superintendent, except as provided for in W.S.
11 31-5-303(b), may determine and declare a reasonable and
12 safe maximum limit thereat, which shall be effective when
13 appropriate signs giving notice thereof are erected and
14 which shall not exceed eighty (80) miles per hour on
15 interstate highways. ~~or seventy (70) miles per hour on~~
16 ~~state highways, as defined in W.S. 31-18-101(a)(xvii), that~~
17 ~~are not interstate highways, as defined in W.S.~~
18 ~~31-18-801(a)(xvi).~~ The maximum speed limit may be declared
19 to be effective at all times or at such times as are
20 indicated upon the signs and differing limits may be
21 established for different times of day, different types of
22 vehicles, varying weather conditions, and other factors
23 bearing on safe speeds, which shall be effective when

1 posted upon appropriate fixed or variable signs. This
2 section does not grant power to the superintendent to
3 declare statewide or countywide maximum speed limits but
4 grants power to declare maximum speed limits for the public
5 safety in localized geographic areas.

6

7 **31-5-1201. Violation of provisions to constitute**
8 **misdemeanor; penalties.**

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10 (d) Except as provided in subsection (g) of this
11 section:

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13 (i) Every person convicted of a violation of
14 W.S. 31-5-301(b)(vi), for speeds of eighty-one (81) through
15 eighty-five (85) miles per hour, W.S. 31-5-301(b)(iii), for
16 speeds of seventy-six (76) through eighty (80) miles per
17 hour, W.S. 31-5-301(b)(vii), for speeds of seventy-one (71)
18 through seventy-five (75) miles per hour, or W.S.
19 31-5-301(b)(iv), for speeds of sixty-six (66) through
20 seventy (70) miles per hour, shall be fined five dollars
21 (\$5.00) for each mile per hour in excess of the legal speed
22 limit not to exceed twenty-five dollars (\$25.00);

23

1 (ii) Every person convicted of a violation of
2 W.S. 31-5-301(b)(vii), for speeds above seventy-five (75)
3 miles per hour, or W.S. 31-5-301(b)(iv), for speeds ~~at or~~
4 above seventy (70) miles per hour, shall be fined
5 twenty-five dollars (\$25.00) plus three dollars (\$3.00) per
6 mile for each mile per hour in excess of ~~seventy (70) miles~~
7 ~~per hour~~ the legal speed limit with assessed court costs;

8
9 (v) Notwithstanding W.S. 5-9-107, court costs
10 for violations of W.S. 31-5-301(b)(iii), (iv), ~~or~~ (vi) or
11 (vii) shall not be assessed for speeds up to ~~four (4) five~~
12 (5) miles per hour over the speed limits authorized by W.S.
13 31-5-301(b)(iii), (iv), ~~or~~ (vi) or (vii).

14
15 (g) In addition to any other penalty, every person
16 convicted of violating W.S. 31-5-301(b)(iii), (iv), (vi), or
17 (vii) or (c) or 31-5-302 by exceeding the posted speed
18 limit by six (6) or more miles per hour, while operating a
19 vehicle or combination of vehicles with a gross vehicle
20 weight or gross vehicle weight rating exceeding twenty-six
21 thousand (26,000) pounds shall be fined three hundred
22 dollars (\$300.00).

23

1 **31-18-704. Violation of speed limits; penalties.**

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3 In addition to any other penalty, every person convicted of
4 violating W.S. 31-5-301(b)(vi) by exceeding a speed of
5 eighty-five (85) miles per hour, W.S. 31-5-301(b)(iii) by
6 exceeding a speed of eighty (80) miles per hour, W.S.
7 31-5-301(b)(vii) by exceeding a speed of seventy-five (75)
8 miles per hour, or W.S. 31-5-301(b)(iv) by exceeding a
9 speed of seventy (70) miles per hour, while operating a
10 vehicle or combination of vehicles with a gross vehicle
11 weight or gross vehicle weight rating exceeding twenty-six
12 thousand (26,000) pounds shall be fined one hundred dollars
13 (\$100.00).

14

15 **Section 2.** This act is effective July 1, 2016.

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17

(END)