

HOUSE BILL NO. HB0048

Eighty miles per hour speed limit.

Sponsored by: Representative(s) Lubnau, Blake, Nicholas,
B. and Senator(s) Bebout and Ross

A BILL

for

1 AN ACT relating to speed limits; establishing a maximum
2 speed limit declarable by state authorities; modifying and
3 clarifying the state superintendent's ability to designate
4 higher speed limits; amending the identification of
5 speeding violations that are kept in state records; and
6 providing for an effective date.

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

9

10 **Section 1.** W.S. 31-5-301(b)(iii)(A) and (d) and
11 31-5-302 are amended to read:

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13 **31-5-301. Maximum speed limits.**

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15 (b) Except when a special hazard exists that requires
16 lower speed for compliance with subsection (a) of this

1 section, the limits specified in this subsection or
2 established as otherwise authorized shall be maximum lawful
3 speeds and no person shall drive a vehicle on a highway at
4 a speed in excess of maximum limits:

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6 (iii) Seventy-five (75) miles per hour on
7 interstate highways. Nothing in this paragraph shall be
8 construed to:

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10 (A) Affect the authority of the
11 superintendent to otherwise designate lower or higher
12 maximum speed limits on interstate highways ~~except as~~
13 ~~provided for in W.S. 31-5-303(b)~~ in accordance with other
14 laws; or

15

16 (d) Speeding violations of up to eighty (80) miles
17 per hour where the posted speed limit is at least sixty-
18 five (65) miles per hour but not more than seventy-five
19 (75) miles per hour, or less than six (6) miles per hour
20 over the posted speed limit in all other instances and
21 zones, except violations for exceeding the speed limit in a
22 school zone, or construction zone, and violations received
23 while operating a commercial motor vehicle as defined by
24 W.S. 31-7-102(a)(viii), shall not be made a part of the

1 abstracts or records kept by the department of
2 transportation pursuant to W.S. 31-5-1214 or 31-7-120.

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4 **31-5-302. Establishment of specific maximum speed**
5 **limits by superintendent.**

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

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

5

6 **Section 2.** This act is effective July 1, 2012.

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8

(END)