

Senate, March 30, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT INCREASING THE SPEED LIMIT ON CERTAIN HIGHWAYS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-218a of the general  
2 statutes is repealed and the following is  
3 substituted in lieu thereof:

4 (a) No person shall operate a motor vehicle  
5 upon any public highway of the state, or road of  
6 any specially chartered municipal association or  
7 any district organized under the provisions of  
8 chapter 105, a purpose of which is the  
9 construction and maintenance of roads and  
10 sidewalks, or on any parking area as defined in  
11 section 14-212, or upon a private road on which a  
12 speed limit has been established in accordance  
13 with this subsection, or upon any school property,  
14 at a rate of speed greater than is reasonable,  
15 having regard to the width, traffic and use of  
16 highway, road or parking area, the intersection of  
17 streets and weather conditions. The State Traffic  
18 Commission may determine speed limits which are  
19 reasonable and safe on any state highway, bridge  
20 or parkway built or maintained by the state, and  
21 differing limits may be established for different  
22 types of vehicles, and may erect or cause to be

23 erected signs indicating such speed limits. The  
24 traffic authority of any town, city or borough may  
25 establish speed limits on streets, highways and  
26 bridges or in any parking area for ten cars or  
27 more or on any private road wholly within the  
28 municipality under its jurisdiction; provided such  
29 limit on streets, highways, bridges and parking  
30 areas for ten cars or more shall become effective  
31 only after application for approval thereof has  
32 been submitted in writing to the State Traffic  
33 Commission and a certificate of such approval has  
34 been forwarded by the commission to the traffic  
35 authority; and provided such signs giving notice  
36 of such speed limits shall have been erected as  
37 the State Traffic Commission directs, provided the  
38 erection of such signs on any private road shall  
39 be at the expense of the owner of such road. The  
40 presence of such signs adjacent to or on the  
41 highway or parking area for ten cars or more shall  
42 be prima facie evidence that they have been so  
43 placed under the direction of and with the  
44 approval of the State Traffic Commission. Approval  
45 of such speed limits may be revoked by said  
46 commission at any time if it deems such revocation  
47 to be in the interest of public safety and  
48 welfare, and thereupon such speed limits shall  
49 cease to be effective and any signs that have been  
50 erected shall be removed. Any speed in excess of  
51 such limits, other than speeding as provided for  
52 in section 14-219, AS AMENDED BY SECTION 2 OF THIS  
53 ACT, shall be prima facie evidence that such speed  
54 is not reasonable, but the fact that the speed of  
55 a vehicle is lower than such limits shall not  
56 relieve the operator from the duty to decrease  
57 speed when a special hazard exists with respect to  
58 pedestrians or other traffic or by reason of  
59 weather or highway conditions.

60 (b) THE STATE TRAFFIC COMMISSION SHALL  
61 ESTABLISH A SPEED LIMIT OF SIXTY-FIVE MILES PER  
62 HOUR ON ROUTE 2 FROM ROUTE 83 TO STATE ROAD 608,  
63 ROUTE 9 FROM ROUTE 154 TO THE HADDAM-MIDDLETOWN  
64 TOWN LINE, ROUTE 11 FROM ROUTE 82 TO ROUTE 2,  
65 INTERSTATE ROUTE 84 FROM ROUTE 31 TO THE  
66 CONNECTICUT-MASSACHUSETTS STATE LINE, INTERSTATE  
67 ROUTE 395 FROM ROUTE 169 TO THE  
68 CONNECTICUT-MASSACHUSETTS STATE LINE AND ANY  
69 ADDITIONAL MULTIPLE LANE, LIMITED ACCESS HIGHWAYS  
70 THAT ARE SUITABLE FOR A SPEED LIMIT OF SIXTY-FIVE

71 MILES PER HOUR, TAKING INTO CONSIDERATION RELEVANT  
72 FACTORS INCLUDING DESIGN, POPULATION OF AREA AND  
73 TRAFFIC FLOW.

74 [(b)] (c) Any person who operates a motor  
75 vehicle at a greater rate of speed than is  
76 reasonable, other than speeding, as provided for  
77 in section 14-219, AS AMENDED BY SECTION 2 OF THIS  
78 ACT, shall commit the infraction of traveling  
79 unreasonably fast.

80 Sec. 2. Section 14-219 of the general  
81 statutes is repealed and the following is  
82 substituted in lieu thereof:

83 (a) No person shall operate any motor vehicle  
84 (1) upon any highway, road or any parking area for  
85 ten cars or more, at such a rate of speed as to  
86 endanger the life of any occupant of such motor  
87 vehicle, but not the life of any other person than  
88 such an occupant; or (2) at a rate of speed  
89 greater than fifty-five miles per hour upon any  
90 highway OTHER THAN A HIGHWAY SPECIFIED IN  
91 SUBSECTION (b) OF SECTION 14-218a, AS AMENDED BY  
92 SECTION 1 OF THIS ACT, FOR WHICH A SPEED LIMIT HAS  
93 BEEN ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS  
94 OF SAID SUBSECTION; OR (3) AT A RATE OF SPEED  
95 GREATER THAN SIXTY-FIVE MILES PER HOUR UPON ANY  
96 HIGHWAY SPECIFIED IN SUBSECTION (b) OF SECTION  
97 14-218a, AS AMENDED BY SECTION 1 OF THIS ACT, FOR  
98 WHICH A SPEED LIMIT HAS BEEN ESTABLISHED IN  
99 ACCORDANCE WITH THE PROVISIONS OF SAID SUBSECTION.

100 (b) Any person who operates a motor vehicle  
101 (1) on a multiple lane, limited access highway  
102 OTHER THAN A HIGHWAY SPECIFIED IN SUBSECTION (b)  
103 OF SECTION 14-218a, AS AMENDED BY SECTION 1 OF  
104 THIS ACT, FOR WHICH A SPEED LIMIT HAS BEEN  
105 ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF  
106 SAID SUBSECTION at a rate of speed greater than  
107 fifty-five miles per hour but not greater than  
108 seventy miles per hour or (2) ON A MULTIPLE LANE,  
109 LIMITED ACCESS HIGHWAY SPECIFIED IN SUBSECTION (b)  
110 OF SECTION 14-218a, AS AMENDED BY SECTION 1 OF  
111 THIS ACT, FOR WHICH A SPEED LIMIT HAS BEEN  
112 ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF  
113 SAID SUBSECTION AT A RATE OF SPEED GREATER THAN  
114 SIXTY-FIVE MILES PER HOUR BUT NOT GREATER THAN  
115 SEVENTY MILES PER HOUR OR [(2)] (3) on any other  
116 highway at a rate of speed greater than fifty-five  
117 miles per hour but not greater than sixty miles  
118 per hour, shall commit an infraction, provided any

119 such person operating a truck, as defined in  
120 section 14-260n, shall have committed a violation  
121 and shall be fined not less than one hundred  
122 dollars nor more than one hundred fifty dollars.

123 (c) Any person who violates any provision of  
124 subdivision (1) of subsection (a) of this section  
125 or who operates a motor vehicle (1) on a multiple  
126 lane, limited access highway at a rate of speed  
127 greater than seventy miles per hour but not  
128 greater than eighty-five miles per hour or (2) on  
129 any other highway at a rate of speed greater than  
130 sixty miles per hour but not greater than  
131 eighty-five miles per hour shall be fined not less  
132 than one hundred dollars nor more than one hundred  
133 fifty dollars, provided any such person operating  
134 a truck, as defined in section 14-260n, shall be  
135 fined not less than one hundred fifty dollars nor  
136 more than two hundred dollars.

137 (d) No person shall be subject to prosecution  
138 for a violation of both subsection (a) of this  
139 section and subsection (a) of section 14-222  
140 because of the same offense.

141 (e) Notwithstanding any provision of the  
142 general statutes to the contrary, any person who  
143 violates subdivision (1) of subsection (a) of this  
144 section, subdivision (1) OR (2) of subsection (b)  
145 of this section while operating a truck, as  
146 defined in section 14-260n, or subdivision (1) of  
147 subsection (c) of this section while operating a  
148 motor vehicle or a truck, as defined in section  
149 14-260n, shall follow the procedures set forth in  
150 section 51-164n.

151 JUD COMMITTEE VOTE: YEA 28 NAY 7 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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**FISCAL IMPACT STATEMENT - BILL NUMBER sSB 489**

STATE IMPACT	Indeterminate Revenue Loss and Minimal Costs (Special Transportation Fund and General Fund), see explanation below
MUNICIPAL IMPACT	Potential Minimal Costs, see explanation below
STATE AGENCY(S)	Departments of Transportation and Public Safety, Judicial Department

EXPLANATION OF ESTIMATES:

STATE AND MUNICIPAL IMPACT: The passage of this bill would result in a revenue loss to the State that cannot be determined at this time, and would also result in one-time costs to the State Department of Transportation (DOT), estimated at \$37,800, that can be absorbed within existing resources. The bill could also result in potential costs to the State and municipalities in future years that are anticipated to be minimal.

The bill raises the speed limit on specified portions of State highways from 55 miles per hour (mph) to 65 mph, and gives the State Traffic Commission the authority to increase the speed limit on any other limited access highways. This would impact at least 105 miles of the state's limited access highways.

An increase in the posted speed limit would decrease the revenue collected from speeding tickets. The amount of the revenue loss, primarily to the Special Transportation Fund, cannot be determined at this time. It is assumed that the Department of Public Safety

(DPS) would continue enforcement at its current level of about 70 mph. Since the amount of a speeding fine is determined by the rate of speed above the legal limit, the value of the speeding tickets would decline. The state collected \$21.4 million in calendar year 1996 and \$20.3 million in calendar year 1997 from speeding offenses.

Increasing the speed limit is anticipated to result in a marginal increase in the average speed driven on these portions of state highways. Again assuming no change in the DPS enforcement level, the 10-mph change in posted speed limit would result in a 1 to 3 mph increase in average speed driven. Potential effects of an increase in driving speed include a greater number of accidents, an increase in highway fatalities, increased costs for emergency response personnel, more highway repairs, and higher insurance costs. Any impact on insurance rates would be incurred in future years, based on changes in claims experience.

The Department of Transportation (DOT) would incur one-time costs for the replacement of speed limit signs. At least 210 replacement signs would be necessary at a cost of \$37,800 (\$180 per sign). The cost of each sign covers materials only, i.e., sheet aluminum, specialized reflective materials, spray paint, etc. Labor costs for physically replacing the signs and the costs for the new signs would be covered within DOT's normal budgetary resources.

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#### OLR BILL ANALYSIS

sSB 489

#### AN ACT INCREASING THE SPEED LIMIT ON CERTAIN HIGHWAYS

**SUMMARY:** This bill raises the speed limit on certain state highways from 55 miles per hour (mph) to 65 mph.

It requires the State Traffic Commission to establish a 65-mph speed limit on the following highways:

1. Route 2 from Route 83 (Glastonbury) to state road 608 (Bozrah);

2. Route 9 from Route 154 (Essex or Old Saybrook, it is unclear where this section of 65 mph authorization would begin because Route 154 intersects with Route 9 in three places: once in Old Saybrook and twice in Essex) to the Haddam-Middletown town line;
3. Route 11 from Route 82 (Salem) to Route 2 (Colchester);
4. Interstate 84 from Route 31 (Vernon) to the Connecticut-Massachusetts state line;
5. Interstate 395 from Route 169 (Lisbon) to the Connecticut-Massachusetts state line; and
6. any other multiple lane, limited-access highways suitable for a 65-mph speed limit considering relevant factors like design, area population, and traffic flow.

The bill also adjusts the speeding law to reflect its changes.

EFFECTIVE DATE: October 1, 1998

#### **BACKGROUND**

##### **Speed-Related Motor Vehicle Violations**

Three laws define the motor vehicle violations relating to excessive speed: (1) traveling unreasonably fast (an infraction); (2) speeding (traveling more than 55 mph but less than 85 mph), which is an infraction or a violation depending on the circumstances; and (3) reckless driving (traveling over 85 mph). Traveling unreasonably fast means exceeding the limits established by the State Traffic Commission and posted on the state's roads and highways.

#### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute  
Yea 28      Nay 7