

Senate, April 7, 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2 statutes is repealed and the following is  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 THIS ACT, shall  
53 be prima facie evidence that such speed is not  
54 reasonable, but the fact that the speed of a  
55 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 MAY  
61 ESTABLISH A SPEED LIMIT OF UP TO SIXTY-FIVE MILES  
62 PER HOUR ON ANY MULTIPLE LANE, LIMITED ACCESS  
63 HIGHWAYS THAT ARE SUITABLE FOR A SPEED LIMIT OF UP  
64 TO SIXTY-FIVE MILES PER HOUR, TAKING INTO  
65 CONSIDERATION RELEVANT FACTORS INCLUDING DESIGN,  
66 POPULATION OF AREA AND TRAFFIC FLOW.

67 [(b)] (c) Any person who operates a motor  
68 vehicle at a greater rate of speed than is  
69 reasonable, other than speeding, as provided for  
70 in section 14-219, AS AMENDED BY THIS ACT, shall

71 commit the infraction of traveling unreasonably  
72 fast.

73 Sec. 2. Section 14-219 of the general  
74 statutes is repealed and the following is  
75 substituted in lieu thereof:

76 (a) No person shall operate any motor vehicle  
77 (1) upon any highway, road or any parking area for  
78 ten cars or more, at such a rate of speed as to  
79 endanger the life of any occupant of such motor  
80 vehicle, but not the life of any other person than  
81 such an occupant; or (2) at a rate of speed  
82 greater than fifty-five miles per hour upon any  
83 highway OTHER THAN A HIGHWAY FOR WHICH A SPEED  
84 LIMIT HAS BEEN ESTABLISHED IN ACCORDANCE WITH THE  
85 PROVISIONS OF SUBSECTION (b) OF SECTION 14-218a,  
86 AS AMENDED BY THIS ACT; OR (3) AT A RATE OF SPEED  
87 GREATER THAN THAT ESTABLISHED UPON ANY HIGHWAY FOR  
88 WHICH A SPEED LIMIT HAS BEEN ESTABLISHED IN  
89 ACCORDANCE WITH THE PROVISIONS OF SAID SUBSECTION  
90 (b) OF SECTION 14-218a, AS AMENDED BY THIS ACT.

91 (b) Any person who operates a motor vehicle  
92 (1) on a multiple lane, limited access highway  
93 OTHER THAN A HIGHWAY FOR WHICH A SPEED LIMIT HAS  
94 BEEN ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS  
95 OF SUBSECTION (b) OF SECTION 14-218a, AS AMENDED  
96 BY THIS ACT, at a rate of speed greater than  
97 fifty-five miles per hour but not greater than  
98 seventy miles per hour or (2) AT A RATE OF SPEED  
99 GREATER THAN THAT ESTABLISHED ON A MULTIPLE LANE,  
100 LIMITED ACCESS HIGHWAY IN ACCORDANCE WITH THE  
101 PROVISIONS OF SUBSECTION (b) OF SECTION 14-218a,  
102 AS AMENDED BY THIS ACT, OR [(2)] (3) on any other  
103 highway at a rate of speed greater than fifty-five  
104 miles per hour but not greater than sixty miles  
105 per hour, shall commit an infraction, provided any  
106 such person operating a truck, as defined in  
107 section 14-260n, AS AMENDED, shall have committed  
108 a violation and shall be fined not less than one  
109 hundred dollars nor more than one hundred fifty  
110 dollars.

111 (c) Any person who violates any provision of  
112 subdivision (1) of subsection (a) of this section  
113 or who operates a motor vehicle (1) on a multiple  
114 lane, limited access highway at a rate of speed  
115 greater than seventy miles per hour but not  
116 greater than eighty-five miles per hour or (2) on  
117 any other highway at a rate of speed greater than  
118 sixty miles per hour but not greater than

119 eighty-five miles per hour shall be fined not less  
120 than one hundred dollars nor more than one hundred  
121 fifty dollars, provided any such person operating  
122 a truck, as defined in section 14-260n, AS  
123 AMENDED, shall be fined not less than one hundred  
124 fifty dollars nor more than two hundred dollars.

125 (d) No person shall be subject to prosecution  
126 for a violation of both subsection (a) of this  
127 section and subsection (a) of section 14-222  
128 because of the same offense.

129 (e) Notwithstanding any provision of the  
130 general statutes to the contrary, any person who  
131 violates subdivision (1) of subsection (a) of this  
132 section, subdivision (1) of subsection (b) of this  
133 section while operating a truck, as defined in  
134 section 14-260n, AS AMENDED, or subdivision (1) of  
135 subsection (c) of this section while operating a  
136 motor vehicle or a truck, as defined in section  
137 14-260n, AS AMENDED, shall follow the procedures  
138 set forth in section 51-164n, AS AMENDED.

139 STATEMENT OF LEGISLATIVE COMMISSIONERS: In section  
140 14-219 (b) (2), the phrase "AT A RATE OF SPEED  
141 GREATER THAN SEVENTY MILES PER HOUR" was deleted  
142 because it was inadvertently left in the  
143 substitute bill.

144 TRA COMMITTEE VOTE: YEA 21 NAY 2 JFS C/R JUD  
145 JUD COMMITTEE VOTE: YEA 31 NAY 6 JFS-LCO

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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 334**

STATE IMPACT	Indeterminate Revenue Loss and 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 result in one-time costs to the State Department of Transportation (DOT) estimated at \$109,000. The bill could also result in potential costs to the State and municipalities in future years that are anticipated to be minimal.

The bill gives the State Traffic Commission the authority to increase the speed limit up to 65 miles per hour (mph) on any multi-lane, limited access highway that is suitable for such speeds. The freeway sections in Connecticut's highway system that could accommodate 60 or 65 mph speed limits would total 303 miles, one way (178 miles at 60 mph and 125 miles at 65 mph). Since DOT would place one sign per mile in two directions, at a cost of \$180 per sign, one-time costs to DOT would total \$109,000.

An increase in the posted speed limit would also result in a decrease in 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. Potential impacts from an increase in driving speed include a greater number of accidents, an increase in the number of highway fatalities, increased costs for emergency response personnel, more highway repairs, and higher insurance costs. Any increase in insurance rates would be incurred in future years, based on changes in claims experience.

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#### **OLR BILL ANALYSIS**

sSB 334

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

**SUMMARY:** This bill allows the State Traffic Commission (STC) to increase the posted speed limit to up to 65 miles per hour (mph) on any multi-lane, limited access highway that is suitable for such speeds taking into consideration relevant factors like design, area population, and traffic flow. Currently, the maximum speed allowed on state roads is 55 mph.

The bill modifies the speeding law to reflect the possibility that some limited access highways could be posted for a 55 mph speed limit and others for the higher limit. Exceeding the posted limit, whether 55 mph or a higher limit that might be set under the bill, on a limited access highway would be considered speeding.

EFFECTIVE DATE: October 1, 1998

**BACKGROUND****Speed-Related Motor Vehicle Violations**

Three laws define the various motor vehicle violations relating to excessive speed: (1) traveling unreasonably fast, an infraction; (2) driving at more than 55 mph but not over 85 mph, which is speeding and punishable as an infraction or a violation, depending on the circumstances; and (3) driving at more than 85 mph, which is reckless driving and carries a possible criminal penalty. Fines vary and are subject to a 50% surcharge that goes into the Special Transportation Fund along with the fine. Also, if the violation occurs in a marked construction zone, an amount is added to the fine that equals the base fine itself. Fines can be as low as \$78 or as much as \$560, depending on circumstances such as actual speed, road type, construction zones, and if the vehicle is a truck or a car.

Unless the court recommends otherwise, license suspensions generally cannot occur until the fourth speed-related conviction within a three-year period, except when the speed results in a reckless driving charge, in which case a suspension occurs on the first offense.

**State Traffic Commission**

The STC is comprised of the commissioners of the Departments of Transportation, Motor Vehicles, and Public Safety. It has the legal authority to establish speed limits for all state highways and must approve speed limits set by local traffic authorities.

**Related Bill**

sSB 489 (File 187) requires, rather than allows, the STC to raise the speed limit to 65 mph on five specific road segments and on any other limited access highways suitable for a 65 mph limit considering relevant factors like design, area population, and traffic flow. The five roads where the limit would have to be raised include parts of Route 2, Route 9, I-84 from Vernon to Massachusetts, I-395 from Lisbon to Massachusetts, and all of Route 11.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute Change of Reference  
Yea 21      Nay 2

Judiciary Committee

Joint Favorable Report  
Yea 31      Nay 6