

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 282

(SENATE AUTHORS: JOHNSON and Hoffman)

DATE	D-PG	OFFICIAL STATUS
02/06/2013	161	Introduction and first reading Referred to Transportation and Public Safety
02/25/2013	398	Withdrawn and returned to author

1.1 A bill for an act
 1.2 relating to public safety; traffic regulations; amending local authority to establish
 1.3 speed limits; amending Minnesota Statutes 2012, section 169.14, subdivisions
 1.4 2, 5, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 169.14, subdivision 2, is amended to read:

1.7 Subd. 2. **Speed limits.** (a) Where no special hazard exists the following speeds
 1.8 shall be lawful, but any speeds in excess of such limits shall be prima facie evidence
 1.9 that the speed is not reasonable or prudent and that it is unlawful; except that the speed
 1.10 limit within any municipality shall be a maximum limit and any speed in excess thereof
 1.11 shall be unlawful:

1.12 (1) 30 miles per hour in an urban district;

1.13 (2) 65 miles per hour on noninterstate expressways, as defined in section 160.02,
 1.14 subdivision 18b, and noninterstate freeways, as defined in section 160.02, subdivision 19;

1.15 (3) 55 miles per hour in locations other than those specified in this section;

1.16 (4) 70 miles per hour on interstate highways outside the limits of any urbanized area
 1.17 with a population of greater than 50,000 as defined by order of the commissioner of
 1.18 transportation;

1.19 (5) 65 miles per hour on interstate highways inside the limits of any urbanized area
 1.20 with a population of greater than 50,000 as defined by order of the commissioner of
 1.21 transportation;

1.22 (6) ten miles per hour in alleys;

1.23 (7) 25 miles per hour in residential roadways if adopted by the road authority having
 1.24 jurisdiction over the residential roadway; and

2.1 (8) 35 miles per hour in a rural residential district if adopted by the road authority
2.2 having jurisdiction over the rural residential district.

2.3 (b) A speed limit adopted under paragraph (a), clause (7), is not effective unless the
2.4 road authority has erected signs designating the speed limit and indicating the beginning
2.5 and end of the residential roadway on which the speed limit applies.

2.6 (c) A speed limit adopted under paragraph (a), clause (8), is not effective unless the
2.7 road authority has erected signs designating the speed limit and indicating the beginning
2.8 and end of the rural residential district for the roadway on which the speed limit applies.

2.9 (d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a
2.10 person who violates a speed limit established in this subdivision, or a speed limit designated
2.11 on an appropriate sign under ~~subdivision 4, 5, 5b, 5e, or 5e~~ this section, by driving 20 miles
2.12 per hour or more in excess of the applicable speed limit, is assessed an additional surcharge
2.13 equal to the amount of the fine imposed for the speed violation, but not less than \$25.

2.14 Sec. 2. Minnesota Statutes 2012, section 169.14, subdivision 5, is amended to read:

2.15 Subd. 5. **Speed zoning within local area on local roads.** (a) When local authorities
2.16 believe that the existing speed limit upon any street or highway, or part thereof, within
2.17 their respective jurisdictions and not a part of the trunk highway system is greater or less
2.18 than is reasonable or safe under existing conditions, they may request the commissioner
2.19 to authorize, upon the basis of an engineering and traffic investigation, the erection of
2.20 appropriate signs designating what speed is reasonable and safe, and the commissioner
2.21 may authorize the erection of appropriate signs designating a reasonable and safe speed
2.22 limit thereat, which speed limit shall be effective when such signs are erected. Any
2.23 speeds in excess of these speed limits shall be prima facie evidence that the speed is
2.24 not reasonable or prudent and that it is unlawful; except that any speed limit within any
2.25 municipality shall be a maximum limit and any speed in excess thereof shall be unlawful.

2.26 (b) Alteration of speed limits on streets and highways shall be made only upon
2.27 authority of the commissioner except as provided in ~~subdivision~~ subdivisions 5a, 5b,
2.28 5c, and 5g.

2.29 Sec. 3. Minnesota Statutes 2012, section 169.14, is amended by adding a subdivision
2.30 to read:

2.31 Subd. 5g. **Speed zoning by local authority.** (a) A local authority may by resolution
2.32 establish a speed limit on a street or highway under its jurisdiction if:

2.33 (1) the local authority passes a resolution, following a public hearing, identifying the
2.34 segment of street or highway for which an adjusted speed limit is proposed to be established;

3.1 (2) the local authority transmits a copy of the resolution to the commissioner for
3.2 review and comment;

3.3 (3) the commissioner has performed an engineering and traffic investigation; and

3.4 (4) the speed limit being established is no greater than ten miles per hour above or
3.5 below the speed limit recommended in the engineering and traffic investigation under
3.6 clause (3).

3.7 (b) The commissioner shall perform an engineering and traffic investigation upon
3.8 request of a local authority. A speed limit being established under this subdivision does
3.9 not require the consent of the commissioner.

3.10 (c) A speed limit established under this subdivision is effective upon (1) erection of
3.11 appropriate signs designating the speed limit and indicating the beginning and end of the
3.12 segment on which the speed limit applies, and (2) transmittance of a copy of the resolution
3.13 under paragraph (a) to the commissioner at least 60 days prior to the erection of the signs.

3.14 (d) Any speed in excess of a speed limit established under this subdivision shall be
3.15 unlawful.