

CHAPTER 4

Original House Bill No. 1

SPEED LIMIT INCREASE

AN ACT to amend W.S. 31-5-301(b) by creating new paragraphs (iii) and (v) and renumbering paragraph (iii) as (iv) and 31-5-1201(d) and by creating a new subsection (g) relating to an increase in the speed limit; increasing the speed limit on highways to conform with federal law; requiring the highway superintendent to increase the speed limit in certain cases; conforming other statutes; modifying fines for speeding in certain cases; modifying and clarifying court costs to be assessed; and providing for an effective date.

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

Section 1. W.S. 31-5-301(b) by creating new paragraphs (iii) and (v) and renumbering paragraph (iii) as (iv) and 31-5-1201(d) and by creating a new subsection (g) are amended to read:

31-5-301. Maximum speed limits.

(b) Except when a special hazard exists that requires lower speed for compliance with subsection (a) of this section, the limits specified in this subsection or established as otherwise authorized shall be maximum

lawful speeds and no person shall drive a vehicle on a highway at a speed in excess of maximum limits:

(iii) Sixty-five (65) miles per hour on interstate highways located outside of an urbanized area of fifty thousand (50,000) population or more. The superintendent shall designate urbanized areas of fifty thousand (50,000) population or more in a manner to conform with applicable federal statutes and regulations and to ensure that the sixty-five (65) mile per hour speed limit is applicable to the greatest area possible without loss of federal highway funds. Nothing in this paragraph shall be construed to:

(A) Affect the authority of the superintendent to otherwise designate lower maximum speed limits on interstate highways in accordance with other laws; or

(B) Authorize noncompliance with posted speed limits on interstate highways.

(iv) Fifty-five (55) miles per hour in other locations;

(v) Notwithstanding paragraphs (iii) and (iv) of this subsection, in the event that 23 USC 154 is repealed or modified to eliminate or effectively increase the national speed limit, the superintendent shall increase the maximum speed limits on highways in this state in a manner to ensure that the highest possible speed limit applicable to the greatest area possible without loss of federal highway funds is established consistent with subsection (a) of this section and provided:

(A) The maximum speed limit under paragraph (iii) of this section shall not exceed seventy-five (75) miles per hour; and

(B) The maximum speed limit under paragraph (iv) of this section shall not exceed sixty-five (65) miles per hour.

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

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

(i) Every person convicted of a violation of W.S. 31-5-301(b)(iii), for speeds of sixty-six (66) through seventy-four (74) miles per hour, or W.S. 31-5-301(b)(iv), for speeds of fifty-six (56) through sixty-five (65) miles per hour, shall be fined five dollars (\$5.00). Every person convicted of a violation of W.S. 31-5-301(b)(iv), for speeds of sixty-six (66) through seventy-four (74) miles per hour, shall be fined five dollars (\$5.00) plus three dollars (\$3.00) per mile for each mile per hour in excess of sixty-five (65) miles per hour. Persons punished under this paragraph for exceeding sixty (60) miles per hour shall be assessed five dollars (\$5.00) for court costs and shall not be assessed court costs for speeds less than sixty-one (61) miles per hour, notwithstanding W.S. 7-11-516, (renumbered as W.S. 7-11-505 by Chapter 157, Wyoming Session Laws 1987, effective May 22, 1987);

(ii) Persons convicted of exceeding speeds above seventy-four (74) miles per hour shall be fined at the discretion of the judge but not less

than thirty-five dollars (\$35.00) nor more than the maximum penalties provided by subsection (b) of this section, with assessed court costs;

(iii) Convictions shall not be considered pursuant to W.S. 31-7-129(a)(i) for driver license suspensions for speeding violations of less than seventy-five (75) miles per hour where the speed limit is fifty-five (55) through sixty-five (65) miles per hour;

(iv) Notwithstanding W.S. 5-4-207 and 5-5-108, court costs for violations of W.S. 31-5-301(b)(iii) or (iv) shall not exceed five dollars (\$5.00) for speeds not exceeding seventy-four (74) miles per hour, and court costs shall not be assessed for speeds less than sixty-one (61) miles per hour.

(g) In addition to any other penalty, every person convicted of violating W.S. 31-5-301(b)(iii) by exceeding a speed of seventy-four (74) miles per hour, or W.S. 31-5-301(b)(iv) by exceeding a speed of sixty-five (65) miles per hour, while operating a vehicle or combination of vehicles with an unladen weight as defined in W.S. 31-1-101(a)(xxv) over twenty-eight thousand (28,000) pounds shall be fined one hundred dollars (\$100.00).

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

Approved May 22, 1987.