

1 State of Arkansas *As Engrossed: H3/10/17 H3/15/17 S3/22/17 S3/23/17 S3/29/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 2057

5 By: Representatives Vaught, Boyd, G. Hodges, Payton

6 By: Senator Hickey

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING SPEED LIMITS; AND
10 FOR OTHER PURPOSES.

Subtitle

14 TO AMEND THE LAW CONCERNING SPEED LIMITS.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 *SECTION 1. Arkansas Code § 27-51-201(b) and (c), concerning speed*
20 *limits, is amended to read as follows:*

21 *(b)(1) Upon an engineering and traffic investigation, the State*
22 *Highway Commission may increase the speed limit of a controlled-access*
23 *highway to ~~The maximum speed limits set forth in subsection (c) of this~~*
24 *~~section shall not apply to controlled-access highways~~ seventy-five miles per*
25 *hour (75 m.p.h).*

26 ~~(2)(A) Upon an engineering and traffic investigation, the State~~
27 ~~Highway Commission shall determine the~~ The maximum permissible speeds on
28 ~~controlled-access highways which shall be effective when appropriate signs~~
29 ~~giving notice are erected along the highway~~ by the Arkansas State Highway and
30 Transportation Department.

31 ~~(B) The commission shall fix the maximum permissible speed~~
32 ~~of trucks with a capacity of one and one half tons or more at ten miles per~~
33 ~~hour (10 m.p.h.) below the maximum permissible speed for automobiles.~~

34 *(c) On all facilities other than controlled-access highways, except*
35 *when a special hazard exists that requires lower speed for compliance with*
36 *subsection (a) of this section, the limits specified in this section or*



1 established as authorized shall be maximum lawful speeds, and ~~no~~ a person
2 shall not drive a vehicle on a highway at a speed in excess of ~~the following~~
3 ~~limits~~:

4 (1) Thirty miles per hour (30 m.p.h.) in any urban district;

5 (2) Fifty miles per hour (50 m.p.h.) for trucks of one-and-one-
6 half-ton capacity or more in other locations;

7 (3) ~~Sixty~~ Sixty-five miles per hour ~~(60 m.p.h.)~~ (65 m.p.h.) for
8 other motor vehicles in other locations; and

9 (4) ~~No vehicle~~ A motor vehicle which is over width, over length,
10 or over height or the gross load of which is in excess of sixty-four thousand
11 pounds (64,000 lbs), excluding the front axle, even if operated under a
12 special permit, shall not be operated in excess of thirty miles per hour (30
13 m.p.h.).

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16 SECTION 2. Arkansas Code § 27-51-203 is repealed.

17 ~~27-51-203. Authority to establish limits.~~

18 ~~(a) The determination and establishment of safe maximum and minimum~~
19 ~~travel speeds for all motor vehicles using the facilities of the state~~
20 ~~highway system shall be vested in the State Highway Commission, whose power,~~
21 ~~responsibility, and duty it shall be to implement and maintain this control~~
22 ~~with all reasonable care and prudence.~~

23 ~~(b) To this end, this section and §§ 27-51-204 — 27-51-207 shall be~~
24 ~~made supplemental to § 27-65-107.~~

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26 SECTION 3. Arkansas Code § 27-51-204 is amended to read as follows:

27 27-51-204. Maximum ~~and minimum~~ speed limits - Exceptions.

28 ~~(a)(1) The State Highway Commission shall determine, based upon~~
29 ~~studies of the engineering and traffic characteristics thereof, the maximum~~
30 ~~and minimum desirable speeds for all traffic facilities in the state highway~~
31 ~~system.~~

32 ~~(2) These regulatory speeds shall be effective when appropriate~~
33 ~~signs giving notice thereof are erected.~~

34 ~~(b)(1) The maximum and minimum speed limits posted under § 27-51-201~~
35 ~~shall apply to all vehicles using the facility except authorized emergency~~
36 ~~vehicles on emergency trips, such as police vehicles on duty, fire vehicles~~

1 on calls, and ambulances; oversize/overweight vehicles moving under special
2 permit issued by the Arkansas State Highway and Transportation Department or
3 its lawfully delegated agents; and other specific vehicles for which special
4 limits may be posted in particular situations or under particular conditions.

5 (2) This exemption shall not relieve any driver of an authorized
6 emergency vehicle from his or her lawful responsibility to drive with due
7 regard for the safety of all persons upon or using the highway facility, nor
8 shall it protect the operator of any such vehicle from the consequence of a
9 reckless disregard for the safety of others.

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/s/Vaught