

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: H3/10/17 H3/15/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 2057

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

6 By: Senator Hickey

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For An Act To Be Entitled

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AN ACT TO AMEND THE LAW CONCERNING SPEED LIMITS; AND

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FOR OTHER PURPOSES.

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Subtitle

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TO AMEND THE LAW CONCERNING SPEED LIMITS.

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

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

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

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

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(B) ~~The commission shall fix the maximum permissible speed of trucks with a capacity of one-and-one-half tons or more at~~ shall be ten miles per hour (10 m.p.h.) five miles per hour (5 m.p.h.) below the maximum permissible speed for ~~automobiles~~ motor vehicles.

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(c) On all facilities other than controlled-access highways, except when a special hazard exists that requires lower speed for compliance with

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1 subsection (a) of this section, the limits specified in this section or
2 established as authorized shall be maximum lawful speeds, and ~~no~~ a person
3 shall not drive a vehicle on a highway at a speed in excess of ~~the following~~
4 ~~limits~~:

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

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

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

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

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

18 ~~27-51-203. Authority to establish limits.~~

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

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

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

28 27-51-204. Maximum ~~and minimum~~ speed limits – Exceptions.

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

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

35 ~~(b)(1) The maximum and minimum speed limits posted under § 27-51-201~~
36 ~~shall apply to all vehicles using the facility except authorized emergency~~

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

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

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12 */s/Vaught*
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