

## HOUSE BILL NO. HB0120

Maximum speed limit petition.

Sponsored by: Representative(s) Sommers, Barlow, Eklund,  
Freeman, Halverson, Lindholm and Salazar and  
Senator(s) Baldwin and Meier

A BILL

for

1 AN ACT relating to the regulation of motor vehicles on  
2 highways; authorizing a board of county commissioners to  
3 petition the transportation commission to reduce a maximum  
4 speed limit on a specified portion of a highway; requiring  
5 a hearing; establishing hearing procedures; providing for  
6 rulemaking authority; requiring consultation; and providing  
7 for an effective date.

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

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11 **Section 1.** W.S. 31-5-302 and 31-5-303 by creating a  
12 new subsection (f) are amended to read:

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14 **31-5-302. Establishment of specific maximum speed**  
15 **limits by superintendent.**

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2 Whenever the superintendent determines upon the basis of an  
3 engineering and traffic investigation, or in the event of a  
4 vehicle or weather emergency, that a maximum speed greater  
5 or less than that authorized herein is safe and reasonable  
6 under the conditions found to exist at any intersection or  
7 other place or upon any part of the state highway system,  
8 the superintendent, except as provided for in W.S.  
9 31-5-303(b) and (f), may determine and declare a reasonable  
10 and safe maximum limit thereat, which shall be effective  
11 when appropriate signs giving notice thereof are erected  
12 and which shall not exceed eighty (80) miles per hour on  
13 interstate highways. The maximum speed limit may be  
14 declared to be effective at all times or at such times as  
15 are indicated upon the signs and differing limits may be  
16 established for different times of day, different types of  
17 vehicles, varying weather conditions, and other factors  
18 bearing on safe speeds, which shall be effective when  
19 posted upon appropriate fixed or variable signs. This  
20 section does not grant power to the superintendent to  
21 declare statewide or countywide maximum speed limits but  
22 grants power to declare maximum speed limits for the public  
23 safety in localized geographic areas.

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2           **31-5-303. Establishing maximum speed limits by local**  
3 **authorities; petition to reduce maximum speed limit.**

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5           (f) A board of county commissioners may petition the  
6 commission to reduce the maximum speed limit on any part of  
7 the state highway system within the unincorporated area of  
8 its county. The petition shall specify the location of the  
9 proposed reduced maximum speed limit, state the requested  
10 new maximum speed limit and provide the rationale  
11 demonstrating why the commission should reduce the maximum  
12 speed limit. Unless the board of county commissioners  
13 withdraws the petition, within one hundred twenty (120)  
14 days after receipt of the petition the commission shall  
15 hold a hearing on the petition. At the hearing, the  
16 commission shall consider information presented by the  
17 board of county commissioners in support of the petition.  
18 The department shall also present information relating to  
19 the petition. After the hearing and upon a majority vote,  
20 the commission may reduce the speed limit on that portion  
21 of the state highway identified in the petition, or on any  
22 other portion of state highway, consistent with the  
23 requirements of this section and W.S. 31-5-302. Within

1 sixty (60) days after the hearing, the commission shall  
2 issue and furnish to the board of county commissioners a  
3 written decision with reasons regarding the petition. Prior  
4 to the submittal of a petition under this subsection, a  
5 board of county commissioners shall consult with the  
6 department regarding the reduction of a maximum speed  
7 limit. The commission shall promulgate rules and  
8 regulations in accordance with the Wyoming Administrative  
9 Procedure Act to carry out the purposes of this subsection.

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11 **Section 2.** This act is effective July 1, 2017.

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(END)