

# HOUSE BILL REPORT

## HB 1448

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### As Passed House:

February 27, 2009

**Title:** An act relating to speed limits on nonlimited access state highways within tribal reservation boundaries.

**Brief Description:** Granting tribal authorities limited control over speed limits on nonlimited access state highways within tribal reservation boundaries.

**Sponsors:** Representatives Hurst, Roach, Simpson, McCoy, Sullivan, Hunt, Goodman, Appleton, Ormsby and Nelson.

### Brief History:

#### Committee Activity:

State Government & Tribal Affairs: 2/19/09 [DP].

#### Floor Activity

Passed House: 2/27/09, 94-0.

### Brief Summary of Bill

- Provides for tribal authorities to change speed limits on non-limited access highways within the boundaries of the tribe's reservation under certain conditions.

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## HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

**Majority Report:** Do pass. Signed by 7 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst and Miloscia.

**Staff:** Pam Madson (786-7111)

### Background:

Maximum speed limits are established in statute as follows:

- city and town streets, 25 miles per hour;
- county roads, 50 miles per hour; and

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- state highways, 60 miles per hour.

The Secretary of Transportation (Secretary) may decrease speed limits on state highways under certain conditions. The Secretary may also increase speeds on any highway up to 70 miles per hour under certain conditions.

The Secretary has sole authority to fix speed limits on limited access state highways including portions that run through a city or town.

Local authorities may change speed limits on highways in their jurisdictions to a speed limit that is safe and reasonable under existing conditions based on engineering and traffic investigations. They may decrease the limit at intersections, increase the limits to a maximum of 60 miles per hour, and decrease the limit to not less than 20 miles per hour. Any altered speed limit is effective when appropriate signs, giving notice of the new speed, are erected and the change has been approved by the Secretary.

**Summary of Bill:**

Tribal authorities may change speed limits on non-limited access state highways within the boundaries of the tribe's reservation within certain limitations. A change to a speed that is reasonable or safe under existing conditions must be based on engineering and traffic investigations. Speeds may be decreased at intersections. Speeds may not go above 60 miles per hour or below 20 miles per hour. For non-limited access state highways that are also part of city streets, the change is not effective until approved by the local government and the Secretary, and for other non-limited access state highways, the change is not effective until approved by the Secretary.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Multiple jurisdictions have input on setting speed limits. When local jurisdictions petition for a change in speed limits, tribal governments should be consulted as well. Usually local jurisdictions and the tribal governments are supporting the change which may conflict with the state's position. Local jurisdictions often ask to lower speed limits in developing areas. The Department of Transportation's goal is to work cooperatively with local agencies. This gives the tribes the same ability that local governments have to set speed limits. This does not include interstate freeways.

(Opposed) None.

**Persons Testifying:** Representative Hurst, prime sponsor; and Mike Dornfeld, Department of Transportation.

**Persons Signed In To Testify But Not Testifying:** None.