

1 SENATE BILL NO. 226

2 INTRODUCED BY STEINBEISSER, TASH, HENDRICK, MALCOLM, B. OLSON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE SPEED LIMIT ON UNPAVED COUNTY
5 ROADS BE 50 MILES AN HOUR UNLESS OTHERWISE DESIGNATED BY A BOARD OF COUNTY
6 COMMISSIONERS; ~~AND~~ AMENDING SECTION 61-8-303, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 61-8-303, MCA, is amended to read:

12 **"61-8-303. Speed restrictions.** (1) Except as provided in 61-8-309, 61-8-310, 61-8-312, and subsection
13 (2) of this section, the speed limit for vehicles traveling:

14 (a) on a federal-aid interstate highway outside an urbanized area of 50,000 population or more is 75
15 miles an hour at all times and the speed limit for vehicles traveling on federal-aid interstate highways within an
16 urbanized area of 50,000 population or more is 65 miles an hour at all times;

17 (b) on any other public highway of this state is 70 miles an hour during the daytime and 65 miles an hour
18 during the nighttime;

19 (c) in an urban district is 25 miles an hour.

20 (2) (a) The speed limit for vehicles traveling on U.S. highway 93 between reference marker 133
21 northwest of Whitefish and the Idaho border is 65 miles an hour at all times. The speed limit imposed by this
22 subsection ceases to be effective if U.S. highway 93 is upgraded to a continuous four-lane highway.

23 (b) The speed limit for vehicles traveling on a county road, as defined in 60-1-103, that is not paved is
24 50 miles an hour at all times unless a board of county commissioners sets another limit, as provided in
25 61-8-310(2), and posts signs indicating the limit.

26 (3) A vehicle subject to the speed limits imposed in subsection (1) traveling on a two-lane road may
27 exceed the speed limits imposed in subsection (1) by 10 miles an hour in order to overtake and pass a vehicle
28 and return safely to the right-hand lane.

29 (4) Subject to the maximum speed limits set forth in subsections (1) and (2), a person shall operate a
30 vehicle in a careful and prudent manner and at a reduced rate of speed no greater than is reasonable and

1 prudent under the conditions existing at the point of operation, taking into account the amount and character of
2 traffic, visibility, weather, and roadway conditions.

3 (5) Except when a special hazard exists that requires lower speed for compliance with subsection (4),
4 the limits specified in 61-8-312 and in this section or established as authorized in 61-8-309 through 61-8-311
5 and 61-8-313 are the maximum lawful speeds allowed.

6 (6) "Daytime" means from one-half hour before sunrise to one-half hour after sunset. "Nighttime" means
7 at any other hour.

8 (7) The speed limits set forth in this section may be altered by the transportation commission or a local
9 authority as authorized in 61-8-309, 61-8-310, 61-8-313, and 61-8-314."

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11 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

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- END -