

## 1 HOUSE BILL NO. 471

2 INTRODUCED BY K. FLYNN

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A DRIVER TO EXCEED A SPEED LIMIT WHEN IN A  
5 PASSING ZONE; AND AMENDING SECTION 61-8-303, MCA."

6

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

8

9 **Section 1.** Section 61-8-303, MCA, is amended to read:10 **"61-8-303. Speed restrictions.** (1) Except as provided in 61-8-309, 61-8-310, and 61-8-312, the speed  
11 limit for vehicles traveling:12 (a) on a federal-aid interstate highway outside an urbanized area of 50,000 population or more is 80  
13 miles an hour at all times and the speed limit for vehicles traveling on federal-aid interstate highways within an  
14 urbanized area of 50,000 population or more is 65 miles an hour at all times;15 (b) on any other public highway of this state is 70 miles an hour during the daytime and 65 miles an hour  
16 during the nighttime;

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

18 (2) A vehicle subject to the speed limits imposed in subsection (1) ~~traveling on a two-lane road~~ may  
19 exceed the speed limits imposed in subsection (1) by 10 miles an hour in order to overtake and pass a vehicle  
20 and return safely to the right-hand lane under the following circumstances:21 (a) while traveling on a two-lane road; and22 (b) in a designated passing zone.23 (3) Subject to the maximum speed limits set forth in subsection (1), a person shall operate a vehicle in  
24 a careful and prudent manner and at a reduced rate of speed no greater than is reasonable and prudent under  
25 the conditions existing at the point of operation, taking into account the amount and character of traffic, visibility,  
26 weather, and roadway conditions.27 (4) Except when a special hazard exists that requires lower speed for compliance with subsection (3),  
28 the limits specified in this section are the maximum lawful speeds allowed.29 (5) "Daytime" means from one-half hour before sunrise to one-half hour after sunset. "Nighttime" means  
30 at any other hour.

