

1987 Senate Bill 166

Date of enactment: **June 10, 1987**
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1987 Wisconsin Act 17

AN ACT *to renumber and amend* 346.57 (6) and 346.60 (2); *to amend* 343.30 (1n), 346.57 (1) (intro.) and 349.11 (2) (a) and (8) (intro.), (a) and (b); and *to create* 346.57 (1) (am), 346.57 (4) (gm), 346.57 (6) (b), 346.60 (2) (b) and 349.11 (8m) of the statutes, *relating to* establishing a speed limit of 65 miles per hour for rural interstate highways and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.30 (1n) of the statutes is amended to read:

343.30 (1n) A court shall suspend the operating privilege of a person for a period of 15 days upon the person's conviction by the court of exceeding the applicable speed limit as established by s. 346.57 (4) (gm) or (h), by 25 or more miles per hour. If the conviction makes the person subject to revocation under s. 343.32 or suspension or revocation under s. 343.085, the court shall immediately suspend the license, taking possession of the license and shall forward it to the department which shall proceed to act as authorized under s. 343.32 or 343.085, but any revocation or suspension by the secretary shall date from the day the court took possession of the license.

SECTION 1m. 346.57 (1) (intro.) of the statutes is amended to read:

346.57 (1) DEFINITIONS. (intro.) In this section, ~~the following terms have the designated meanings:~~

SECTION 2. 346.57 (1) (am) of the statutes is created to read:

346.57 (1) (am) "Rural interstate highway" means a highway on the national system of interstate highways located outside of an urbanized area, as defined in 23 USC 101 (a), having a population of 50,000 or more.

SECTION 3. 346.57 (4) (gm) of the statutes is created to read:

346.57 (4) (gm) 65 miles per hour on any highway designated as a rural interstate highway by the department.

SECTION 4. 346.57 (6) of the statutes is renumbered 346.57 (6) (a) and amended to read:

346.57 (6) (a) On state trunk highways and connecting highways and on county trunk highways or highways marked and signed as county trunks, the speed limits specified in sub. (4) (e) and (f) are not effective unless official signs giving notice thereof have been erected by the authority in charge of maintenance of the highway in question. The speed limit specified in sub. (4) (g) and (k) is not effective on any highway unless official signs giving notice thereof have been erected by the authority in charge of maintenance of the highway in question. The signs shall be erected at such points as the authority in charge of maintenance deems necessary to give adequate warning to users of the highway in question, but an alleged failure to post a highway as required by this ~~subsection~~ paragraph is not a defense to a prosecution for violation of the speed limits specified in sub. (4) (e), (f), (g) or (k), or in an ordinance enacted in conformity therewith, if official signs giving notice of the speed limit have been erected at those points on the highway in question where a person traversing such highway would enter it from an area where a different speed limit is in effect.

SECTION 5. 346.57 (6) (b) of the statutes is created to read:

346.57 (6) (b) The limit specified under sub. (4) (gm) is not effective unless official signs giving notice of the limit have been erected by the department. The department may not erect such signs unless the department determines that the limit under sub. (4) (gm) is in conformity with the national maximum speed limit applicable to rural interstate highways.

SECTION 5g. 346.60 (2) of the statutes is renumbered 346.60 (2) (a) and amended to read:

346.60 (2) (a) Except as provided in sub. (5), any person violating s. 346.57 (4) (d) to (g) or (h) or (5) or 346.58 may be required to forfeit not less than \$30 nor more than \$300.

SECTION 5r. 346.60 (2) (b) of the statutes is created to read:

346.60 (2) (b) Except as provided in sub. (5), any person violating s. 346.57 (4) (gm) may be required to forfeit not less than \$50 nor more than \$300.

SECTION 6. 349.11 (2) (a) and (8) (intro.), (a) and (b) of the statutes are amended to read:

349.11 (2) (a) Declare a speed limit which is in excess of the limits stated in s. 346.57 (4) (h), except as provided in s. 346.57 (4) (gm); or

(8) (intro.) Notwithstanding the authority otherwise granted to modify speed restrictions in this section, except as provided in sub. (9) and s. 346.57 (4) (gm), the department ~~and local authorities~~ may not establish or continue:

(a) ~~Maximum~~ A maximum speed limit on any highway within ~~their respective jurisdictions~~ its jurisdiction in excess of 55 miles per hour;

(b) A speed limit other than 55 miles per hour on any portion of any highway within ~~their respective jurisdictions~~ its jurisdiction which had a speed limit of 55 miles per hour or more on November 1, 1973; or

SECTION 7. 349.11 (8m) of the statutes is created to read:

349.11 (8m) Notwithstanding the authority otherwise granted to modify speed restrictions in this section, local authorities may not establish or continue:

(a) A maximum speed limit on any highway within their respective jurisdictions in excess of 55 miles per hour;

(b) A speed limit other than 55 miles per hour on any portion of any highway within their respective jurisdictions which had a speed limit of 55 miles per hour or more on November 1, 1973; or

(c) Maximum speed limits which are not uniformly applicable to all types of motor vehicles using a highway, except that a lower speed limit may be established for any vehicle operating under a special permit because of any weight or dimension of such vehicle.