



1995 ASSEMBLY BILL 894

February 19, 1996 - Introduced by Representatives BRANDEMUEHL, LEHMAN, MUSSER, SILBAUGH, HASENOHRL and RYBA, cosponsored by Senator A. LASEE. Referred to Committee on Highways and Transportation.

1 **AN ACT** *to renumber* 346.57 (1) (a); *to amend* 346.57 (4) (gm), 346.57 (6) (b),
2 349.11 (2) (intro.), 349.11 (2) (a), 349.11 (2) (b) and 349.11 (2) (c); and *to create*
3 346.57 (1) (ag) and (am) of the statutes; **relating to:** the maximum speed limit
4 applicable to motor vehicles traveling on certain state trunk highways.

Analysis by the Legislative Reference Bureau

Under current law, no person may drive a motor vehicle faster than the maximum speed limit provided by law. Current law establishes a maximum speed limit of 55 miles per hour, or 65 miles per hour on any freeway for which federal law provides for such a speed limit. The national maximum speed limit provided a speed limit of 65 miles per hour for any Interstate highway located outside of an urbanized area of 50,000 population or more, and for portions of U.S. highways 12 and 51. The federal government repealed the national maximum speed limit effective December 9, 1995.

The bill establishes a maximum speed limit of 65 miles per hour only on certain state trunk highways that meet the definition of freeway or expressway. A "freeway" is defined as any state trunk highway at the entrances to which vehicular traffic from intersecting highways is required to stop, that has 4 or more lanes of traffic separated by a barrier or by a paved or landscaped strip between opposing traffic, that gives preference to through traffic by limiting access to only interchanges, and that the department of transportation (DOT) designates as a through highway. An "expressway" is defined as any state trunk highway at the entrances to which vehicular traffic from intersecting highways is required to stop, and that DOT: 1) determines has 4 or more lanes of traffic separated by a barrier or by a paved or landscaped strip between opposing traffic; 2) determines gives preference to through traffic by use of interchanges or by limiting at-grade access to selected public roads and driveways; and 3) designates as a through highway.

This speed limit of 65 miles per hour does not take effect until DOT posts the limit by official traffic signs.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 346.57 (1) (a) of the statutes is renumbered 346.57 (1) (ar).

2 **SECTION 2.** 346.57 (1) (ag) and (am) of the statutes are created to read:

3 346.57 (1) (ag) “Expressway” means a through highway that is a state trunk
4 highway and that, as determined by the department, has 4 or more lanes of traffic
5 physically separated by a median or barrier and gives preference to through traffic
6 by utilizing interchanges or limiting at-grade access to selected public roads and
7 public driveways.

8 (am) “Freeway” means a through highway that is a state trunk highway and
9 that has 4 or more lanes of traffic physically separated by a median or barrier and
10 that gives preference to through traffic by limiting access to interchanges only.

11 **SECTION 3.** 346.57 (4) (gm) of the statutes is amended to read:

12 346.57 (4) (gm) 65 miles per hour on any freeway ~~for which a limit of 65 miles~~
13 ~~per hour is provided under federal law, as determined by the department. To the~~
14 ~~extent so determined, the limit under this paragraph applies to USH 51 and STH 78~~
15 ~~or expressway.~~

16 **SECTION 4.** 346.57 (6) (b) of the statutes is amended to read:

17 346.57 (6) (b) The limit specified under sub. (4) (gm) is not effective unless
18 official signs giving notice of the limit have been erected by the department. ~~The~~
19 ~~department may not erect or maintain such signs unless the department determines~~
20 ~~that the limit under sub. (4) (gm) is in conformity with the applicable national~~
21 ~~maximum speed limit.~~

