



State of Wisconsin
2013 - 2014 LEGISLATURE



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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 389**

October 3, 2013 – Offered by Representative TITTL.

- 1 **AN ACT to amend** 346.57 (1) (ag), 346.57 (1) (am) and 346.57 (4) (gm) of the
2 statutes; **relating to:** the maximum speed limit on freeways and expressways.

Analysis by the Legislative Reference Bureau

Under current law, the maximum speed limit on any freeway or expressway in this state is 65 miles per hour. A “freeway” is defined as any state trunk highway with four or more lanes of traffic separated by a barrier or median (a paved or landscaped strip between opposing traffic) that gives preference to through traffic by limiting access to only interchanges. An “expressway” is also defined as any state trunk highway, but only a state trunk highway that the Department of Transportation (DOT) determines has four or more lanes of traffic separated by a barrier or median that gives preference to through traffic by use of interchanges or by limiting at-grade access to selected public roads and driveways.

Also under current law, if DOT determines on the basis of an engineering and traffic investigation that any statutory speed limit on the state trunk highway system is greater or less than is reasonable or safe or that the actual speed of vehicles is greater or less than is reasonable and prudent, DOT may determine and declare a reasonable and safe speed limit on the applicable highway segment and post the highway segment with signs imposing this modified speed limit. However, there are limitations on DOT’s authority to modify speed limits, and DOT may not declare a speed limit greater than 55 miles per hour, except that the speed limit may be 65 miles per hour on a freeway or expressway.

This substitute amendment increases the maximum speed limit on freeways and expressways that are interstate highways from 65 miles per hour to 70 miles per hour. This speed limit of 70 miles per hour does not take effect until DOT posts the limit by official traffic signs. The substitute amendment also requires DOT to prepare a report regarding the suitability of a speed limit of 70 miles per hour on freeways and expressways that are not interstate highways.

This substitute amendment also changes the definition of “expressway” to “a state trunk highway that, as determined by [DOT], has four or more lanes of traffic physically separated by a median or barrier and that gives preference to through traffic by allowing only some at-grade access to roads and driveways,” and the definition of “freeway” to “a state trunk highway that, as determined by [DOT], has four or more lanes of traffic physically separated by a median or barrier and that gives preference to through traffic by limiting access to interchanges only.”

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

1 **SECTION 1.** 346.57 (1) (ag) of the statutes is amended to read:

2 346.57 (1) (ag) “Expressway” means a state trunk highway that, as determined
3 by the department, has 4 or more lanes of traffic physically separated by a median
4 or barrier and that gives preference to through traffic by ~~utilizing interchanges or~~
5 ~~limiting allowing only some~~ at-grade access to selected public roads and public
6 driveways. An “expressway” may include a highway that utilizes interchanges.

7 **SECTION 2.** 346.57 (1) (am) of the statutes is amended to read:

8 346.57 (1) (am) “Freeway” means a state trunk highway that, as determined
9 by the department, has 4 or more lanes of traffic physically separated by a median
10 or barrier and that gives preference to through traffic by limiting access to
11 interchanges only.

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

13 346.57 (4) (gm) Sixty-five miles per hour on any freeway or expressway that
14 is not a part of the national system of interstate and defense highways and 70 miles

1 per hour on any freeway or expressway that is a part of the national system of
2 interstate and defense highways.

3 **SECTION 4. Nonstatutory provisions.**

4 (1) The department of transportation shall erect official signs giving notice of
5 the 70-mile-per-hour limit under section 346.57 (4) (gm) of the statutes, as affected
6 by this act, no later than the first day of the 7th month beginning after publication.

7 (2) No later than one year after the effective date of this subsection, the
8 department of transportation shall submit to the appropriate standing committees
9 of the legislature, as determined by the speaker of the assembly and the president
10 of the senate, a report on the safety and suitability of a 70-mile-per-hour speed limit
11 on expressways and freeways that are not a part of the national system of interstate
12 and defense highways.

13 (END)