



1995 ASSEMBLY BILL 618

October 12, 1995 - Introduced by Representatives SCHNEIDER, BOYLE, GRONEMUS, HANDRICK, LA FAVE and LEHMAN, cosponsored by Senator WELCH. Referred to Committee on Highways and Transportation.

1 **AN ACT to amend** 343.30 (1n), 346.57 (4) (h), 346.60 (2) (b), 349.11 (2) (a) and
2 349.11 (8) (intro.); and **to create** 346.57 (4) (gr) and 346.57 (6) (c) of the statutes;
3 **relating to:** motor vehicle maximum speed limits and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may drive a motor vehicle at any speed faster than the maximum speed limit provided by law. The maximum speed limit applicable to motorists is 65 miles per hour on any highway for which federal law provides for a speed limit of 65 miles per hour. This bill creates a maximum speed limit of 70 miles per hour applicable to any freeway for which no maximum speed limit is provided by federal law.

Also under current law, where no maximum speed limit is posted by traffic signs, the maximum speed limit is 55 miles per hour. Under the bill, the maximum speed limit where no maximum speed limit is posted by traffic signs is 55 miles per hour during hours of darkness and 65 miles per hour at all other times.

For further information see the *state and local* 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:

4 **SECTION 1.** 343.30 (1n) of the statutes is amended to read:
5 343.30 (1n) A court shall suspend the operating privilege of a person for a
6 period of 15 days upon the person's conviction by the court of exceeding the applicable
7 speed limit as established by s. 346.57 (4) (gm), (gr) or (h), by 25 or more miles per

1 hour. If the conviction makes the person subject to revocation under s. 343.32 or
2 suspension or revocation under s. 343.085, the court shall immediately suspend the
3 license, taking possession of the license and shall forward it to the department which
4 shall proceed to act as authorized under s. 343.32 or 343.085, but any revocation or
5 suspension by the secretary shall date from the day the court took possession of the
6 license.

7 **SECTION 2.** 346.57 (4) (gr) of the statutes is created to read:

8 346.57 (4) (gr) 70 miles per hour on any freeway for which a limit is not provided
9 under federal law, as determined by the department. To the extent so determined,
10 the limit under this paragraph applies to USH 51 and STH 78.

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

12 346.57 (4) (h) In the absence of any other fixed limits or the posting of limits
13 as required or authorized by law, 55 miles per hour during hours of darkness and 65
14 miles per hour at other times.

15 **SECTION 4.** 346.57 (6) (c) of the statutes is created to read:

16 346.57 (6) (c) The limit specified under sub. (4) (gr) is not effective unless
17 official signs giving notice of the limit have been erected by the department.

18 **SECTION 5.** 346.60 (2) (b) of the statutes is amended to read:

19 346.60 (2) (b) Except as provided in sub. (3m) or (5), any person violating s.
20 346.57 (4) (gm) or (gr) may be required to forfeit not less than \$50 nor more than \$300.

21 **SECTION 6.** 349.11 (2) (a) of the statutes is amended to read:

22 349.11 (2) (a) Declare a speed limit which is in excess of the limits stated in s.
23 346.57 (4) (h), except as provided in s. 346.57 (4) (gm) and (gr); or

24 **SECTION 7.** 349.11 (8) (intro.) of the statutes is amended to read:

1 349.11 (8) (intro.) Notwithstanding the authority otherwise granted to modify
2 speed restrictions in this section, except as provided in sub. (9) and s. 346.57 (4) (gm)
3 and (gr), the department may not establish or continue:

4 **SECTION 8. Initial applicability.**

5 (1) This act first applies to offenses committed on the effective date of this
6 subsection but does not preclude the counting of other offenses as prior offenses for
7 sentencing a person or for disqualifying a person from operating a commercial motor
8 vehicle.

9 **SECTION 9. Effective date.**

10 (1) This act takes effect on the first day of the 4th month beginning after
11 publication.

12

(END)