

Stricken language would be deleted from and underlined language would be added to present law.
Act 1097 of the Regular Session

State of Arkansas *As Engrossed: H3/10/17 H3/15/17 S3/22/17 S3/23/17 S3/29/17*

91st General Assembly

A Bill

Regular Session, 2017

HOUSE BILL 2057

By: Representatives Vaught, Boyd, G. Hodges, Payton

By: Senator Hickey

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING SPEED LIMITS; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING SPEED LIMITS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 27-51-201(b) and (c), concerning speed limits, is amended to read as follows:

(b)(1) Upon an engineering and traffic investigation, the State Highway Commission may increase the speed limit of a controlled-access highway to ~~The maximum speed limits set forth in subsection (c) of this section shall not apply to controlled-access highways~~ seventy-five miles per hour (75 m.p.h).

(2)(A) ~~Upon an engineering and traffic investigation, the State Highway Commission shall determine the~~ The maximum permissible speeds on controlled-access highways which shall be effective when appropriate signs giving notice are erected along the highway by the Arkansas State Highway and Transportation Department.

(B) ~~The commission shall fix the maximum permissible speed of trucks with a capacity of one and one half tons or more at ten miles per hour (10 m.p.h.) below the maximum permissible speed for automobiles.~~

(c) On all facilities other than controlled-access highways, except when a special hazard exists that requires lower speed for compliance with subsection (a) of this section, the limits specified in this section or



established as authorized shall be maximum lawful speeds, and ~~no~~ a person shall not drive a vehicle on a highway at a speed in excess of ~~the following limits:~~

- (1) Thirty miles per hour (30 m.p.h.) in any urban district;
- (2) Fifty miles per hour (50 m.p.h.) for trucks of one-and-one-half-ton capacity or more in other locations;
- (3) ~~Sixty~~ Sixty-five miles per hour ~~(60 m.p.h.)~~ (65 m.p.h.) for other motor vehicles in other locations; and
- (4) ~~No vehicle~~ A motor vehicle which is over width, over length, or over height or the gross load of which is in excess of sixty-four thousand pounds (64,000 lbs), excluding the front axle, even if operated under a special permit, shall not be operated in excess of thirty miles per hour (30 m.p.h.).

SECTION 2. Arkansas Code § 27-51-203 is repealed.

~~27-51-203. Authority to establish limits.~~

~~(a) The determination and establishment of safe maximum and minimum travel speeds for all motor vehicles using the facilities of the state highway system shall be vested in the State Highway Commission, whose power, responsibility, and duty it shall be to implement and maintain this control with all reasonable care and prudence.~~

~~(b) To this end, this section and §§ 27-51-204—27-51-207 shall be made supplemental to § 27-65-107.~~

SECTION 3. Arkansas Code § 27-51-204 is amended to read as follows:

27-51-204. Maximum ~~and minimum~~ speed limits - Exceptions.

~~(a)(1) The State Highway Commission shall determine, based upon studies of the engineering and traffic characteristics thereof, the maximum and minimum desirable speeds for all traffic facilities in the state highway system.~~

~~(2) These regulatory speeds shall be effective when appropriate signs giving notice thereof are erected.~~

~~(b)(1) The maximum ~~and minimum~~ speed limits posted under § 27-51-201 shall apply to all vehicles using the facility except authorized emergency vehicles on emergency trips, such as police vehicles on duty, fire vehicles~~

on calls, and ambulances; oversize/overweight vehicles moving under special permit issued by the Arkansas State Highway and Transportation Department or its lawfully delegated agents; and other specific vehicles for which special limits may be posted in particular situations or under particular conditions.

(2) This exemption shall not relieve any driver of an authorized emergency vehicle from his or her lawful responsibility to drive with due regard for the safety of all persons upon or using the highway facility, nor shall it protect the operator of any such vehicle from the consequence of a reckless disregard for the safety of others.

/s/Vaught

APPROVED: BECAME LAW ON 04/07/2017 WITHOUT THE GOVERNOR'S SIGNATURE.