

HB 1475

Rep. Ben Koppelman- Testimony

Mr. Chairman and Members of the Committee, thank you for the opportunity to introduce HB 1475 to your committee. HB 1475 will raise speed limit on interstates from 75 to 80 MPH, while still allowing the cities located along these corridors to control the speed of the sections of these highways where they pass through city limits. This increase in speed will be a phased in approach that will allow DOT to initially increase speeds in all the areas that can easily handle the speed, and work toward upgrading other areas that can handle the speed with minor improvements. The remaining areas of interstate will be phased in over time as roads are improved. The intent of the bill is to not interfere with DOT's ability to reduce speed in areas of highly dangerous highway, such as the scenic section of I-94, on a case-by-case basis if there is not a reasonable way to make it safe at the full speed limit.

Six of our neighboring states already have interstate speeds of 80 MPH, and they are all contiguous to each other as they are to us. These states are SD, MT, WY, ID, UT, and NV. Texas has highways at 80 MPH

and even some at 85 MPH. The irony here is that we probably have the highways with the least number of curves and hills.

Some would say that the prevailing speed limit is already 80 to 82 MPH on the interstates, and that if we increase the speed limit from 75 to 80 MPH that everyone would automatically drive in excess of 85 MPH. I disagree with that assessment. Although that is a possibility, I believe that if this bill is enacted, that law enforcement would likely reduce how many miles over the speed limit they would allow before ticketing. Also, studies have shown that as speed limit increase, drivers do not necessarily increase their speed by the same amount. For example, back when interstate speed limits were 55 MPH, it was not uncommon to have drivers going 10-15 miles over the limit, whereas now 5 MPH over is more common.

Over the past few session, some have criticized this proposal by saying, 'Everyone is already driving 5 MPH over the speed limit on these highways, why should we raise the limit? Is it that you want to drive 85 on the interstate?' To those questions I respond with this: As members of the Legislative branch, it is our responsibility to set policy, and it is the responsibility of the executive branch to decide how to execute that policy. Now, I am not here to criticize the Highway Patrol or other

law enforcement, but rather to recognize the separation of powers in our government. Therefore, it is my contention that since it appears that the roads continue to be safe with a prevailing speed of 5 MPH over the limit now that we should raise the limits to that point, and let the administrative branch decide if there should be any grace to those limits based on safety and other factors.

The Federal Highway Administration, the National Cooperative Highway Research Program, and the Institute of Transportation Engineers all recommend using the 85% rule to determine speed limits. That rule states that if more than 85% of the regular traffic drives above the **Posted Speed Limit**, then steps should be taken to raise the limit. In my experience, the prevailing speed on these highways is about 5 MPH over the respective limits. Why does the 85% rule work? Raising the limit causes slower traffic to move up to the prevailing speed and brings a more uniform traffic flow.

A study in Utah following their increase to 80 MPH found a 20% reduction in the number of people driving more than 80 MPH. The study showed that in some places the average speed increased by 2 MPH and in another area it went down 2 MPH. The overall effect was no change in the average speed. Utah is now looking at increases in the

speed limits on their rural roads. The bottom line is **People drive the speed that they feel safe and comfortable at, not the speed limit.**

Some will argue that everyone will just drive 85 MPH on interstates, but the violation statistics show that that just hasn't happened. If we use our sister state of South Dakota as an example, before the change in interstate speed limit from 75 to 80 MPH, there was an average of 2,800 speeding violations per month. After the change, that number dropped to 20 per month. At an average of \$50 per ticket, that is a reduction in fines that drivers paid from \$1.68M to \$12k. SD residents are now saving \$1.67M per year. In ND, we issued 4,400 tickets per month in 2016- half again more than SD did prior to their 80 MPH change. There is no doubt that the taxpayers of ND will see some additional upfront costs to implement the new speed limits, but I believe with the costs of fewer traffic stops and less fines paid, the citizens of ND will realize a net benefit from this change.

This is the fourth session that I have sponsored a bill like this, and hopefully the fourth time is a charm. Many of you may recall that the subject of this bill was important to former Speaker Wes Belter as well as the late Senator Lonny Laffen when they served in the legislature, and I believe that it will honor their legacy if we pass this bill.

Mr. Chairman and members of the committee, this bill will save our citizens time and money. It will not result in a substantial increase in our prevailing speed and it is not likely to change our traffic accident statistics related to speed in a negative way. It does have the potential of reducing the number of traffic stops each year which would reduce the safety risk to our law enforcement. I respectfully request a DO-PASS recommendation from the committee. Thank You for your time.

