

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 work with DOT 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 near Medora, 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

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

although I am supportive of efforts to increase penalties for those that are driving 20 MPH over the speed limit or driving in a reckless and out-of-control manner, I would ask that you pass this bill out of committee in its current form.

Now, some of you may recall that the subject of this bill was very important to former Speaker Wes Belter as well as the late Senator Lonny Laffen when they served in the legislature, and I believe that this bill will honor their legacy if it passes.

Mr. Chairman and members of the committee, although some would say it is minor, 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, and I would be happy to try and answer your questions.