



January 18, 2023

Senator David A. Clemens
State Capitol
600 E. Boulevard Ave.
Bismarck, ND 58505

AAA-The Auto Club Group
4950 13th Ave. S., Ste. 15
Fargo, ND 58103-7268

(701) 367-9257
eladoucer@acg.aaa.com

Chairman Clemens and Members of the Senate Transportation Committee,

AAA recognizes that many drivers like to exceed the speed limit. While we'd like to think people find the drive across our Legendary state relaxing and the sights inspirational, a good number of drivers want to cut every minute they can off their trips. While we don't condone exceeding posted speed limits, we're not opposed to some leeway in enforcement as long as the safety of all road users is considered.

Exceeding the speed limit by a few miles per hour can be seen as "pressing" the limit; however, AAA views speeds in excess of 15 mph over the limit on interstate highways, or 10 mph on residential streets, as aggressive. A speed of more than 20 mph over a posted speed limit is not only aggressive, it is irresponsible and very unsafe. At that point a driver would be approaching 100 mph on an interstate or 55-60 mph on many city streets. Consider the following:

High speeds lead to more deaths. Research shows that as speeds go up, so do fatal crashes. Higher speeds increase closing rates, reduce reaction time and increase crash severity. High speeds are a factor in about one-third of fatal crashes each year in North Dakota.

Speed has a significant impact on pedestrian safety. The average risk of death for pedestrians increases exponentially the faster a vehicle is traveling, from 10% at 23 mph to 90% at 58 mph.

Even small speed increases can have huge impacts on crash outcomes and cancel the effectiveness of vehicle safety features, according to crash tests by the AAA Foundation for Traffic Safety, the Insurance Institute for Highway Safety and Humanetics. The faster a driver is going before a crash, the less likely the vehicle will slow to a survivable speed even if the driver has a chance to brake before impact. Cars are safer than they've ever been, but they cannot defy the laws of physics.

High speeds during hours of darkness are an even bigger concern as posted speeds are already exceeding the capabilities of vehicle headlights on most highways. AAA testing found that even with the most advanced headlight systems under ideal weather conditions, the ability to see an object in the roadway at night is reduced by as much as 60 percent when compared to driving in daylight. On high beam, headlights provide adequate lighting for maximum speeds of 48 to 55 mph.

The most widely accepted method by state and local agencies is to set the speed limit at or below the speed at which 85 percent of the traffic is moving. The 85th percentile speed is the speed not exceeded by 85 percent of drivers. In North Dakota, the 85th percentile speed on both I-29 and I-94 is about 82 mph, about 7 mph over the speed limit, according to the ND Department of Transportation. Speeds of more than 13 mph over the 85th percentile create increased crash risks for everyone sharing the road with aggressive drivers.

The overwhelming majority of North Dakota drivers disapprove of driving 20 mph or more over the posted speed limit. While a AAA survey of North Dakota drivers conducted last fall found that 85% considered it acceptable to drive 5 or 10 mph over the speed limit, just 1% said it was acceptable to drive more than 20 mph over the posted speed limit.

AAA appreciates that education is often preferred over punishment and higher fines. It is AAA's position that penalties for traffic violations should be fair, equitable and set at a point this discouraged unsafe behavior. We feel that doubling the current fine for the few drivers who choose to willfully exceed posted speed limits to such an extent they endanger other road users – including pedestrians – is a suitable way to bring attention to this dangerous and unacceptable behavior.

Mr. Chairman, and members of the committee, on behalf of AAA-The Auto Club Group and our more than 70,000 members in North Dakota, I urge a “Do Pass” recommendation on SB 2168.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene LaDoucer".

Gene LaDoucer
Regional Public Affairs Director

AAA-The Auto Club Group (ACG) is a membership based, non-profit corporation operating in fourteen states and two US Territories. It is one of the largest American Automobile Association (AAA) clubs in the United States with approximately 14 million members. ACG provides travel, insurance, automotive, and financial services to its members. In North Dakota, AAA – The Auto Club Group serves more than 70,000 members and works to represent the interests of members and the traveling public in the state legislature.