

110TH CONGRESS
2^D SESSION

H. R. 6458

To establish a national maximum speed limit of 60 miles per hour on highways, and 65 miles per hour on portions of the National Highway System located outside of an urbanized area.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2008

Ms. SPEIER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a national maximum speed limit of 60 miles per hour on highways, and 65 miles per hour on portions of the National Highway System located outside of an urbanized area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be referred to as the “Gasoline Savings
5 and Speed Limit Reduction Act of 2008”.

1 **SEC. 2. ESTABLISHMENT OF NATIONAL MAXIMUM SPEED**
2 **LIMITS.**

3 (a) NATIONAL MAXIMUM SPEED LIMITS.—Chapter 1
4 of title 23, United States Code, is amended by inserting
5 after section 149 the following:

6 **“§ 150. National maximum speed limits**

7 “(a) SPEED LIMIT REQUIREMENTS.—The Secretary
8 shall not approve a project under section 106 in any State
9 which has—

10 “(1) a maximum speed limit on any highway
11 within its jurisdiction in excess of 60 miles per hour,
12 other than a highway on the National Highway Sys-
13 tem located outside of an urbanized area;

14 “(2) a maximum speed limit on any highway
15 within its jurisdiction on the National Highway Sys-
16 tem located outside of an urbanized area in excess
17 of 65 miles per hour;

18 “(3) failed to meet the requirements of sub-
19 section (b); or

20 “(4) a speed limit on any portion of a public
21 highway within its jurisdiction which is not uni-
22 formly applicable to all types of motor vehicles using
23 such portion of highway, if on July 1, 2008, such
24 portion of highway had a speed limit which was uni-
25 formly applicable to all types of motor vehicles using
26 it, except that—

1 “(A) a lower speed limit may be estab-
2 lished for any vehicle operating under a special
3 permit because of the weight or dimension of
4 such vehicle, including any load thereon; and

5 “(B) this paragraph shall not apply to any
6 portion of a highway during such time that the
7 condition of the highway, weather, an accident,
8 or other condition creates a temporary hazard
9 to the safety of traffic.

10 “(b) CERTIFICATION.—

11 “(1) CERTIFICATION REQUIREMENT.—Each
12 State shall certify to the Secretary before January
13 1 of each year, beginning in 2009, that it is enforce-
14 ing all speed limits on public highways in accordance
15 with this section.

16 “(2) DATA REQUIREMENTS.—

17 “(A) IN GENERAL.—Each State shall sub-
18 mit to the Secretary such data as the Secretary
19 determines by rule is necessary to support the
20 certification of the State under this subsection,
21 including data required under subparagraph
22 (B).

23 “(B) DATA ON SPEED LIMIT VIOLA-
24 TIONS.—

1 “(i) IN GENERAL.—Each State shall
2 submit to the Secretary data on the per-
3 centage of motor vehicles exceeding the
4 speed limit on maximum speed limit high-
5 ways, including data on—

6 “(I) citations; and

7 “(II) travel speed, including the
8 posted speed limit and design charac-
9 teristics of roads from which travel
10 speed data are gathered.

11 “(ii) ESTABLISHMENT OF CRI-
12 TERIA.—The Secretary shall establish cri-
13 teria for data submitted under this sub-
14 paragraph, including criteria which take
15 into account the variability of speedometer
16 readings and criteria based on the speeds
17 of all vehicles or a representative sample
18 thereof.

19 “(C) DATA COLLECTION.—The Secretary
20 shall issue regulations which ensure that—

21 “(i) the monitoring programs con-
22 ducted by the States to collect data for
23 purposes of this subsection are uniform;

24 “(ii) devices and equipment for such
25 programs are placed at locations on max-

1 imum speed limit highways on a scientif-
2 ically random basis which takes into ac-
3 count the relative risk, as determined by
4 the Secretary, of motor vehicle accidents
5 occurring considering the classes of such
6 highways and the speeds at which vehicles
7 travel on such classes of highways; and

8 “(iii) the data submitted under this
9 subsection will be in such form as the Sec-
10 retary determines is necessary to carry out
11 this section.

12 “(c) PENALTY FOR UNDERENFORCEMENT.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (2), if the data submitted by a State pursuant
15 to subsection (b) at the end of a fiscal year show
16 that the percentage of motor vehicles exceeding the
17 speed limit on maximum speed limit highways in the
18 State is greater than the maximum percentage es-
19 tablished for such fiscal year under this paragraph,
20 the Secretary shall transfer a percentage of the ag-
21 gregate amount of Federal-aid highway funds appor-
22 tioned to the State under sections 104(b)(1) and
23 104(b)(3) for the fiscal year ending 2 years later to
24 one or more State safety projects, as follows:

1 “(A) 2009.—For the fiscal year ending
2 September 30, 2009, if the percentage of motor
3 vehicles exceeding the speed limit on maximum
4 speed highways in the State is greater than 70
5 percent, the Secretary shall transfer up to 5
6 percent of the aggregate amount of Federal-aid
7 highway funds apportioned to the State under
8 sections 104(b)(1) and 104(b)(3) for the fiscal
9 year ending September 30, 2011, to one or
10 more State safety projects.

11 “(B) 2010.—For the fiscal year ending
12 September 30, 2010, if the percentage of motor
13 vehicles exceeding the speed limit on maximum
14 speed highways in the State is greater than 60
15 percent, the Secretary shall transfer up to 5 per-
16 cent of the aggregate amount of Federal-aid
17 highway funds apportioned to the State under
18 sections 104(b)(1) and 104(b)(3) for the fiscal
19 year ending September 30, 2012, to one or
20 more State safety projects.

21 “(C) 2011.—For the fiscal year ending
22 September 30, 2011, if the percentage of motor
23 vehicles exceeding the speed limit on maximum
24 speed highways in the State is greater than 50
25 percent, the Secretary shall transfer up to 5

1 percent of the aggregate amount of Federal-aid
2 highway funds apportioned to the State under
3 sections 104(b)(1) and 104(b)(3) for the fiscal
4 year ending September 30, 2013, to one or
5 more State safety projects.

6 “(D) 2012.—For the fiscal year ending
7 September 30, 2012, if the percentage of motor
8 vehicles exceeding the speed limit on maximum
9 speed highways in the State is greater than 40
10 percent, the Secretary shall transfer up to 10
11 percent of the aggregate amount of Federal-aid
12 highway funds apportioned to the State under
13 sections 104(b)(1) and 104(b)(3) for the fiscal
14 year ending September 30, 2014, to one or
15 more State safety projects.

16 “(E) 2013.—For the fiscal year ending
17 September 30, 2013, if the percentage of motor
18 vehicles exceeding the speed limit on maximum
19 speed highways in the State is greater than 30
20 percent, the Secretary shall transfer up to 10
21 percent of the aggregate amount of Federal-aid
22 highway funds apportioned to the State under
23 sections 104(b)(1) and 104(b)(3) for the fiscal
24 year ending September 30, 2015, to one or
25 more State safety projects.

1 “(F) SUBSEQUENT YEARS.—In a fiscal
2 year following the fiscal year ending September
3 30, 2013, if the percentage of motor vehicles
4 exceeding the speed limit on maximum speed
5 highways in the State is greater than 30 per-
6 cent, the Secretary shall transfer up to 10 per-
7 cent of the aggregate amount of Federal-aid
8 highway funds apportioned to the State under
9 sections 104(b)(1) and 104(b)(3) for the fiscal
10 year ending 2 years later, to one or more State
11 safety projects.

12 “(2) HARDSHIP EXEMPTION.—Notwithstanding
13 paragraph (1), if the Secretary determines, in ac-
14 cordance with criteria established by the Secretary,
15 that a transfer of funds under paragraph (1) would
16 result in hardship to a State in the fiscal year in
17 which the transfer would apply, the Secretary shall
18 defer the transfer until the subsequent fiscal year.

19 “(d) DEFINITIONS.—In this section:

20 “(1) MOTOR VEHICLE.—The term ‘motor vehi-
21 cle’ means any vehicle driven or drawn by mechan-
22 ical power manufactured primarily for use on public
23 highways, except any vehicle operated exclusively on
24 a rail or rails.

1 “(2) MAXIMUM SPEED LIMIT HIGHWAY.—The
2 term ‘maximum speed limit highway’ means a high-
3 way subject to the speed limits established under
4 paragraphs (1) and (2) of subsection (a).

5 “(3) SAFETY PROJECT.—The term ‘safety
6 project’ means a project carried out for the purpose
7 of safety under this title, including a project to pro-
8 mote the awareness and education of the public con-
9 cerning highway safety matters (including motorcy-
10 clist safety) and to enforce highway safety laws.”.

11 (b) STUDY.—

12 (1) IN GENERAL.—The Secretary shall arrange
13 with the Transportation Research Board of the Na-
14 tional Academy of Sciences to conduct a comprehen-
15 sive study and investigation of the following:

16 (A) BENEFITS OF THE PROGRAM.—The
17 benefits, both human and economic, of lowered
18 speeds due to the enactment of this Act, with
19 particular attention to the savings to taxpayers.

20 (B) EFFECTIVENESS OF STATE ENFORCE-
21 MENT.—Whether the laws of each State con-
22 stitute a substantial deterrent to violations of
23 the speed limit on maximum speed limit high-
24 ways.

1 (2) REPORT.—In entering into an arrangement
2 with the Transportation Research Board of the Na-
3 tional Academy of Sciences for conducting such
4 study and investigation, the Secretary shall request
5 the Board to report to the Secretary and Congress
6 not later than 12 months after the date of enact-
7 ment of this Act on the results of such study and
8 investigation, together with its recommendations.
9 The Secretary shall furnish to the Board on request
10 any information which the Board considers nec-
11 essary for the purpose of conducting the investiga-
12 tion and study authorized by this section.

13 (c) CONFORMING AMENDMENT.—The analysis for
14 chapter 1 of title 23, United States Code, is amended by
15 inserting after the item relating to section 149 the fol-
16 lowing:

“150. National maximum speed limits.”.

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