

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 407 Session of
1989

INTRODUCED BY WOZNIAK, GEIST, RAYMOND, OLIVER, TRELLO, FOX,
BUNT, HOWLETT, PETRARCA, RICHARDSON, HECKLER, PRESTON,
VAN HORNE, MERRY, FARMER AND DALEY, FEBRUARY 13, 1989

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 13, 1989

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for a speed limit of 65 miles per hour on
3 rural interstate highways and on a certain portion of the
4 Pennsylvania Turnpike; and further providing for speed timing
5 devices.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Sections 3362, 3368(c) and 6110(a) of Title 75 of
9 the Pennsylvania Consolidated Statutes are amended to read:

10 § 3362. Maximum speed limits.

11 (a) General rule.--Except when a special hazard exists that
12 requires lower speed for compliance with section 3361 (relating
13 to driving vehicle at safe speed), the limits specified in this
14 [subsection] section or established under this subchapter shall
15 be maximum lawful speeds and no person shall drive a vehicle at
16 a speed in excess of the following maximum limits:

- 17 (1) 35 miles per hour in any urban district.
- 18 (2) 55 miles per hour in other locations.
- 19 (3) Any other maximum speed limit established under this

subchapter.

(a.1) Limit on certain highways.--Notwithstanding subsection

(a), the speed limit, for passenger cars only, on rural

interstate highways and the east-west portion of the

Pennsylvania Turnpike bearing interstate highway designation

shall be 65 miles per hour.

(b) Posting of speed limit.--No maximum speed limit

established under subsection (a)(1) or (3) shall be effective

unless posted on fixed or variable official traffic-control

devices erected in accordance with regulations adopted by the

department which regulations shall require posting at the

beginning and end of each speed zone and at intervals not

greater than one-half mile.

(c) Penalty.--Any person violating this section is guilty of

a summary offense and shall, upon conviction, be sentenced to

pay a fine of \$35. Any person exceeding the maximum speed limit

by more than five miles per hour shall pay an additional fine of

\$2 per mile for each mile in excess of five miles per hour over

the maximum speed limit.

(d) Rural interstate highways.--The department shall

determine what constitutes a rural interstate highway. The

determination shall be based on the population of the area in

which the highway is located and on the number of motor vehicles

which use the highway's access and exit ramps. A section of an

interstate highway may be designated as rural and the speed

limit of that section may be set at 65 miles per hour, even

though another portion of that highway, because it is located in

an area of dense population and heavy vehicular ingress and

egress, is not designated as rural and the speed limit on that

section is 55 miles per hour.

1 § 3368. Speed timing devices.

2 * * *

3 (c) Mechanical, electrical and electronic devices
4 authorized.--

5 (1) Except as otherwise provided in this section, the
6 rate of speed of any vehicle may be timed on any highway by a
7 police officer using a mechanical or electrical speed timing
8 device.

9 (2) Except as otherwise provided in paragraph (3),
10 electronic devices such as radio-microwave devices (commonly
11 referred to as electronic speed meters or radar) may be used
12 only by members of the Pennsylvania State Police.

13 (3) Electronic devices which calculate speed by
14 measuring elapsed time between measured road surface points
15 by using two sensors and devices which measure and calculate
16 the average speed of a vehicle between any two points may be
17 used by any police officer.

18 (4) No person may be convicted upon evidence obtained
19 through the use of devices authorized by paragraphs (2) and
20 (3) unless the speed recorded is [six] two or more miles per
21 hour in excess of the legal speed limit. Furthermore, no
22 person may be convicted upon evidence obtained through the
23 use of devices authorized by paragraph (3) in an area where
24 the legal speed limit is less than 55 miles per hour if the
25 speed recorded is less than ten miles per hour in excess of
26 the legal speed limit. This paragraph shall not apply to
27 evidence obtained through the use of devices authorized by
28 paragraph (3) within a school zone.

29 * * *

30 § 6110. Regulation of traffic on Pennsylvania Turnpike.

1 (a) General rule.--The provisions of this title apply upon
2 any turnpike or highway under the supervision and control of the
3 Pennsylvania Turnpike Commission unless specifically modified by
4 rules and regulations promulgated by the commission which shall
5 become effective only upon publication in accordance with law. A
6 copy of the rules and regulations, so long as they are
7 effective, shall be posted at all entrances to the turnpike or
8 highway for the inspection of persons using the turnpike or
9 highway. This section does not authorize the establishment of a
10 maximum speed limit greater than 55 miles per hour on any
11 portion of the Pennsylvania Turnpike not bearing an interstate
12 highway designation.

13 * * *

14 Section 2. This act shall take effect immediately.