

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 245 Session of  
1995

INTRODUCED BY BELL, JANUARY 23, 1995

SENATOR CORMAN, TRANSPORTATION, AS AMENDED, APRIL 26, 1995

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, increasing the maximum speed limit on certain  
3 interstate highways; and AND OTHER HIGHWAYS; AND FURTHER <—  
4 providing for the use of speed timing devices.

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

7 ~~Section 1. Sections 3362, 3363 and 3368(c) of Title 75 of~~ <—  
8 ~~the Pennsylvania Consolidated Statutes are amended to read:~~

9 SECTION 1. SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA <—  
10 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:  
11 § 102. DEFINITIONS.

12 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT  
13 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC  
14 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN  
15 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
16 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

17 \* \* \*

18 "INTERSTATE HIGHWAY." A FREEWAY ON THE DWIGHT D. EISENHOWER

1 SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS.

2 \* \* \*

3 SECTION 2. SECTIONS 3362, 3363 AND 3368(C) OF TITLE 75 ARE  
4 AMENDED TO READ:

5 § 3362. Maximum speed limits.

6 (a) General rule.--Except when a special hazard exists that  
7 requires lower speed for compliance with section 3361 (relating  
8 to driving vehicle at safe speed), the limits specified in this  
9 ~~[subsection]~~ SECTION or established under this subchapter shall <—  
10 be maximum lawful speeds and no person shall drive a vehicle at  
11 a speed in excess of the following maximum limits:

12 (1) 35 miles per hour in any urban district.

13 ~~(2) 55 miles per hour in other locations except on~~ <—  
14 ~~interstate highways outside of urbanized areas of population~~  
15 ~~of 50,000 or more.~~

16 ~~(2.1) 65 miles per hour on interstate highways outside~~  
17 ~~of urbanized areas of population of 50,000 or more.~~

18 (1.1) 65 MILES PER HOUR: <—

19 (I) ON INTERSTATE HIGHWAYS OUTSIDE OF URBANIZED  
20 AREAS OF POPULATION OF 50,000 OR MORE; AND

21 (II) ON OTHER FREEWAYS WHERE THE DEPARTMENT HAS  
22 POSTED A 65-MILES-PER-HOUR SPEED LIMIT IN ACCORDANCE WITH  
23 THE PROVISIONS OF 23 U.S.C. (RELATING TO HIGHWAYS).

24 (2) 55 MILES PER HOUR IN OTHER LOCATIONS.

25 (3) Any other maximum speed limit established under this  
26 subchapter.

27 (b) Posting of speed limit. ~~No~~ LIMIT.-- <—

28 (1) NO maximum speed limit established under subsection

29 (a)(1) or (3) shall be effective unless posted on fixed or  
30 variable official traffic-control devices erected in

1 accordance with regulations adopted by the department which  
2 regulations shall require posting at the beginning and end of  
3 each speed zone and at intervals not greater than one-half  
4 mile.

5 (2) NO MAXIMUM SPEED LIMIT ESTABLISHED UNDER SUBSECTION <—  
6 (A)(1.1) SHALL BE EFFECTIVE UNLESS POSTED ON FIXED OR  
7 VARIABLE OFFICIAL TRAFFIC-CONTROL DEVICES ERECTED AFTER EACH  
8 INTERCHANGE ON THE PORTION OF HIGHWAY ON WHICH THE SPEED  
9 LIMIT IS IN EFFECT AND WHEREVER ELSE THE DEPARTMENT SHALL  
10 DETERMINE.

11 (c) Report required.--When a speed limit in excess of 55  
12 miles per hour is established on an interstate highway, the  
13 department shall report to the Transportation Committee of the  
14 Senate and the Transportation Committee of the House of  
15 Representatives on the effect of the increased speed limit. The  
16 report shall be submitted a reasonable time after the increased  
17 speed limit has been in effect for at least one year. The report  
18 shall include an in-depth evaluation, with statistical and other  
19 relevant data, of the enforcement of the increased speed limit  
20 and the incidents of accidents and deaths as a result of the  
21 increased speed limit.

22 [(c)] (d) Penalty.--Any person violating this section is  
23 guilty of a summary offense and shall, upon conviction, be  
24 sentenced to pay a fine of [\$35.] \$50 FOR VIOLATING A MAXIMUM <—  
25 SPEED LIMIT OF 65 MILES PER HOUR OR A FINE OF \$35 FOR VIOLATING  
26 ANY OTHER MAXIMUM SPEED LIMIT. Any person exceeding the maximum  
27 speed limit by more than five miles per hour shall pay an  
28 additional fine of \$2 per mile for each mile in excess of five  
29 miles per hour over the maximum speed limit.

30 § 3363. Alteration of maximum limits.

1       The department or local authorities on highways under their  
2       respective jurisdictions, upon the basis of an engineering and  
3       traffic investigation, may determine that the maximum speed  
4       permitted under this subchapter is greater or less than is  
5       reasonable and safe under the conditions found to exist upon any  
6       such highway or part thereof and establish a reasonable and safe  
7       maximum limit. The maximum speed limit may be made effective at  
8       all times or at times indicated and may vary for different  
9       weather conditions and other factors bearing on safe speeds. No  
10      maximum speed greater than 55 miles per hour shall be  
11      established under this section except on interstate highways  
12      outside of urbanized areas of population of 50,000 or more where  
13      the maximum speed shall not be greater than 65 miles per hour.

14   § 3368. Speed timing devices.

15       \* \* \*

16       (c) Mechanical, electrical and electronic devices  
17      authorized.--

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

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

26           (3) Electronic devices which calculate speed by  
27      measuring elapsed time between measured road surface points  
28      by using two sensors and devices which measure and calculate  
29      the average speed of a vehicle between any two points may be  
30      used by any police officer.

1 (4) No person may be convicted upon evidence obtained  
2 through the use of devices authorized by paragraphs (2) and  
3 (3) unless the speed recorded is [six] FOUR or more miles per <—  
4 hour in excess of the legal speed limit. Furthermore, no  
5 person may be convicted upon evidence obtained through the  
6 use of devices authorized by paragraph (3) in an area where  
7 the legal speed limit is less than 55 miles per hour if the  
8 speed recorded is less than ten miles per hour in excess of  
9 the legal speed limit. This paragraph shall not apply to  
10 evidence obtained through the use of devices authorized by  
11 paragraph (3) within a school zone.

12 ~~(5) Persons shall be convicted upon evidence obtained <—~~  
13 ~~through the use of devices authorized by this section when~~  
14 ~~the speed recorded exceeds the legal speed limit of 65 miles~~  
15 ~~per hour.~~

16 \* \* \*

17 SECTION 3. SECTION 6110(A) OF TITLE 75 IS AMENDED AND THE <—  
18 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

19 § 6110. REGULATION OF TRAFFIC ON PENNSYLVANIA TURNPIKE.

20 (A) GENERAL RULE.--THE PROVISIONS OF THIS TITLE APPLY UPON  
21 ANY TURNPIKE OR HIGHWAY UNDER THE SUPERVISION AND CONTROL OF THE  
22 PENNSYLVANIA TURNPIKE COMMISSION UNLESS SPECIFICALLY MODIFIED BY  
23 RULES AND REGULATIONS PROMULGATED BY THE COMMISSION WHICH SHALL  
24 BECOME EFFECTIVE ONLY UPON PUBLICATION IN ACCORDANCE WITH LAW. A  
25 COPY OF THE RULES AND REGULATIONS, SO LONG AS THEY ARE  
26 EFFECTIVE, SHALL BE POSTED AT ALL ENTRANCES TO THE TURNPIKE OR  
27 HIGHWAY FOR THE INSPECTION OF PERSONS USING THE TURNPIKE OR  
28 HIGHWAY. THIS SECTION DOES NOT AUTHORIZE THE ESTABLISHMENT OF A  
29 MAXIMUM SPEED LIMIT GREATER THAN 55 MILES PER HOUR[.], EXCEPT  
30 THAT A 65-MILES-PER-HOUR MAXIMUM SPEED LIMIT SHALL BE

1 ESTABLISHED:

2 (1) ON INTERSTATE HIGHWAYS OUTSIDE OF URBANIZED AREAS OF  
3 POPULATION OF 50,000 OR MORE; AND

4 (2) ON OTHER FREEWAYS WHERE THE COMMISSION HAS POSTED A  
5 65-MILES-PER-HOUR SPEED LIMIT IN ACCORDANCE WITH THE  
6 PROVISIONS OF 23 UNITED STATES CODE (RELATING TO HIGHWAYS).

7 (A.1) POSTING.--NO MAXIMUM SPEED LIMIT ESTABLISHED UNDER  
8 SUBSECTION (A)(1) OR (2) SHALL BE EFFECTIVE UNLESS POSTED ON  
9 FIXED OR VARIABLE OFFICIAL TRAFFIC-CONTROL DEVICES ERECTED AFTER  
10 EACH INTERCHANGE ON THE PORTION OF HIGHWAY ON WHICH THE SPEED  
11 LIMIT IS IN EFFECT AND WHEREVER ELSE THE COMMISSION SHALL  
12 DETERMINE.

13 \* \* \*

14 Section 2 4. This act shall take effect in 60 days.

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