

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

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 28, 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.

(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 OUTSIDE OF AN URBANIZED AREA OF 50,000 POPULATION OR MORE 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 AS SPECIFIED IN 23 U.S.C. § 154. A section of an interstate highway may be designated as rural and, ON THE APPROVAL OF THE DEPARTMENT THAT THE HIGHWAY MEETS MINIMUM DESIGN CRITERIA AND SAFETY STANDARDS, the speed limit of that section may be set at 65 miles per hour,

1 even though another portion of that highway, because it is
2 located in an area of dense population and heavy vehicular <—
3 ingress and egress, is not designated as rural and the speed
4 limit on that section is 55 miles per hour.

5 § 3368. Speed timing devices.

6 * * *

7 (c) Mechanical, electrical and electronic devices
8 authorized.--

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

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

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

22 (4) No person may be convicted upon evidence obtained
23 through the use of devices authorized by paragraphs (2) and
24 (3) unless the speed recorded is ~~{six} two~~ or more miles per <—
25 hour in excess of the legal speed limit OR TWO OR MORE MILES <—
26 PER HOUR IN EXCESS OF THE LEGAL SPEED LIMIT IN AN AREA WHERE
27 THE MAXIMUM SPEED LIMIT IS 65 MILES PER HOUR. Furthermore, no
28 person may be convicted upon evidence obtained through the
29 use of devices authorized by paragraph (3) in an area where
30 the legal speed limit is less than 55 miles per hour if the

1 speed recorded is less than ten miles per hour in excess of
2 the legal speed limit. This paragraph shall not apply to
3 evidence obtained through the use of devices authorized by
4 paragraph (3) within a school zone.

5 * * *

6 § 6110. Regulation of traffic on Pennsylvania Turnpike.

7 (a) General rule.--The provisions of this title apply upon
8 any turnpike or highway under the supervision and control of the
9 Pennsylvania Turnpike Commission unless specifically modified by
10 rules and regulations promulgated by the commission which shall
11 become effective only upon publication in accordance with law. A
12 copy of the rules and regulations, so long as they are

13 effective, shall be posted at all entrances to the turnpike or
14 highway for the inspection of persons using the turnpike or
15 highway. This section does not authorize the establishment of a
16 maximum speed limit greater than 55 miles per hour on any

17 portion of the Pennsylvania Turnpike not bearing an interstate <—

18 highway designation OUTSIDE OF AN URBANIZED AREA OF 50,000 <—

19 POPULATION OR MORE. ANY MAXIMUM SPEED LIMIT GREATER THAN 55

20 MILES PER HOUR IS SUBJECT TO THE APPROVAL OF THE COMMISSION THAT

21 THE PORTION OF THE TURNPIKE WHERE THE GREATER SPEED LIMIT WILL

22 BE IN EFFECT MEETS MINIMUM DESIGN CRITERIA AND SAFETY STANDARDS.

23 * * *

24 Section 2. This act shall take effect immediately.