

No. 1995-9

AN ACT

SB 245

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the maximum speed limit on certain interstate and other highways.

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

Section 1. Section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

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“Interstate highway.” A freeway on the Dwight D. Eisenhower System of Interstate and Defense Highways.

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Section 2. Sections 3362 and 3363 of Title 75 are amended to read:
§ 3362. Maximum speed limits.

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

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

(1.1) 65 miles per hour for all vehicles:

(i) on interstate highways outside of urbanized areas of population of 50,000 or more; and

(ii) on other freeways where the department has posted a 65-miles-per-hour speed limit in accordance with the provisions of 23 U.S.C. (relating to highways).

(2) 55 miles per hour in other locations.

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

(b) Posting of speed limit.—

(1) 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.

(2) No maximum speed limit established under subsection (a)(1.1) shall be effective unless posted on fixed or variable official traffic-control devices erected after each interchange on the portion of highway on which the speed limit is in effect and wherever else the department shall determine.

(c) Penalty.—

(1) Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of [\$35.]:

(i) \$42.50 for violating a maximum speed limit of 65 miles per hour; or

(ii) \$35 for violating any other maximum speed limit.

(2) 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.

§ 3363. Alteration of maximum limits.

The department or local authorities on highways under their respective jurisdictions, upon the basis of an engineering and traffic investigation, may determine that the maximum speed permitted under this subchapter is greater or less than is reasonable and safe under the conditions found to exist upon any such highway or part thereof and establish a reasonable and safe maximum limit. The maximum speed limit may be made effective at all times or at times indicated and may vary for different weather conditions and other factors bearing on safe speeds. No maximum speed greater than 55 miles per hour shall be established under this section *except on highways listed in section 3362(a)(1.1) (relating to maximum speed limits), where the maximum speed for all vehicles shall not be greater than 65 miles per hour.*

Section 3. Section 6110(a) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 6110. Regulation of traffic on Pennsylvania Turnpike.

(a) General rule.—The provisions of this title apply upon any turnpike or highway under the supervision and control of the Pennsylvania Turnpike Commission unless specifically modified by rules and regulations promulgated by the commission which shall become effective only upon publication in accordance with law. A copy of the rules and regulations, so long as they are effective, shall be posted at all entrances to the turnpike or highway for the inspection of persons using the turnpike or highway. This section does not authorize the establishment of a maximum speed limit greater than 55 miles per hour[.], *except that a 65-miles-per-hour maximum speed limit for all vehicles may be established:*

(1) on interstate highways outside of urbanized areas of population of 50,000 or more; and

(2) on other freeways where the commission has posted a 65-miles-per-hour speed limit in accordance with the provisions of 23 United States Code (relating to highways).

(a.1) Posting.—No maximum speed limit established under subsection (a)(1) or (2) shall be effective unless posted on fixed or variable official traffic-control devices erected after each interchange on the portion of highway on which the speed limit is in effect and wherever else the commission shall determine.

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Section 4. The designation of a speed limit in excess of 55 miles per hour authorized upon any interstate highway or turnpike shall require the Department of Transportation and the Pennsylvania Turnpike Commission to issue a report to the Transportation Committee of the Senate and the Transportation Committee of the House of Representatives on the effect of the increased speed limit. The report shall be submitted within a reasonable time after the increased speed limit has been in effect for at least one year.

Section 5. This act shall take effect in 30 days.

APPROVED—The 13th day of June, A.D. 1995.

THOMAS J. RIDGE