
SENATE BILL 5398

State of Washington

52nd Legislature

1991 Regular Session

By Senators Hansen and Rasmussen.

Read first time January 30, 1991. Referred to Committee on Transportation.

1 AN ACT Relating to a sixty-five mile per hour speed limit; and
2 amending RCW 46.61.400, 46.61.405, 46.61.410, and 46.61.415.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.400 and 1965 ex.s. c 155 s 54 are each amended
5 to read as follows:

6 (1) No person shall drive a vehicle on a highway at a speed greater
7 than is reasonable and prudent under the conditions and having regard
8 to the actual and potential hazards then existing. In every event
9 speed shall be so controlled as may be necessary to avoid colliding
10 with any person, vehicle or other conveyance on or entering the highway
11 in compliance with legal requirements and the duty of all persons to
12 use due care.

13 (2) Except when a special hazard exists that requires lower speed
14 for compliance with subsection (1) of this section, the limits

1 specified in this section or established as hereinafter authorized
2 shall be maximum lawful speeds, and no person shall drive a vehicle on
3 a highway at a speed in excess of such maximum limits.

4 (a) Twenty-five miles per hour on city and town streets;

5 (b) Fifty miles per hour on county roads;

6 (c) Sixty miles per hour on state highways;

7 (d) Sixty-five miles per hour on highways having at least two lanes
8 in each direction outside city limits.

9 The maximum speed limits set forth in this section may be altered
10 as authorized in RCW 46.61.405, 46.61.410, and 46.61.415.

11 (3) The driver of every vehicle shall, consistent with the
12 requirements of subsection (1) of this section, drive at an appropriate
13 reduced speed when approaching and crossing an intersection or railway
14 grade crossing, when approaching and going around a curve, when
15 approaching a hill crest, when traveling upon any narrow or winding
16 roadway, and when special hazard exists with respect to pedestrians or
17 other traffic or by reason of weather or highway conditions.

18 **Sec. 2.** RCW 46.61.405 and 1987 c 397 s 3 are each amended to read
19 as follows:

20 Whenever the secretary of transportation shall determine upon the
21 basis of an engineering and traffic investigation that any maximum
22 speed hereinbefore set forth is greater than is reasonable or safe with
23 respect to a state highway under the conditions found to exist at any
24 intersection or upon any other part of the state highway system or at
25 state ferry terminals, (~~or that a general reduction of any maximum~~
26 ~~speed set forth in RCW 46.61.400 is necessary in order to comply with~~
27 ~~a national maximum speed limit,)) the secretary may determine and
28 declare a reasonable and safe lower maximum limit (~~or a lower maximum~~
29 ~~limit which will comply with a national maximum speed limit,)) for any~~~~

1 state highway(~~(, the entire state highway system,)~~) or any portion
2 thereof, which shall be effective when appropriate signs giving notice
3 thereof are erected. The secretary may also fix and regulate the speed
4 of vehicles on any state highway within the maximum speed limit allowed
5 by this chapter for special occasions including, but not limited to,
6 local parades and other special events. Any such maximum speed limit
7 may be declared to be effective at all times or at such times as are
8 indicated upon the said signs; and differing limits may be established
9 for different times of day, different types of vehicles, varying
10 weather conditions, and other factors bearing on safe speeds, which
11 shall be effective (a) when posted upon appropriate fixed or variable
12 signs or (b) if a maximum limit is established for auto stages which is
13 lower than the limit for automobiles, the auto stage speed limit shall
14 become effective thirty days after written notice thereof is mailed in
15 the manner provided in subsection (4) of RCW 46.61.410(~~(, as now or~~
16 ~~hereafter amended.))~~)

17 **Sec. 3.** RCW 46.61.410 and 1987 c 397 s 4 are each amended to read
18 as follows:

19 (1) (a) Subject to subsection (2) of this section the secretary may
20 increase the maximum speed limit on any highway or portion thereof to
21 not more than seventy miles per hour in accordance with the design
22 speed thereof (taking into account all safety elements included
23 therein), or whenever the secretary determines upon the basis of an
24 engineering and traffic investigation that such greater speed is
25 reasonable and safe under the circumstances existing on such part of
26 the highway.

27 (b) (~~If the federal government increases the national maximum~~
28 ~~speed limit to at least sixty five miles per hour on any part of the~~
29 ~~highway system, the secretary of transportation shall forthwith~~

1 increase to that same speed the maximum speed limit on any such highway
2 or portion thereof then posted at fifty five miles per hour to a
3 maximum of sixty five miles per hour, subject to subsection (2) of this
4 section, if such limit had been established for that highway or portion
5 thereof in order to comply with the former national maximum speed
6 limit. However, if an engineering and traffic investigation conducted
7 by the department clearly indicates that a speed limit above fifty five
8 miles an hour would be unsafe for that highway or a portion thereof,
9 the secretary of transportation shall not increase the speed limit for
10 that highway or portion thereof above the safe speed indicated by the
11 investigation. The speed limit on interstate route number 5 between
12 Everett and Olympia may not be increased above fifty five miles per
13 hour under this subsection (b).

14 (e)) The greater maximum limit established under (a) ((or (b))) of
15 this subsection shall be effective when appropriate signs giving notice
16 thereof are erected, or if a maximum limit is established for auto
17 stages which is lower than the limit for automobiles, the auto stage
18 speed limit shall become effective thirty days after written notice
19 thereof is mailed in the manner provided in subsection (4) of this
20 section.

21 ((d)) (c) Such maximum speed limit may be declared to be
22 effective at all times or at such times as are indicated upon said
23 signs or in the case of auto stages, as indicated in said written
24 notice; and differing limits may be established for different times of
25 day, different types of vehicles, varying weather conditions, and other
26 factors bearing on safe speeds, which shall be effective when posted
27 upon appropriate fixed or variable signs or if a maximum limit is
28 established for auto stages which is lower than the limit for
29 automobiles, the auto stage speed limit shall become effective thirty

1 days after written notice thereof is mailed in the manner provided in
2 subsection (4) of this section.

3 (2) The maximum speed limit for vehicles over ten thousand pounds
4 gross weight and vehicles in combination except auto stages shall not
5 exceed sixty miles per hour and may be established at a lower limit by
6 the secretary as provided in RCW 46.61.405.

7 (3) The word "trucks" used by the department on signs giving notice
8 of maximum speed limits means vehicles over ten thousand pounds gross
9 weight and all vehicles in combination except auto stages.

10 (4) Whenever the secretary establishes maximum speed limits for
11 auto stages lower than the maximum limits for automobiles, the
12 secretary shall cause to be mailed notice thereof to each auto
13 transportation company holding a certificate of public convenience and
14 necessity issued by the Washington utilities and transportation
15 commission. The notice shall be mailed to the chief place of business
16 within the state of Washington of each auto transportation company or
17 if none then its chief place of business without the state of
18 Washington.

19 **Sec. 4.** RCW 46.61.415 and 1977 ex.s. c 151 s 36 are each amended
20 to read as follows:

21 (1) Whenever local authorities in their respective jurisdictions
22 determine on the basis of an engineering and traffic investigation that
23 the maximum speed permitted under RCW 46.61.400 or 46.61.440 is greater
24 or less than is reasonable and safe under the conditions found to exist
25 upon a highway or part of a highway, the local authority may determine
26 and declare a reasonable and safe maximum limit thereon which

27 (a) Decreases the limit at intersections; or

28 (b) Increases the limit but not to more than sixty-five miles per
29 hour; or

1 (c) Decreases the limit but not to less than twenty miles per hour.

2 (2) Local authorities in their respective jurisdictions shall
3 determine by an engineering and traffic investigation the proper
4 maximum speed for all arterial streets and shall declare a reasonable
5 and safe maximum limit thereon which may be greater or less than the
6 maximum speed permitted under RCW 46.61.400(2) but shall not exceed
7 sixty-five miles per hour.

8 ~~(3) ((The secretary of transportation is authorized to establish
9 speed limits on county roads and city and town streets as shall be
10 necessary to conform with any federal requirements which are a
11 prescribed condition for the allocation of federal funds to the state.~~

12 ~~(4))~~ Any altered limit established as hereinbefore authorized
13 shall be effective when appropriate signs giving notice thereof are
14 erected. Such maximum speed limit may be declared to be effective at
15 all times or at such times as are indicated upon such signs; and
16 differing limits may be established for different times of day,
17 different types of vehicles, varying weather conditions, and other
18 factors bearing on safe speeds, which shall be effective when posted
19 upon appropriate fixed or variable signs.

20 ~~((5))~~ (4) Any alteration of maximum limits on state highways
21 within incorporated cities or towns by local authorities shall not be
22 effective until such alteration has been approved by the secretary of
23 transportation.