

**SFA**

BILL ANALYSIS

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Senate Fiscal Agency

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**Senate Bill 135 (Substitute S-3 as reported)**

Sponsor: Senator Doug Cruce

Committee: Local Government and Veterans Affairs

Date Completed: 10-6-87

**RATIONALE**

In 1974, as a fuel conservation measure in the wake of the 1973-74 Arab oil embargo, the speed limit for motor vehicles was lowered. The Federal Emergency Highway Energy Conservation Act of 1974 required all states to legislate maximum highway speed limits of 55 miles per hour to replace the then existing 70 miles per hour limit. Michigan complied by enacting Public Act 28 of 1974, since the Federal Act provided for a suspension of all Federal highway funds to noncomplying states. Reducing the highway speed of vehicles, it was argued, was necessary to conserve gasoline consumption at a time of dwindling gasoline supplies that sometimes created long lines at those service stations able to obtain adequate amounts of fuel. Now, however, some feel that the lowered speed limit has outlived its purpose and should be raised since fuel economy is no longer as crucial an issue in this era of relatively low gasoline prices and abundant supplies.

With Federal legislation now enacted that allows the states to raise speed limits to 65 miles per hour on stretches of interstate highways outside urbanized areas, it has been proposed that Michigan take advantage of this opportunity and raise its speed limit to 65 in those areas where permitted by Federal law.

In addition, there has been some concern that raising the speed limit without additional safety measures could result in higher accident rates on Michigan highways. Therefore, along with increasing the speed limit to 65 miles per hour, it has been suggested that an enforcement system with increased penalties for speed law violations also be established.

**CONTENT**

The bill would amend the Michigan Vehicle Code to increase the maximum lawful rate of speed by vehicles on a rural interstate highway from 55 to 65 miles per hour as permitted by Federal law. The bill would define "rural" as outside an area designated by Federal law as an urbanized area with a population of 50,000 or more. The bill would retain the 55-mile-per-hour speed limit on all roads for trucks, trailers and tractors, and 50 miles per hour for a person driving a school bus, and do the following:

- Remove the provision requiring the entry of points for violation of a speed law or ordinance by exceeding the lawful maximum speed that was reduced by Public Act 28 of 1974 (which reduced the maximum rate of speed to 55 miles per hour).
- Establish a new system of points to replace current law, and minimum fines to be implemented for speed violations on all roads where the speed limit was 55 mph or greater:

<u>Speed</u> <u>Over Limit</u>	<u>Points</u>	<u>Fines</u>
1-5	1	\$ 20 (minimum)
6-10	1	40 (minimum)
11-15	3	60 (minimum)
+ 15	5	100 (minimum)

These points and fines would replace the existing point and fine system for roadways where the 70-mile-per-hour was reduced to 55 miles per hour, as follows:

<u>Speed</u> <u>Over Limit</u>	<u>Points</u>	<u>Minimum Fines</u>
1-5	0	\$1 per mile over
9-15	1	\$1 per mile over
16-25	2	\$2 per mile over
26-30	3	\$3 per mile over
+ 30	4	\$3 per mile over

- Provide that no points could be entered on a person's driving record for violating a maximum speed of 55 miles per hour on a four-lane or wider rural limited access U.S. highway by exceeding the limit by 10 miles per hour or less.
- Provide that no points could be entered on a driver's record for a civil infraction in another state, which resulted in a conviction solely due to the failure of the Michigan driver to appear in that state to contest the violation.
- Establish a highway safety task force to study the effects of the bill and to report its findings to the Legislature no later than December 31, 1988. Five members of the task force would be appointed by the Senate Majority Leader and five by the Speaker of the House. The Director of the State Police, the Director of the Department of Transportation and the Secretary of State would serve as ex officio members.
- Provide that the 65-mile-per-hour maximum speed limit would be reduced to a 55-mile-per-hour limit on April 1, 1989.

MCL 257.320 et al.

**FISCAL IMPACT**

The bill would have an indeterminate fiscal impact at this time. The costs associated with replacing speed limit signs and conducting required reports would be minimal. It is indeterminate at this time, however, whether additional patrol officers would be needed and what their costs and those costs incurred by the court system would be.

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## **ARGUMENTS**

### **Supporting Argument**

The original rationale for lowering the speed limit from 70 to 55 miles per hour was to save fuel at a time of an oil crisis. With gasoline supplies now plentiful, this crisis and, therefore, the argument for a 55-mile-per-hour limit, no longer apply. In addition, gasoline consumption at higher speeds is less of a factor since today's cars are more fuel efficient than those on the road in 1974. Moreover, opinion polls have suggested that motorists overwhelmingly favor a change in the speed limit of vehicles from 55 to 65 for rural interstate highways.

### **Supporting Argument**

The bill would establish a much needed increase in the speed limit on rural interstates in a way that is in compliance with Federal law. In addition, since the bill would raise the speed limit "on all highways...permitted by Federal law", this would allow, without any additional State legislation, the 65-mile-per-hour speed limit to be extended to additional highways in the State that may be permitted by future Federal legislation.

### **Supporting Argument**

Much of the expenditure of billions of dollars on the more than 1,100 miles of interstate highways in Michigan was intended to build roads capable of handling speeds higher than 55 miles per hour, and the roads should be returned to serving that purpose by raising the speed limit to 65 miles per hour for rural interstate traffic. Additionally, the Michigan State Police have better things to do with their time than attempt to enforce the ineffective 55-mile-per-hour law.

### **Opposing Argument**

Simply put, raising the speed limit would cost lives: some say 500 lives a year. The recent downward trend in highway fatalities would be reversed. No reasonable person can disagree with the claim that our present speed limit has saved lives, with some estimates crediting the 55-mile-per-hour limit with saving 26,000 since 1974.

**Response:** While some have maintained that the 55-mile-per-hour limit has saved many lives, raising the limit to 65 on rural interstate highways would not cause a dramatic increase in highway deaths or injuries, since rural interstates account for 19% of the nation's traffic but only 4% of the highway fatalities. Most of the reduction in the number of total lives lost due to traffic accidents by enactment of the 55-mile-per-hour limit has come from the fatality figures of noninterstate local, county and State roadways. These would not be affected by the bill. Furthermore, the bill's increased point and penalty system would discourage people from driving at dangerously high speeds.

### **Opposing Argument**

Increased speeds may be appropriate for western states, where towns and cities are often separated by vast expanses of open country, but not for heavily urbanized Michigan. Although the bill is not supposed to affect urban roadways, the heavily traveled areas of urbanized, industrialized southern Michigan along the I-75 and I-94 corridors could be considered partly rural in nature and subject to the higher speed limit, causing problems for both motorists and law enforcement agencies. The bill should limit the higher speed to the Upper Peninsula and out-state portions of the Lower Peninsula, and expressly exclude heavily urbanized southeastern Michigan.

### **Opposing Argument**

The speed limit should not be increased without recognizing that, without increased enforcement efforts and additional tools for law enforcement agencies, Michigan would witness an increase in loss of life and the attendant social and economic costs. The bill would increase speed limits at a time when law enforcement agencies already are stretched too thin to handle the growing traffic volume, without the increased patrol demand that the higher speed limit would entail. Fifteen years ago, State troopers spent two-thirds of their time on road patrol; today it's only one-fourth. Since 1979, the number of troopers on the road has shrunk from approximately 1,300 to only 1,000. During the same period, the number of drivers in Michigan has increased by 500,000. If the speed limit were raised, the following safety-oriented measures should be implemented: increasing the number of officers patrolling the highways; prohibiting use of radar detectors by motorists; and making violation of the safety belt law a primary offense.

**Response:** The bill would help address safety concerns about raising the speed limit by increasing penalties for speed limit violations, with higher points and minimum fines to be assessed. These tougher sanctions for violators, along with the proposed Highway Safety Task Force to study the effects of the speed limit increase, would help ensure that the bill's provisions did not result in higher accident rates on our State highways.

### **Opposing Argument**

Trucks should be allowed to drive 65 miles per hour. The bill differentiates between trucks and passenger vehicles and would keep trucks at the 55-mile-per-hour maximum speed limit. There are already too many rear-end collisions involving cars hitting trucks; increasing the difference in driving speeds would cause an increase in the number of these types of accidents.

**Response:** Even when the maximum speed was 70 miles per hour, trucks were never allowed to travel faster than 60 miles per hour. Higher truck speeds create problems for all drivers on the road and contribute to increased severity of accidents. Therefore, the speed limit for trucks should remain at 55 miles per hour.

### **Opposing Argument**

While gasoline fuel economy is not the crucial issue that it once was, conservation of this nonrenewable resource is still an important goal, and one that the 55-mile-per-hour law has been instrumental in helping to achieve.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.