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BILL ANALYSIS

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Senate Fiscal Agency

Lansing, Michigan 48909

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Senate Bill 163 (as enrolled) Sponsor: Senator Richard D. Fessler
 Senate Committee: State Affairs, Tourism, and Transportation
 House Committee: Transportation

Date Completed: 7-23-87

RATIONALE

In 1974, as a fuel conservation measure in 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.

CONTENT

The bill would amend the vehicle code to increase the maximum lawful rate of speed by vehicles on a rural interstate highway from 55 to 65 miles per hour. A "rural interstate highway" would mean a highway in the interstate system located outside an urbanized area with a population of 50,000 or more. The bill specifies that the maximum lawful rate of speed by vehicles on a street, highway, or freeway, except a rural interstate highway, would be 55 miles per hour. The bill would retain the speed limit restrictions of 55 miles per hour on all roads for trucks, trailers and tractors that in any combination have a gross weight of 5,000 pounds. It also would retain the speed limit of 50 miles per hour for a person driving a school bus. In addition, the bill would do the following:

- Provide that no points could be issued to a driver who exceeded by 10 miles per hour or less a speed law or ordinance that was reduced by Public Act 28 of 1974 (which set the maximum rate of speed on any street, highway, expressway, or freeway at 55 miles per hour) on a four-lane U.S. highway outside an urbanized area.
- Prohibit consideration in establishing automobile insurance rates, of a citation or civil infraction for exceeding the lawful speed limit of 55 miles per hour by driving 65 miles per hour or less.
- Deny the Governor the authority to reduce the maximum speed limit on a rural interstate highway.

- Remove a provision that permits the Department of Transportation to reduce the maximum speed limit to 55 miles per hour on any street, highway, expressway, or freeway.
- Provide that, if a Michigan driver committed a violation in another state that would be a civil infraction if committed in Michigan, and a conviction resulted solely due to the failure of the driver to appear to contest the violation, no points could be assessed against the driver's license upon receipt of the conviction by the Secretary of State.
- Require a task force to be appointed by the Majority Leader of the Senate and the Speaker of the House to study the effects of the bill and the enforcement efforts that could be required by its implementation. The task force would be required to report its findings to the Legislature no later than June 1, 1988.
- Provide that the bill would take effect July 1, 1987, and reduce the 65-mile-per-hour limit proposed by the bill to 55 miles per hour on December 31, 1988.

MCL 257.320a, 257.628, 257.629b

FISCAL IMPACT

The bill would result in some minimal costs associated with replacing speed limit signs, but these costs are indeterminate at this time.

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

Much of the expenditure of billions of dollars on 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.

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Supporting Argument

Points should not be assessed on a person's driver's license for going between 55 miles per hour and 65 miles per hour in a 55-mile-per-hour zone. People are used to driving at a speed between 55 and 65 miles per hour anyway, and if the bill's provisions were implemented, drivers could become confused about which areas were 55-mile-per-hour zones and which were 65-mile-per-hour.

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.

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. Instead of leaving the designation of rural roadways to departmental discretion, perhaps the bill should limit the higher speed to the Upper Peninsula and outstate 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; increasing points for speed violations; prohibiting use of radar detectors by motorists; making violation of the safety belt law a primary offense; and requiring the State Safety Commission annually to review the effects of the increased speed limit and report its findings to the Legislature.

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.