

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6458

To establish a national maximum speed limit of 60 miles per hour on highways, and 65 miles per hour on portions of the National Highway System located outside of an urbanized area.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2008

Ms. SPEIER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To establish a national maximum speed limit of 60 miles per hour on highways, and 65 miles per hour on portions of the National Highway System located outside of an urbanized area.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be referred to as the “Gasoline Savings  
5        and Speed Limit Reduction Act of 2008”.

1 **SEC. 2. ESTABLISHMENT OF NATIONAL MAXIMUM SPEED**  
2 **LIMITS.**

3 (a) NATIONAL MAXIMUM SPEED LIMITS.—Chapter 1  
4 of title 23, United States Code, is amended by inserting  
5 after section 149 the following:

6 **“§ 150. National maximum speed limits**

7 “(a) SPEED LIMIT REQUIREMENTS.—The Secretary  
8 shall not approve a project under section 106 in any State  
9 which has—

10 “(1) a maximum speed limit on any highway  
11 within its jurisdiction in excess of 60 miles per hour,  
12 other than a highway on the National Highway Sys-  
13 tem located outside of an urbanized area;

14 “(2) a maximum speed limit on any highway  
15 within its jurisdiction on the National Highway Sys-  
16 tem located outside of an urbanized area in excess  
17 of 65 miles per hour;

18 “(3) failed to meet the requirements of sub-  
19 section (b); or

20 “(4) a speed limit on any portion of a public  
21 highway within its jurisdiction which is not uni-  
22 formly applicable to all types of motor vehicles using  
23 such portion of highway, if on July 1, 2008, such  
24 portion of highway had a speed limit which was uni-  
25 formly applicable to all types of motor vehicles using  
26 it, except that—

1           “(A) a lower speed limit may be estab-  
2           lished for any vehicle operating under a special  
3           permit because of the weight or dimension of  
4           such vehicle, including any load thereon; and

5           “(B) this paragraph shall not apply to any  
6           portion of a highway during such time that the  
7           condition of the highway, weather, an accident,  
8           or other condition creates a temporary hazard  
9           to the safety of traffic.

10          “(b) CERTIFICATION.—

11           “(1) CERTIFICATION REQUIREMENT.—Each  
12          State shall certify to the Secretary before January  
13          1 of each year, beginning in 2009, that it is enforce-  
14          ing all speed limits on public highways in accordance  
15          with this section.

16           “(2) DATA REQUIREMENTS.—

17           “(A) IN GENERAL.—Each State shall sub-  
18          mit to the Secretary such data as the Secretary  
19          determines by rule is necessary to support the  
20          certification of the State under this subsection,  
21          including data required under subparagraph  
22          (B).

23           “(B) DATA ON SPEED LIMIT VIOLA-  
24          TIONS.—

1           “(i) IN GENERAL.—Each State shall  
2           submit to the Secretary data on the per-  
3           centage of motor vehicles exceeding the  
4           speed limit on maximum speed limit high-  
5           ways, including data on—

6                       “(I) citations; and

7                       “(II) travel speed, including the  
8                       posted speed limit and design charac-  
9                       teristics of roads from which travel  
10                      speed data are gathered.

11           “(ii) ESTABLISHMENT OF CRI-  
12           TERIA.—The Secretary shall establish cri-  
13           teria for data submitted under this sub-  
14           paragraph, including criteria which take  
15           into account the variability of speedometer  
16           readings and criteria based on the speeds  
17           of all vehicles or a representative sample  
18           thereof.

19           “(C) DATA COLLECTION.—The Secretary  
20           shall issue regulations which ensure that—

21                       “(i) the monitoring programs con-  
22                       ducted by the States to collect data for  
23                       purposes of this subsection are uniform;

24                       “(ii) devices and equipment for such  
25                       programs are placed at locations on max-

1           imum speed limit highways on a scientif-  
2           ically random basis which takes into ac-  
3           count the relative risk, as determined by  
4           the Secretary, of motor vehicle accidents  
5           occurring considering the classes of such  
6           highways and the speeds at which vehicles  
7           travel on such classes of highways; and

8           “(iii) the data submitted under this  
9           subsection will be in such form as the Sec-  
10          retary determines is necessary to carry out  
11          this section.

12          “(c) PENALTY FOR UNDERENFORCEMENT.—

13               “(1) IN GENERAL.—Except as provided in para-  
14          graph (2), if the data submitted by a State pursuant  
15          to subsection (b) at the end of a fiscal year show  
16          that the percentage of motor vehicles exceeding the  
17          speed limit on maximum speed limit highways in the  
18          State is greater than the maximum percentage es-  
19          tablished for such fiscal year under this paragraph,  
20          the Secretary shall transfer a percentage of the ag-  
21          gregate amount of Federal-aid highway funds appor-  
22          tioned to the State under sections 104(b)(1) and  
23          104(b)(3) for the fiscal year ending 2 years later to  
24          one or more State safety projects, as follows:

1           “(A) 2009.—For the fiscal year ending  
2           September 30, 2009, if the percentage of motor  
3           vehicles exceeding the speed limit on maximum  
4           speed highways in the State is greater than 70  
5           percent, the Secretary shall transfer up to 5  
6           percent of the aggregate amount of Federal-aid  
7           highway funds apportioned to the State under  
8           sections 104(b)(1) and 104(b)(3) for the fiscal  
9           year ending September 30, 2011, to one or  
10          more State safety projects.

11          “(B) 2010.—For the fiscal year ending  
12          September 30, 2010, if the percentage of motor  
13          vehicles exceeding the speed limit on maximum  
14          speed highways in the State is greater than 60  
15          percent, the Secretary shall transfer up to 5 per-  
16          cent of the aggregate amount of Federal-aid  
17          highway funds apportioned to the State under  
18          sections 104(b)(1) and 104(b)(3) for the fiscal  
19          year ending September 30, 2012, to one or  
20          more State safety projects.

21          “(C) 2011.—For the fiscal year ending  
22          September 30, 2011, if the percentage of motor  
23          vehicles exceeding the speed limit on maximum  
24          speed highways in the State is greater than 50  
25          percent, the Secretary shall transfer up to 5

1 percent of the aggregate amount of Federal-aid  
2 highway funds apportioned to the State under  
3 sections 104(b)(1) and 104(b)(3) for the fiscal  
4 year ending September 30, 2013, to one or  
5 more State safety projects.

6 “(D) 2012.—For the fiscal year ending  
7 September 30, 2012, if the percentage of motor  
8 vehicles exceeding the speed limit on maximum  
9 speed highways in the State is greater than 40  
10 percent, the Secretary shall transfer up to 10  
11 percent of the aggregate amount of Federal-aid  
12 highway funds apportioned to the State under  
13 sections 104(b)(1) and 104(b)(3) for the fiscal  
14 year ending September 30, 2014, to one or  
15 more State safety projects.

16 “(E) 2013.—For the fiscal year ending  
17 September 30, 2013, if the percentage of motor  
18 vehicles exceeding the speed limit on maximum  
19 speed highways in the State is greater than 30  
20 percent, the Secretary shall transfer up to 10  
21 percent of the aggregate amount of Federal-aid  
22 highway funds apportioned to the State under  
23 sections 104(b)(1) and 104(b)(3) for the fiscal  
24 year ending September 30, 2015, to one or  
25 more State safety projects.

1           “(F) SUBSEQUENT YEARS.—In a fiscal  
2           year following the fiscal year ending September  
3           30, 2013, if the percentage of motor vehicles  
4           exceeding the speed limit on maximum speed  
5           highways in the State is greater than 30 per-  
6           cent, the Secretary shall transfer up to 10 per-  
7           cent of the aggregate amount of Federal-aid  
8           highway funds apportioned to the State under  
9           sections 104(b)(1) and 104(b)(3) for the fiscal  
10          year ending 2 years later, to one or more State  
11          safety projects.

12          “(2) HARDSHIP EXEMPTION.—Notwithstanding  
13          paragraph (1), if the Secretary determines, in ac-  
14          cordance with criteria established by the Secretary,  
15          that a transfer of funds under paragraph (1) would  
16          result in hardship to a State in the fiscal year in  
17          which the transfer would apply, the Secretary shall  
18          defer the transfer until the subsequent fiscal year.

19          “(d) DEFINITIONS.—In this section:

20                 “(1) MOTOR VEHICLE.—The term ‘motor vehi-  
21                 cle’ means any vehicle driven or drawn by mechan-  
22                 ical power manufactured primarily for use on public  
23                 highways, except any vehicle operated exclusively on  
24                 a rail or rails.

1           “(2) MAXIMUM SPEED LIMIT HIGHWAY.—The  
2 term ‘maximum speed limit highway’ means a high-  
3 way subject to the speed limits established under  
4 paragraphs (1) and (2) of subsection (a).

5           “(3) SAFETY PROJECT.—The term ‘safety  
6 project’ means a project carried out for the purpose  
7 of safety under this title, including a project to pro-  
8 mote the awareness and education of the public con-  
9 cerning highway safety matters (including motorcy-  
10 clist safety) and to enforce highway safety laws.”.

11 (b) STUDY.—

12           (1) IN GENERAL.—The Secretary shall arrange  
13 with the Transportation Research Board of the Na-  
14 tional Academy of Sciences to conduct a comprehen-  
15 sive study and investigation of the following:

16           (A) BENEFITS OF THE PROGRAM.—The  
17 benefits, both human and economic, of lowered  
18 speeds due to the enactment of this Act, with  
19 particular attention to the savings to taxpayers.

20           (B) EFFECTIVENESS OF STATE ENFORCE-  
21 MENT.—Whether the laws of each State con-  
22 stitute a substantial deterrent to violations of  
23 the speed limit on maximum speed limit high-  
24 ways.

1           (2) REPORT.—In entering into an arrangement  
2 with the Transportation Research Board of the Na-  
3 tional Academy of Sciences for conducting such  
4 study and investigation, the Secretary shall request  
5 the Board to report to the Secretary and Congress  
6 not later than 12 months after the date of enact-  
7 ment of this Act on the results of such study and  
8 investigation, together with its recommendations.  
9 The Secretary shall furnish to the Board on request  
10 any information which the Board considers nec-  
11 essary for the purpose of conducting the investiga-  
12 tion and study authorized by this section.

13           (c) CONFORMING AMENDMENT.—The analysis for  
14 chapter 1 of title 23, United States Code, is amended by  
15 inserting after the item relating to section 149 the fol-  
16 lowing:

“150. National maximum speed limits.”.

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