



**House  
Legislative  
Analysis  
Section**

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## **RAISE SPEED LIMIT TO 65 MPH**

**House Bill 5123 (Substitute H-2)  
First Analysis (1-30-96)**

**Sponsor: Rep. Carl F. Gnodtke  
Committee: Transportation**

### ***THE APPARENT PROBLEM:***

In 1974, after an oil embargo imposed on the world primarily by oil-producing countries of the Middle East caused the price of gasoline to jump dramatically overnight, the federal government established a maximum speed limit of 55 miles per hour on all interstate freeways. Under this law, states were required not only to adopt the limits on freeways, but also to impose lower speed limits on highways that were not part of the interstate system; failure to do so meant the loss of federal highway funds. Then in 1987, Congress altered the law to permit states to raise the maximum speed limit on rural freeways to 65 mph. Most states, including Michigan, responded by raising the maximum posted limit to 65 mph on freeways that fell outside the boundaries of larger urban areas. Last November, however, President Clinton signed into law the National Highway System Designation Act, which among other things allows states to set speed limits at levels they deem appropriate. With this new-found authority, some in Michigan have proposed raising the maximum speed limit on certain limited-access freeways that now are posted at 55 mph to 65 mph, subject to approval by the director of the Department of Transportation, after studies are performed to determine the maximum speed that design criteria of a particular stretch of freeway would safely permit.

### ***THE CONTENT OF THE BILL:***

The Michigan Vehicle Code currently provides that the maximum speed limit on all highways or parts of highways is generally 55 miles per hour unless federal law permits a maximum speed limit of 65 miles per hour, in which case the speed limit is 65 miles per hour. The bill would delete language that allows the state to set the maximum speed limit at 65 miles per hour only if federal law allows for this, and would establish the maximum speed limit on all freeways in the state, with certain exceptions, at 65 miles per hour. Under the bill, maximum rates of speed on freeways less than 65 miles per hour would have to be based on engineering criteria—including, but not limited to, design speed—as determined by the transportation department director or

his or her designee in consultation with the director of the Department of State Police or his or her designee.

MCL 257.628

### ***FISCAL IMPLICATIONS:***

The House Fiscal Agency says the bill would result in a moderate increase in costs to the state to erect new speed limit signs, or to alter current ones, along stretches of freeways that would go from a 55 mph maximum speed to 65 mph. The cost cannot be determined and would depend on the number of freeways not currently posted at 65 mph that would be under the bill. (1-26-96)

### ***ARGUMENTS:***

#### ***For:***

More than twenty years after the federal government established 55 mph as the maximum speed limit on all interstate freeways, it reversed itself late last year by giving authority to set speed limits back to each state. This is appropriate as states are better able to determine the maximum speed that should apply to any given stretch of freeway, considering such things as its design, proximity to urban areas (or, conversely, to low traffic-density areas), or other related factors. However, while other states have responded quickly by raising maximum speeds on certain freeways to 70 mph, or even higher in some cases, Michigan would be wise to move cautiously. (Senate Bill 80, which has passed the Senate, proposes to raise the maximum speed on most freeways to 70 mph.) Numerous studies suggest excessive speed is a factor in a significant number of fatal accidents on interstate freeways. Also, a study performed by the University of Michigan three years after the state raised the maximum speed limit on rural freeways from 55 mph to 65 mph (after federal law was amended in 1987 to permit this) showed a 28 percent increase in fatalities and 39 percent rise in serious injuries compared to the period before the limit was raised. In addition, crash data kept by the State Police

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since the early 1970s suggests a correlation exists between higher posted speeds and increased deaths and serious injuries. And these studies do not account for the fact that the number of over-65 drivers and teen-aged drivers has increased steadily since then--two groups which account for a disproportionately higher number of fatal accidents on roadways compared to their representation among all drivers. This problem would only be exacerbated if maximum speed limits were raised above 65 mph as this would encourage younger drivers to drive even faster while elderly drivers likely would continue to drive at lower speeds--a deadly combination. The bill takes a sensible approach by establishing a general maximum of 65 mph on all freeways, while granting MDOT authority to determine which freeways or portions of them are designed for speeds below 65 mph. The department indicates it probably would retain the 55 mph maximum on approximately 180 miles of over 430 miles of interstate freeways currently posted at that limit.

**Response:**

If freeway speed limits are to be raised, it should be done in conjunction with additional traffic safety initiatives, such as primary enforcement of the seat belt law, a ban on radar detector use, increasing fines and points for speed violations, and conspicuous posting of fines and points along freeways as a deterrent to speeding.

**For:**

Polls taken recently indicate nearly 60 percent of the public supports maintaining speed limits at or below 65 mph on freeways. Any legislative action on this matter should reflect what most people consider to be a safe, reasonable speed.

**Response:**

Assuming polls are accurate, the evidence suggests that what people are saying does not correlate with their driving habits.

**Against:**

Raising the speed limit any amount would almost certainly increase the number of deaths and injuries that occur along the state's freeways. After Michigan raised the speed limit on most rural freeways from 55 mph to 65 mph in 1987, the number of traffic fatalities increased by 28.4 percent and nearly 40 percent more serious injuries occurred. According to State Police crash statistics, not only were there 72 more people killed during 1988 than in 1987 in Michigan; 1988 involved the largest number of state traffic deaths (1,704) of any year since the 55 mph limit was first established in 1974. There is little doubt that lower speed limits save lives.

**Response:**

While the number of deaths jumped the year immediately following the year in which rural speed limits were raised to 65 mph, it just as quickly fell back to levels lower than those recorded prior to the rate increase. In fact, 1992 saw the fewest number of deaths recorded (1,300) than any year since the early 1980s. These statistics suggest that the general downward trend in traffic-related deaths and serious injuries, while overall vehicle-miles traveled have steadily increased, is largely due to the fact that newer vehicles offer more safety features than older models.

**Against:**

The bill essentially maintains the status quo regarding arbitrarily established speed limits on interstate freeways in Michigan. Numerous studies, including a 1992 study performed by the U.S. Federal Highway Administration entitled "Effects of Raising and Lowering Speed Limits," show speed limits posted on a cross-section of the nation's highways are set, on average, between five and 16 mph below what is known as the "85th percentile speed." This refers to the average speed at which 85 percent of all drivers actually travel, based on the monitoring of free-flow traffic speeds over 24-hour periods. The 1992 study, which analyzed speeds on highways other than freeways, concludes that "the majority of motorists do not alter their speed to conform to speed limits they perceive as unreasonable for prevailing conditions." Thus, if traveling on a straight, generally flat section of freeway during dry, high-visibility conditions, most people normally drive at a speed that conforms to the average flow of traffic in which they are moving. Based on various studies performed in Michigan, the average speed on interstate freeways in Michigan falls somewhere between 72 and 74 mph, according to the National Motorists Association. In fact, these studies indicate average traffic speeds in urban areas is actually higher than in nonurban areas. Establishing a speed limit below the 85th percentile ignores normal driving patterns, which both imposes unrealistic expectations on drivers and unfairly penalizes them (i.e., fines, higher insurance premiums) for driving at reasonably safe speeds. Senate Bill 80, which proposes raising the speed limit on most freeways to 70 mph, would bring the posted limit closer to the speed most people actually drive on the state's freeways.

**Against:**

The bill should be amended to establish a uniform speed limit for all vehicles, including larger commercial vehicles. Some studies have shown that accidents are more likely to occur as the speed differential between

the fastest and slowest moving traffic increases. Maintaining the lower maximum limit that currently applies to larger vehicles, some people believe, actually decreases safety on high-speed freeways.

***POSITIONS:***

The Department of State Police supports the bill. (1-29-96)

The Department of Transportation supports the bill. (1-29-96)

The Department of State supports the bill. (1-29-96)

AAA Michigan supports the bill. (1-29-96)

The Owner-Operator Independent Drivers Association, which represents approximately 1,500 commercial truck drivers who operate primarily in Michigan, would support the bill if it were amended to provide that the maximum posted speed limit on any section of freeway would apply uniformly to all types of vehicles. (1-29-96)

The National Motorists Association opposes the bill, but supports the Senate-passed version of Senate Bill 80, which would establish a maximum speed limit of 70 mph on most freeways in the state. (1-25-96)

The Michigan Traffic Safety Association opposes any increase in state speed limits, but has not yet taken a position on the bill. (1-29-96)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.