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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **624**

February 9, 2009

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The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division

1.1 A bill for an act
1.2 relating to traffic regulations; enacting the Safe School Zone Law; making
1.3 clarifying and technical changes; amending Minnesota Statutes 2008, sections
1.4 169.011, by adding a subdivision; 169.14, subdivisions 2, 4, 5a.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 169.011, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 69a. **School zone.** "School zone" means that section of a street or highway
1.9 that abuts the grounds of a school where children have access to the street or highway
1.10 from the school property or where an established school crossing is located; provided,
1.11 the school advance sign prescribed by the Manual on Uniform Traffic Control Devices
1.12 adopted by the commissioner of transportation under section 169.06 is in place.

1.13 Sec. 2. Minnesota Statutes 2008, section 169.14, subdivision 2, is amended to read:

1.14 Subd. 2. **Speed limits.** (a) Where no special hazard exists the following speeds ~~shall~~
1.15 ~~be~~ are lawful, but any ~~speeds~~ speed in excess of ~~such~~ these limits ~~shall be~~ is prima facie
1.16 evidence that the speed is not reasonable or prudent and that it is unlawful; except that the
1.17 speed limit within any municipality ~~shall be~~ is a maximum limit and any speed in excess
1.18 ~~thereof shall be~~ of that limit is unlawful:

1.19 (1) 30 miles per hour in an urban district or on a town road in a rural residential
1.20 district;

1.21 (2) 65 miles per hour on noninterstate expressways, as defined in section 160.02,
1.22 subdivision 18b, and noninterstate freeways, as defined in section 160.02, subdivision 19;

1.23 (3) 55 miles per hour in locations other than those specified in this section;

2.1 (4) 70 miles per hour on interstate highways outside the limits of any urbanized area
 2.2 with a population of greater than 50,000 as defined by order of the commissioner of
 2.3 transportation;

2.4 (5) 65 miles per hour on interstate highways inside the limits of any urbanized area
 2.5 with a population of greater than 50,000 as defined by order of the commissioner of
 2.6 transportation;

2.7 (6) ten miles per hour in ~~alleys~~ alleyways; ~~and~~

2.8 (7) 25 miles per hour in residential roadways if adopted by the road authority having
 2.9 jurisdiction over the residential roadway; and

2.10 (8) 25 miles per hour in school zones.

2.11 (b) A speed limit adopted under paragraph (a), clause (7), is not effective unless the
 2.12 road authority has erected signs designating the speed limit and indicating the beginning
 2.13 and end of the residential roadway on which the speed limit applies.

2.14 (c) For purposes of this subdivision, "rural residential district" means the territory
 2.15 contiguous to and including any town road within a subdivision or plat of land that is built
 2.16 up with dwelling houses at intervals of less than 300 feet for a distance of one-quarter
 2.17 mile or more.

2.18 (d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary,
 2.19 a person who violates a speed limit established in this subdivision, or a speed limit
 2.20 designated on an appropriate sign under subdivision 4, 5, 5b, 5c, or 5e, by driving 20 miles
 2.21 per hour or more in excess of the applicable speed limit, is assessed an additional surcharge
 2.22 equal to the amount of the fine imposed for the speed violation, but not less than \$25.

2.23 Sec. 3. Minnesota Statutes 2008, section 169.14, subdivision 4, is amended to read:

2.24 Subd. 4. **Establishment of zones by commissioner.** (a) Except as provided in
 2.25 subdivision 5a, on determining upon the basis of an engineering and traffic investigation
 2.26 that any speed set forth in this section is greater or less than is reasonable or safe under the
 2.27 conditions found to exist on any trunk highway or ~~upon~~ on any part ~~thereof~~ of the trunk
 2.28 highway, the commissioner may erect appropriate signs designating a reasonable and safe
 2.29 speed limit ~~thereat~~, which ~~speed limit shall be~~ becomes effective when ~~such~~ the signs are
 2.30 erected there. Any ~~speeds~~ speed in excess of ~~such~~ these limits ~~shall be~~ is prima facie
 2.31 evidence that the speed is not reasonable or prudent and that it is unlawful; except that any
 2.32 speed limit within any municipality ~~shall be~~ or within any school zone is a maximum limit
 2.33 and any speed in excess ~~thereof shall be~~ of that limit is unlawful.

3.1 (b) On determining upon that basis that a part of the trunk highway system outside a
 3.2 municipality should be a zone of maximum speed limit, the commissioner may establish
 3.3 that part as such a zone by:

3.4 (1) erecting appropriate signs showing the beginning and end of the zone;

3.5 (2) designating a reasonable and safe speed ~~therefor~~ for the zone, which may be
 3.6 different than the speed set forth in this section; ~~and that~~

3.7 (3) designating it is as a zone of maximum speed limit.

3.8 (c) The speed so designated by the commissioner within any such zone ~~shall be~~ is a
 3.9 maximum speed limit, and speed in excess of ~~such that~~ that limit ~~shall be~~ is unlawful. The
 3.10 commissioner may in the same manner ~~from time to time~~:

3.11 (1) alter the boundary of ~~such~~ a zone and ~~the~~ its speed limit ~~therein~~; or

3.12 (2) eliminate ~~such~~ the zone.

3.13 Sec. 4. Minnesota Statutes 2008, section 169.14, subdivision 5a, is amended to read:

3.14 Subd. 5a. **Speed zoning in school zone; surcharge.** (a) A local authorities road
 3.15 authority, with the agreement of a school board or nonpublic school administration, may
 3.16 establish a school speed limit that is less than 25 miles per hour within a school zone of a
 3.17 public or nonpublic school upon the basis of an engineering and traffic investigation as
 3.18 prescribed by the commissioner of transportation located on a street or highway within
 3.19 the jurisdiction of the local road authority. The establishment of a school speed limit
 3.20 that is more than or less than 25 miles per hour on any trunk highway shall must be with
 3.21 the consent by agreement of the commissioner of transportation with the school board
 3.22 or, in the case of a nonpublic school, with the school's administrator. Such School speed
 3.23 limits shall be are in effect when children are present, going to or leaving school during
 3.24 opening or closing hours, ~~or during school recess periods. The school speed limit shall not~~
 3.25 ~~be lower than 15 miles per hour and shall not be more than 30 miles per hour below the~~
 3.26 ~~established speed limit on an affected street or highway.~~

3.27 (b) The school speed limit ~~shall be~~ becomes effective upon the erection of
 3.28 appropriate signs designating the speed and indicating the beginning and end of the
 3.29 reduced speed zone. Any speed in excess of ~~such the~~ the posted school speed limit is
 3.30 unlawful. ~~All such~~ These signs ~~shall must~~ must be erected by the local road authorities on those
 3.31 streets and highways under their respective jurisdictions and by the commissioner of
 3.32 transportation on trunk highways.

3.33 (c) ~~For the purpose of this subdivision, "school zone" means that section of a street~~
 3.34 ~~or highway which abuts the grounds of a school where children have access to the street~~
 3.35 ~~or highway from the school property or where an established school crossing is located~~

4.1 ~~provided the school advance sign prescribed by the manual on uniform traffic control~~
4.2 ~~devices adopted by the commissioner of transportation pursuant to section 169.06 is in~~
4.3 ~~place.~~ All signs erected by local authorities to designate speed limits in school zones ~~shall~~
4.4 must conform to the Manual on Uniform Traffic Control Devices.

4.5 (d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary,
4.6 a person who violates a speed limit established under this subdivision is assessed an
4.7 additional surcharge equal to the amount of the fine imposed for the violation, but not
4.8 less than \$25.