

1 HB397
2 116864-1
3 By Representative Millican
4 RFD: Public Safety
5 First Read: 21-JAN-10

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8 SYNOPSIS: Under existing law, Corridor X/I-22 between
9 the Alabama/Mississippi state line and the
10 Jefferson County line is open for traffic, but has
11 not officially been declared to be an interstate
12 highway. Under existing law, the maximum speed
13 limit on a highway having four or more lanes is set
14 at 65 miles per hour and the speed limit on an
15 interstate highway is set at 70 miles per hour.

16 This bill would provide that Corridor X/I-22
17 between the Alabama/Mississippi state line and the
18 Jefferson County line would be considered an
19 interstate highway for the purpose of the maximum
20 speed limit on the highway.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 Relating to motor vehicles and the maximum speed
27 limit; to amend Section 32-5A-171, Code of Alabama 1975, to

1 provide that Corridor X/I-22 would be considered an interstate
2 highway for the purpose of the maximum speed limit on the
3 highway.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 32-5A-171, Code of Alabama 1975,
6 is amended to read as follows:

7 "§32-5A-171.

8 "Except when a special hazard exists that requires
9 lower speed for compliance with Section 32-5A-170, the limits
10 hereinafter specified or established as hereinafter authorized
11 shall be maximum lawful speeds, and no person shall drive a
12 vehicle at a speed in excess of the maximum limits.

13 "(1) No person shall operate a vehicle in excess of
14 30 miles per hour in any urban district.

15 "(2)a. No person shall operate a motor vehicle in
16 excess of 35 miles per hour on any unpaved road. For purposes
17 of this chapter the term "unpaved road" shall mean any highway
18 under the jurisdiction of any county, the surface of which
19 consists of natural earth, mixed soil, stabilized soil,
20 aggregate, crushed sea shells, or similar materials without
21 the use of asphalt, cement, or similar binders.

22 "b. No person shall operate a motor vehicle on any
23 county-maintained paved road in an unincorporated area of the
24 state at a speed in excess of 45 miles per hour unless a
25 different maximum speed is established under authority granted
26 in subdivision (6) or as provided in subdivision (7) subject
27 to the maximum rate of speed provided in subdivision (3).

1 "(3) No person shall operate a motor vehicle on the
2 highways in this state, other than interstate highways or
3 highways having four or more traffic lanes, at a speed in
4 excess of 55 miles per hour at any time unless a different
5 maximum rate of speed is authorized by the Governor under
6 authority granted in subdivision (6) or as provided in
7 subdivision (7).

8 "(4) No person shall operate a motor vehicle, on an
9 interstate highway within the State of Alabama, at a speed in
10 excess of 70 miles per hour or on any other highway having
11 four or more traffic lanes at a speed in excess of 65 miles
12 per hour, unless a different maximum rate of speed is
13 authorized by the Governor under authority granted in
14 subdivision (6) or as provided in subdivision (7).

15 Notwithstanding the provisions of this subdivision, any
16 portion of Corridor X/I-22 which is open between the
17 Alabama/Mississippi state line and the Jefferson County line
18 shall be considered an interstate highway for the purpose of
19 the maximum speed limit on the highway.

20 "(5) Notwithstanding any provisions of this section
21 to the contrary, no person shall operate a passenger vehicle,
22 motor truck, or passenger bus which carries or transports
23 explosives or flammable liquids, as defined in Section
24 32-1-1.1, or hazardous wastes, as defined in Section
25 22-30-3(5), in this state unless the vehicle, truck, or bus
26 prominently displays a current decal, plate, or placard which
27 is required by the rules or regulations of the DOT or the PSC

1 which indicates or warns that the vehicle, truck, or bus is
2 carrying or transporting the substances. No person shall
3 operate the vehicle, truck, or bus at a rate of speed greater
4 than 55 miles per hour at any time unless a different maximum
5 rate of speed is authorized by the Governor under authority
6 granted in subdivision (6) or as provided in subdivision (7).

7 "(6) The Governor may prescribe the maximum rate of
8 speed whenever a different rate of speed is required by
9 federal law in order for Alabama to receive federal funds for
10 highway maintenance and construction.

11 "(7) The maximum speed limits set forth in this
12 section may be altered as authorized in Sections 32-5A-172 and
13 32-5A-173.

14 "(8) A law enforcement officer or a peace officer of
15 any incorporated municipality or town which has less than
16 19,000 inhabitants according to the most recent federal
17 decennial census shall not enforce this section on any
18 interstate highway.

19 "(9) Any speed limit set pursuant to this section
20 shall be enforced by any municipality or any law enforcement
21 officer of a municipality only within the corporate limits of
22 the municipality and not within the police jurisdiction of the
23 municipality."

24 Section 2. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.