



## HB18-1191 Safer Speed Limits on County Roads

### Give Counties and Municipalities Additional Flexibility to Establish Appropriate Speed Limits on Local Roads

**Sponsors: Rep. Winter/Sens. Martinez Humenik & Kefalas**

Currently in Colorado, the state Department of Transportation sets the speed limits for every road in the state – including local roads. Counties and municipalities have the statutory authority to raise or lower the speed limits on these local roads, but only if a traffic inspection or survey indicates a change is warranted. Moreover, these traffic surveys (which record the speeds of people traveling on the road) tend to support **increasing** the local speed limit, when in fact many local elected officials are being asked by residents to **lower** the speed limits on residential streets in order to make them safer.

HB 18-1191 will establish additional criteria in statute that will allow boards of county commissioners and city councils to factor in other considerations (like road character and pedestrian traffic) when making determinations on appropriate speed limits for residential neighborhoods and other local roads. This is especially critical in areas of the state where there is limited access to parks, sidewalks and trails – as the roads in these areas see considerably more pedestrian traffic.

This local control legislation enhances local decision-making on road safety without compromising established traffic engineering practices.

**Please support HB18-1191**

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## Eric Bergman

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**From:** Jeffrey Huntley <Jeffrey.Huntley@summitcountyco.gov>  
**Sent:** Thursday, March 1, 2018 12:15 PM  
**To:** Eric Bergman  
**Subject:** HB18-1191

Hi Eric –

I just wanted to confirm I have advised the Summit County Commissioners that they may only alter the speed limits set by the General Assembly in Section 42-4-1101, C.R.S. if the County has performed a traffic investigation or study that supports the change. The requirement for a traffic investigation or study is expressly stated in Section 42-4-1102(2), C.R.S. and applies to counties that desire to raise or lower the statutory speed limits. The study must demonstrate that the statutory speed limit is greater or less than what is "reasonable and safe under the road and traffic conditions" at any intersection or other location on a street or highway. If the study is accepted by the County Commissioners, they may determine a reasonable and safe speed limit at the particular location and must post the appropriate signage for the change to be effective.

You also asked that if a speed study indicates a higher speed limit is allowed (because of the excessive vehicle speeds on the roadway) would the BOCC be prohibited from lowering the speed limit on the roadway, absent consideration of those additional relevant factors listed in the proposed statutory amendment contained in HB18-1191. My answer is "yes" - your conclusion is correct. Under current law, if a speed study indicates a higher speed limit is allowed, there would be no rational basis to lower the speed limit under the existing statutory criteria, so that any regulatory change lowering the speed limit would be deemed unreasonable and invalid by a court. Put another way, additional speed limit determination criteria are needed to allow a BOCC the discretion to lower a speed limit based on considerations other than just the speed study.

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