

# B-Engrossed House Bill 3402

Ordered by the House July 1  
Including House Amendments dated April 28 and July 1

Sponsored by Representatives BARRETO, WEIDNER; Representatives BUEHLER, ESQUIVEL, EVANS, HACK, HAYDEN, HEARD, HELM, HUFFMAN, KENNEMER, KRIEGER, LIVELY, NEARMAN, PARRISH, POST, WHISNANT, WHITSETT, Senators BATES, BOQUIST, GIROD, HANSELL, KNOPP, THOMSEN, WHITSETT

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Increases speed limit for certain vehicles on specified portions of certain highways. **Becomes operative on March 1, 2016.**

*[Limits scope of Department of Transportation's authority to decrease designated speed on interstate highways, except within highway work zones.]*

**Increases limitation on biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts and certain federal funds, but excluding lottery funds and other federal funds, collected or received by Department of Transportation to replace signage on highways in eastern Oregon.**

## A BILL FOR AN ACT

1  
2 Relating to highway speed; creating new provisions; and amending ORS 811.111.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 811.111 is amended to read:

5 811.111. (1) A person commits the offense of violating a speed limit if the person:

6 (a) Drives a vehicle on an interstate highway, **except for the portions of interstate highway**  
7 **described in subsection (2) of this section**, at a speed greater than 65 miles per hour or, if a  
8 different speed is posted under ORS 810.180 [(3)], at a speed greater than the posted speed.

9 (b) Notwithstanding paragraph (a) of this subsection, drives any of the following vehicles at a  
10 speed greater than 55 miles per hour on any highway, **except for the portions of highway de-**  
11 **scribed in subsections (2) to (11) of this section**, or, if a different speed is posted under ORS  
12 810.180 [(3)], at a speed greater than the posted speed:

13 (A) A motor truck with a gross vehicle weight rating of more than 10,000 pounds or a truck  
14 tractor with a gross vehicle weight rating of more than 8,000 pounds.

15 (B) A school bus.

16 (C) A school activity vehicle.

17 (D) A worker transport bus.

18 (E) A bus operated for transporting children to and from church or an activity or function au-  
19 thorized by a church.

20 (F) Any vehicle used in the transportation of persons for hire by a nonprofit entity as provided  
21 in ORS 825.017 (9).

22 (c) Drives a vehicle or conveyance on any part of the ocean shore in this state at a speed  
23 greater than any of the following:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (A) Any designated speed for ocean shores that is established and posted under ORS 810.180.
- 2 (B) If no designated speed is posted under ORS 810.180, 25 miles per hour.
- 3 (d) Drives a vehicle upon a highway in any city at a speed greater than a speed posted by au-
- 4 thority granted under ORS 810.180 or, if no **designated** speed is posted, the following:
- 5 (A) Fifteen miles per hour when driving on an alley or a narrow residential roadway.
- 6 (B) Twenty miles per hour in a business district.
- 7 (C) Twenty-five miles per hour in a public park.
- 8 (D) Twenty-five miles per hour on a highway in a residence district if the highway is not an
- 9 arterial highway.
- 10 (E) Sixty-five miles per hour on an interstate highway.
- 11 (F) Fifty-five miles per hour in locations not otherwise described in this paragraph.
- 12 (e) Drives a vehicle in a school zone at a speed greater than 20 miles per hour if the school zone
- 13 is:
- 14 (A) A segment of highway described in ORS 801.462 (1)(a) and:
- 15 (i) The school zone has a flashing light used as a traffic control device and operated under ORS
- 16 810.243 and the flashing light indicates that children may be arriving at or leaving school; or
- 17 (ii) If the school zone does not have a flashing light used as a traffic control device, the person
- 18 drives in the school zone between 7 a.m. and 5 p.m. on a day when school is in session.
- 19 (B) A crosswalk described in ORS 801.462 (1)(b) and:
- 20 (i) A flashing light used as a traffic control device and operated under ORS 810.243 indicates
- 21 that children may be arriving at or leaving school; or
- 22 (ii) Children are present, as described in ORS 811.124.
- 23 **(2) A person commits the offense of violating a speed limit if the person drives a vehicle**
- 24 **on the portion of Interstate 84 beginning at the eastern city limit of The Dalles and ending**
- 25 **at the Idaho state line at a speed greater than:**
- 26 **(a) Sixty-five miles per hour for vehicles described in subsection (1)(b) of this section; or**
- 27 **(b) Seventy miles per hour for all other vehicles.**
- 28 **(3) A person commits the offense of violating a speed limit if the person drives a vehicle**
- 29 **on the portion of State Highway 95 beginning at the Idaho state line and ending at the**
- 30 **Nevada state line at a speed greater than:**
- 31 **(a) Sixty-five miles per hour for vehicles described in subsection (1)(b) of this section; or**
- 32 **(b) Seventy miles per hour for all other vehicles.**
- 33 **(4) A person commits the offense of violating a speed limit if the person drives a vehicle**
- 34 **on the portion of State Highway 20 beginning in Bend and ending in Ontario at a speed**
- 35 **greater than:**
- 36 **(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**
- 37 **(b) Sixty-five miles per hour for all other vehicles.**
- 38 **(5) A person commits the offense of violating a speed limit if the person drives a vehicle**
- 39 **on the portion of State Highway 197 beginning in The Dalles and ending at its intersection**
- 40 **with State Highway 97 and the portion of State Highway 97 beginning at its intersection with**
- 41 **State Highway 197 and ending in Klamath Falls at a speed greater than:**
- 42 **(a) Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**
- 43 **(b) Sixty-five miles per hour for all other vehicles.**
- 44 **(6) A person commits the offense of violating a speed limit if the person drives a vehicle**
- 45 **on the portion of State Highway 31 beginning in Valley Falls and ending in La Pine at a speed**

1 **greater than:**

2 (a) **Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**

3 (b) **Sixty-five miles per hour for all other vehicles.**

4 (7) **A person commits the offense of violating a speed limit if the person drives a vehicle**  
5 **on the portion of State Highway 78 beginning in Burns Junction and ending in Burns at a**  
6 **speed greater than:**

7 (a) **Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**

8 (b) **Sixty-five miles per hour for all other vehicles.**

9 (8) **A person commits the offense of violating a speed limit if the person drives a vehicle**  
10 **on the portion of State Highway 395 beginning in Burns and ending in John Day at a speed**  
11 **greater than:**

12 (a) **Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**

13 (b) **Sixty-five miles per hour for all other vehicles.**

14 (9) **A person commits the offense of violating a speed limit if the person drives a vehicle**  
15 **on the portion of State Highway 395 beginning in Riley and ending at the California state line**  
16 **at a speed greater than:**

17 (a) **Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**

18 (b) **Sixty-five miles per hour for all other vehicles.**

19 (10) **A person commits the offense of violating a speed limit if the person drives a vehicle**  
20 **on the portion of Oregon Route 205 beginning in Burns and ending in Frenchglen at a speed**  
21 **greater than:**

22 (a) **Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**

23 (b) **Sixty-five miles per hour for all other vehicles.**

24 (11) **A person commits the offense of violating a speed limit if the person drives a vehicle**  
25 **on the portion of State Highway 26 beginning in John Day and ending in Vale at a speed**  
26 **greater than:**

27 (a) **Sixty miles per hour for vehicles described in subsection (1)(b) of this section; or**

28 (b) **Sixty-five miles per hour for all other vehicles.**

29 (12) **The speed limits described in subsections (3) to (5) of this section do not apply to**  
30 **portions of highways inside of a city in this state.**

31 [(2)] (13) **The offense described in this section, violating a speed limit, is punishable as provided**  
32 **in ORS 811.109.**

33 **SECTION 2. The amendments to ORS 811.111 by section 1 of this 2015 Act become oper-**  
34 **ative March 1, 2016.**

35 **SECTION 3. Notwithstanding any other law limiting expenditures, the limitation on**  
36 **expenditures established by section 5 (2), chapter \_\_\_\_\_, Oregon Laws 2015 (Enrolled House**  
37 **Bill 5040), for the biennium beginning July 1, 2015, as the maximum limit for payment of ex-**  
38 **penses from fees, moneys or other revenues, including Miscellaneous Receipts and federal**  
39 **funds received as reimbursement from the United States Department of Transportation, but**  
40 **excluding lottery funds and federal funds not described in section 5, chapter \_\_\_\_\_, Oregon**  
41 **Laws 2015 (Enrolled House Bill 5040), collected or received by the Department of Transpor-**  
42 **tation, is increased by \$735,000 to replace signage on highways in eastern Oregon.**