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Minnesota's Speed Limit

Update

Recent congressional action has restored complete authority to the states to set their own highway speed limits. This information brief gives a brief history of speed limit law, describes the 1996 actions of the legislature and governor on speed limits, and summarizes speed limits in other states.

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Minnesota's Speed Limit Law before 1974

Prior to the enactment of the nationwide 55 m.p.h. speed limit in 1974, Minnesota's basic law¹ made it illegal to drive at a speed greater than was "reasonable and prudent under the conditions." It went on to set out specific speed limits:

Urban districts ²	30 m.p.h.
Other areas, daytime	65 m.p.h.
Other areas, nighttime	55 m.p.h.
Alleys	10 m.p.h.

With a few exceptions such as for residential roadways, school zones, and park roads, where local governments have limited power to set their own speed limits, variations from the above limits may be set only by the Department of Transportation (MnDOT), and only after a safety investigation of the affected highway segment.

The 1974 National Speed Limit

In 1974 Congress responded to widespread energy shortages by, among other things, deciding to make highway travel more fuel-efficient by adopting a nationwide maximum 55 m.p.h. speed limit. It did so by requiring each state to adopt such a maximum speed limit on pain of losing all of its federal highway aid.³

In Minnesota, the legislature in its 1974 session chose not to write the 55 m.p.h. limit into law but rather delegated to the Commissioner of Highways (later the Commissioner of Transportation) the authority to designate the speed limit by executive order on recommendation of the governor.⁴ Any speed in excess of the designated speed was made automatically unlawful. Soon after, the Commissioner of Highways issued an executive order designating 55 as the statewide maximum speed limit.⁵ The pre-1974 speed limit law was retained in Minnesota Statutes, but its enforcement was suspended for as long as the executive order remained in effect.

In 1987 Congress allowed states to increase their speed limits to 65 m.p.h. on interstate highways everywhere except within major metropolitan areas. The 1987 Legislature did not pass a bill to adopt the higher limit, but in June of 1987 the Commissioner of Transportation adopted a new executive order authorizing the 65 m.p.h. limit on interstate highways located outside urbanized areas over 50,000 population.⁶

Repeal of the National Speed Limit

As part of the 1995 National Highway System Designation Act, Congress repealed all federal mandates relating to speed limits.⁷ The Minnesota Legislature responded by passing its first statewide speed limit bill in several decades, but paradoxically the end result was to leave speed limits right where they have been since 1986.

The 1996 law⁸ imposed a statewide limit of 65 m.p.h. on interstate highways and other freeways outside urban areas of 50,000 or more population. "Other freeways" means controlled access divided four-lane highways that are not part of the interstate system.⁹ Other rural highways were left at 55 m.p.h. At the same time the legislature gave the Minnesota Department of Transportation (MnDOT) the power to prescribe an overall speed limit for rural non-interstate freeways without having to go through the speed-investigation process that is required for other MnDOT-set speed limits. Following the 1996 session Governor Arne Carlson directed MnDOT to use this power to maintain a 55 m.p.h. speed limit on those roads. The governor cited the legislature's refusal to increase the number of State Patrol troopers as a major factor in this decision.

Amending the "Dimler Amendment"

In 1986 the legislature passed an amendment proposed by Representative Chuck Dimler that prohibited the Department of Public Safety from entering onto any driver's permanent driving record a speeding violation that was not more than 10 m.p.h. over the limit set in the executive orders. At the time it applied only to violations of the 55 m.p.h. limit but its terms also made it applicable to the 65 m.p.h. limit on rural interstates adopted by order in 1987.

The 1996 Legislature amended the Dimler amendment by making it apply only to violations of the 55 m.p.h. speed limit, thus insuring that its provisions could not be invoked for any violations of the 65 m.p.h. limit on rural interstate highways.

Action in Other States

Since Congress repealed the 55 m.p.h. mandate a number of states have acted to change their speed limits. Most of these states opted to retain their 55 m.p.h. limit on two-lane rural roads but adopted 65, 70, or even 75 m.p.h. on rural freeways. A few states allow the higher limits for cars only while keeping lower speed limits for trucks.

The table on page 4 shows current (as of August 1996) speed limits in other states.

State Speed Limit Laws

State	Interstates		Other Limited Access Hwys	Other Roads	Urban Streets	Special Provisions for Trucks
	Rural	Urban				
Alabama	70	70	65	65	30	
Alaska	70	55	55	55	30	
Arizona	75	55	55	55	25	
Arkansas	65	55	55	55	30	
California	70	65	70	55	25	55 m.p.h. on rural interstates
Colorado	75	65	65	55	30*	
Connecticut	55	55	55	55	As posted	
Delaware	65	55	65	55	25	
Florida	70	65	70	65	30	
Georgia	70	65	65	55	30	
Hawaii	55	50	45	45	R&P ‡	
Idaho	75	65	65	65	35	
Illinois	65	55	65	55	30	55 m.p.h. on rural interstates and expressways
Indiana	65	55	55	55	30	60 m.p.h. on rural interstates
Iowa	65	55	65	55	25#	
Kansas	70	70	70	65	As posted	
Kentucky	65	55	55	55	35	
Louisiana	65	55	55	55	As posted	
Maine	65	55	55	55	25	
Maryland	65	60	65	55	30	
Massachusetts	65	65	65	55	30	
Michigan	70	65	65	55	25	55 m.p.h. on all highways
MINNESOTA	65	55	55	55	30	
Mississippi	70	70	70	65	25#	
Missouri	70	60	70	60■	As posted	
Montana	R&P‡ +	R&P‡+	R&P‡+	65	25	65 m.p.h. on interstates, 60 m.p.h. on other roads
Nebraska	75	75	65	65	25#	
Nevada	75	65	70	70	As posted	

State	Interstates		Other Limited Access Hwys	Other Roads	Urban Streets	Special Provisions for Trucks
	Rural	Urban				
New Hampshire	65	55	55	55	30	
New Jersey	55	55	55	55	25	
New Mexico	75	55	55	55	25	
New York	65	65	65	55	R&P ‡	
North Carolina	70	65	55	55	35	
North Dakota	70	55	65	65	25	
Ohio	65	55	55	55	35	55 m.p.h. on rural interstates
Oklahoma	75	70	70	70	As posted	
Oregon	65	55	55	55	25#	55 m.p.h. on rural interstates
Pennsylvania	65	55	55	55	35	
Rhode Island	65	55	55	55	25	
South Carolina	65	55	55	55	30	
South Dakota	75	65	65	65	25	
Tennessee	65	55	55	55	As posted	
Texas	70++	70++	70++	70++	30	60 m.p.h. on all highways ++
Utah	75	65	55	55	25	
Vermont	65	55	50	50	As posted	
Virginia	65	55	65	55	25	
Washington	70	60	55	55	25	60 m.p.h. on all highways
West Virginia	65	55	55	55	25	
Wisconsin	65	65	65	55	25**	
Wyoming	75	60	65	65	30#	

Source: Insurance Institute for Highway Safety, American Trucking Associations, American Automobile Association, and World Wide Web sites for individual state transportation agencies.

- Key: * For residential streets; business districts 25 m.p.h.
‡ "Reasonable and prudent."
For residential streets; business districts 20 m.p.h.
■ 65 m.p.h. on rural divided highways with at-grade intersections.
‡+ Reasonable and prudent during daytime; nighttime: 65 m.p.h. interstates, 55 m.p.h. other roads.
** For residential and business districts in cities; outlying districts within cities, and semi-urban areas outside cities, 35 m.p.h.
++ Nighttime limits: Cars 65 m.p.h., trucks 55 m.p.h. About half of rural non-freeway mileage has been posted at 55 or 60 m.p.h.

Endnotes

1. Minnesota Statutes, section 169.14.

2. An "urban district" is defined as a "street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more." Minnesota Statutes, section 169.01, subdivision 59.

3. 23 U.S. Code, section 154.

4. Laws 1974, chapter 79, coded as Minnesota Statutes, section 169.141.

5. Commissioner of Highways Order No. 54539, March 1, 1974.

6. Commissioner of Transportation Order No. 72477, June 16, 1987.

7. S440, 104th Congress, section 205.

8. Laws 1996, chapter 455, article 1, sections 5-6.

9. "Controlled access highways" are those where abutting land owners have no automatic right of access to the highway.