

May 1, 1973

SENATOR CLARK: Well, not without this bill.

SENATOR BARNETT: Oh yes, they have it under a present-- wait.

SENATOR CLARK: No, they have to go through the Governor, they have to go through the legislative staff.

SENATOR BARNETT: No.

SENATOR CLARK: That's what the Department of Roads told me when I was out there.

SENATOR BARNETT: Well, that's--I wouldn't doubt but what that might have been what they told you, Senator Clark, but that's not the truth because of a bill that we had to reduce the nighttime speed limit. When we appeared before the committee, it states in that statute that the Department of Roads can reduce speed limits in spots around the state.

SENATOR CLARK: They can do it but they said they had to give public notice on it.

SENATOR BARNETT: I don't believe that's right.

SENATOR CLARK: Well, that's what they told me. The thing is, I want to be sure that they have this power so that this summer I'd like to get that speed limit reduced to 50 miles an hour and stop killing people in that stretch.

UNIDENTIFIED: I could probably answer that for you. It, they have to do a highway study on it--yes, they do--and they have to do a survey because we went through this on one other bill that I had something to do with here. It was on the speed limit bill that was in Public Works. They do have to perform a study before they can change the speed limit.

SENATOR CLARK: What I want to know, does this bill correct that situation so that they can go ahead and reduce the speed limit?

UNIDENTIFIED: No.

SENATOR BARNETT: Would you give me just one minute, they are trying to find it, Bob, I think it's exactly what you want. We'll find out. Maybe, do you know, Herb? I'd yield to Senator Duis if he knows the answer.

SPEAKER: Chair recognizes Senator Duis.

SENATOR DUIS: It is my understanding, Senator Richendifer, that what you have reference to is a permanent change, not a temporary change. The temporary change is what you're speaking of, Senator Clark, and if I recall the statute correctly the Roads Department has the right to post temporary changes in the speed limit without any due consideration but what you have reference to is if they're going to change the speed limit through a town or some place else, then they have to give public notice where that is going to be permanent, but not on a temporary basis because they are allowed to under any conditions such as hazards, temporary change in road conditions, temporary--as a matter of fact, I think it even goes so far that an officer can arrest you for driving too fast even though the speed limit is posted and the weather conditions are such as you should have been going slower, he can even arrest you for going a safe speed limit so I think you're covered pretty well

SPEAKER: Senator Clark still has the floor. He wishes to pass