



January 24, 2023

HOUSE BILL No. 1411

DIGEST OF HB 1411 (Updated January 24, 2023 3:32 pm - DI 140)

Citations Affected: IC 9-21.

Synopsis: Speed limit reduction on county streets or highways. Provides that if the county executive of a county determines that the maximum speed permitted is greater or less than reasonable and safe under the conditions found to exist on a street or highway, or part of a street or highway, the county executive may determine and declare a reasonable and safe maximum limit on the street or highway, or part of the street or highway, without performing an engineering and traffic investigation. Provides that the maximum limit declared by the county executive may decrease the limit on the street or highway in the county, or part of the street or highway in the county, but not to less than 35 miles per hour.

Effective: July 1, 2023.

Smaltz, Frye R

January 17, 2023, read first time and referred to Committee on Roads and Transportation.
January 24, 2023, reported — Do Pass.

HB 1411—LS 6575/DI 139



January 24, 2023

First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1411

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-21-5-6, AS AMENDED BY P.L.164-2018,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 6. (a) Except as provided in subsections (e), ~~and~~
4 (f), **and (g)**, whenever a local authority in the authority's jurisdiction
5 determines that the maximum speed permitted under this chapter is
6 greater or less than reasonable and safe under the conditions found to
7 exist on a highway or part of a highway, the local authority may
8 determine and declare a reasonable and safe maximum limit on the
9 highway. The maximum limit declared under this section may do any
10 of the following:

- 11 (1) Decrease the limit within urban districts, but not to less than
12 twenty (20) miles per hour.
13 (2) Increase the limit within an urban district, but not to more than
14 fifty-five (55) miles per hour during daytime and fifty (50) miles
15 per hour during nighttime.
16 (3) Decrease the limit outside an urban district, but not to less
17 than thirty (30) miles per hour.

HB 1411—LS 6575/DI 139



- 1 (4) Decrease the limit in an alley, but to not less than five (5)
 2 miles per hour.
- 3 (5) Increase the limit in an alley, but to not more than thirty (30)
 4 miles per hour.
- 5 The local authority must perform an engineering and traffic
 6 investigation before a determination may be made to change a speed
 7 limit under subdivision (2), (3), (4), or (5) or before the speed limit
 8 within an urban district may be decreased to less than twenty-five (25)
 9 miles per hour under subdivision (1).
- 10 (b) Except as provided in subsection (f), a local authority in the
 11 authority's jurisdiction shall determine by an engineering and traffic
 12 investigation the proper maximum speed for all local streets and shall
 13 declare a reasonable and safe maximum speed permitted under this
 14 chapter for an urban district. However, an engineering and traffic study
 15 is not required to be performed for the local streets in an urban district
 16 under this subsection if the local authority determines that the proper
 17 maximum speed in the urban district is not less than twenty-five (25)
 18 miles per hour.
- 19 (c) An altered limit established under this section is effective at all
 20 times or during hours of darkness or at other times as may be
 21 determined when appropriate signs giving notice of the altered limit are
 22 erected on the street or highway.
- 23 (d) Except as provided in this subsection, a local authority may not
 24 alter a speed limit on a highway or extension of a highway in the state
 25 highway system. A city or town may establish speed limits on state
 26 highways upon which a school is located. However, a speed limit
 27 established under this subsection is valid only if the following
 28 conditions exist:
- 29 (1) The limit is not less than twenty (20) miles per hour.
 30 (2) The limit is imposed only in the immediate vicinity of the
 31 school.
 32 (3) Children are present.
 33 (4) The speed zone is properly signed. There must be:
 34 (A) a sign located:
 35 (i) where the reduced speed zone begins; or
 36 (ii) as near as practical to the point where the reduced speed
 37 zone begins;
 38 indicating the reduced speed limit; and
 39 (B) a sign located at the end of the reduced speed zone
 40 indicating:
 41 (i) the speed limit for the section of highway that follows; or
 42 (ii) the end of the reduced speed zone.



- 1 (5) The Indiana department of transportation has been notified of
 2 the limit imposed by certified mail.
- 3 (e) A local authority may decrease a limit on a street to not less than
 4 fifteen (15) miles per hour if the following conditions exist:
- 5 (1) The street is located within a park or playground established
 6 under IC 36-10.
- 7 (2) The:
- 8 (A) board established under IC 36-10-3;
 9 (B) board established under IC 36-10-4; or
 10 (C) park authority established under IC 36-10-5;
 11 requests the local authority to decrease the limit.
- 12 (3) The speed zone is properly signed.
- 13 (f) A city, town, or county may establish speed limits on a street or
 14 highway upon which a school is located if the street or highway is
 15 under the jurisdiction of the city, town, or county, respectively.
 16 However, a speed limit established under this subsection is valid only
 17 if the following conditions exist:
- 18 (1) The limit is not less than twenty (20) miles per hour.
 19 (2) The limit is imposed only in the immediate vicinity of the
 20 school.
- 21 (3) Children are present.
- 22 (4) The speed zone is properly signed. There must be:
- 23 (A) a sign located where the reduced speed zone begins or as
 24 near as practical to the point where the reduced speed zone
 25 begins indicating the reduced speed limit and a sign located at
 26 the end of the reduced speed zone indicating the end of the
 27 reduced speed zone; and
 28 (B) if the school operates on a twelve (12) month schedule, a
 29 sign indicating that the school is an all year school.
- 30 **(g) If the county executive of a county determines that the**
 31 **maximum speed permitted under this chapter is greater or less**
 32 **than reasonable and safe under the conditions found to exist on a**
 33 **street or highway, or part of a street or highway, the county**
 34 **executive may determine and declare a reasonable and safe**
 35 **maximum limit on the street or highway, or part of the street or**
 36 **highway, without performing an engineering and traffic**
 37 **investigation under this section. The maximum limit declared**
 38 **under this subsection may decrease the limit on the street or**
 39 **highway in the county, or part of the street or highway in the**
 40 **county, but not to less than thirty-five (35) miles per hour.**
- 41 ~~(g)~~ **(h)** Except as provided in subsection ~~(h)~~; **(i)**, a person who
 42 exceeds a speed limit established by a local authority under this section



1 commits a Class C infraction.
2 ~~(h)~~ (i) A person who exceeds a speed limit that is established under
3 subsection (d) or (f) commits a Class B infraction.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1411, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1411 as introduced.)

PRESSEL

Committee Vote: Yeas 10, Nays 0

