

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 664

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1
2 RELATING TO SPEED LIMITS; AMENDING SECTION 49-654, IDAHO CODE, TO PROVIDE
3 THAT THE SPEED LIMITS FOR VEHICLES WITH FIVE OR MORE AXLES OPERATING AT
4 A GROSS WEIGHT OF MORE THAN TWENTY-SIX THOUSAND POUNDS SHALL BE THE SAME
5 AS FOR OTHER MOTOR VEHICLES; AND DECLARING AN EMERGENCY AND PROVIDING AN
6 EFFECTIVE DATE.

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 49-654, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 49-654. BASIC RULE AND MAXIMUM SPEED LIMITS. (1) No person shall drive
11 a vehicle at a speed greater than is reasonable and prudent under the con-
12 ditions and having regard to the actual and potential hazards then exist-
13 ing. Consistent with the foregoing, every person shall drive at a safe and
14 appropriate speed when approaching and crossing an intersection or railroad
15 grade crossing, when approaching and going around a curve, when approaching
16 a hillcrest, when traveling on any narrow or winding highway, and when spe-
17 cial hazards exist with respect to pedestrians or other traffic or by reason
18 of weather or highway conditions.

19 (2) (a) Where no special hazard or condition exists that requires lower
20 speed for compliance with subsection (1) of this section, the limits as
21 hereinafter authorized shall be maximum lawful speeds, and no person
22 shall drive a vehicle at a speed in excess of the maximum limits:

23 (i) Thirty-five (35) miles per hour in any residential, business
24 or urban district, unless otherwise posted in accordance with sec-
25 tion 49-207(2) or (3), Idaho Code;

26 (ii) Seventy-five (75) miles per hour on interstate highways,
27 unless otherwise posted in accordance with section 49-201(4),
28 Idaho Code, and provided that this speed may be increased to eighty
29 (80) miles per hour if the department completes an engineering and
30 traffic study on the interstate highway and concludes that the
31 increase is in the public interest and the transportation board
32 concurs with such conclusion;

33 (iii) Sixty-five (65) miles per hour on state highways, unless
34 otherwise posted in accordance with section 49-201(4), Idaho
35 Code, and provided that this speed may be increased to seventy
36 (70) miles per hour if the department completes an engineering and
37 traffic study on the state highway and concludes that the increase
38 is in the public interest and the transportation board concurs
39 with such conclusion;

40 (iv) Fifty-five (55) miles per hour in other locations, unless
41 otherwise posted, up to a maximum of seventy (70) miles per hour.

1 (b) Subject to all other applicable motor vehicle laws, a driver of a
2 passenger car, motorcycle or pickup truck, not towing any other vehi-
3 cle, may exceed the posted speed limit by up to fifteen (15) miles per
4 hour while passing another vehicle traveling at less than the posted
5 speed limit, in order to safely pass the vehicle. The overtaking vehi-
6 cle shall return to the right-hand lane and reduce speed to the posted
7 speed limit as soon as practicable. This paragraph shall be applicable
8 only to:

9 (i) Passing on the left on roadways divided into two (2) lanes
10 providing only one (1) lane of traffic in each direction and
11 where the posted speed limit is fifty-five (55) miles per hour or
12 greater; or

13 (ii) Passing one (1) or more vehicles traveling in the same di-
14 rection while in a passing lane. For the purposes of this sub-
15 paragraph, "passing lane" means an extra roadway lane created by
16 widening a length of roadway to allow faster-moving vehicles to
17 overtake slower-moving vehicles traveling in the same direction
18 without crossing into an opposing travel lane. This subparagraph
19 shall not apply to a vehicle that passes on the right within a pass-
20 ing lane area or to a vehicle that overtakes another vehicle by
21 moving into an opposing traffic lane. This subparagraph shall not
22 apply to roadways with a posted speed limit below fifty-five (55)
23 miles per hour or to any portion of a roadway that is within an in-
24 corporated city.

25 (iii) This paragraph shall not be applicable in construction
26 zones. For purposes of basic rule violations and penalties im-
27 posed pursuant to this section and Idaho infraction rule 9, the
28 fifteen (15) mile per hour allowance in passing situations pro-
29 vided in this paragraph shall be deemed to be the maximum speed
30 limit from which fines are determined.

31 (3) For vehicles with five (5) or more axles operating at a gross weight
32 of more than twenty-six thousand (26,000) pounds, the maximum lawful speed
33 limits on interstate highways, in nonurban areas shall not exceed ten (10)
34 miles per hour less, in urban areas, on state highways, or in other locations
35 shall be the same as for vehicles with less than five (5) axles and operating
36 at a gross weight of twenty-six thousand (26,000) pounds or less, and in ur-
37 ban areas the maximum lawful speed limit on interstate highways for such ve-
38 hicles shall not exceed sixty-five (65) miles per hour.

39 SECTION 2. An emergency existing therefor, which emergency is hereby
40 declared to exist, this act shall be in full force and effect on and after
41 July 1, 2026.