




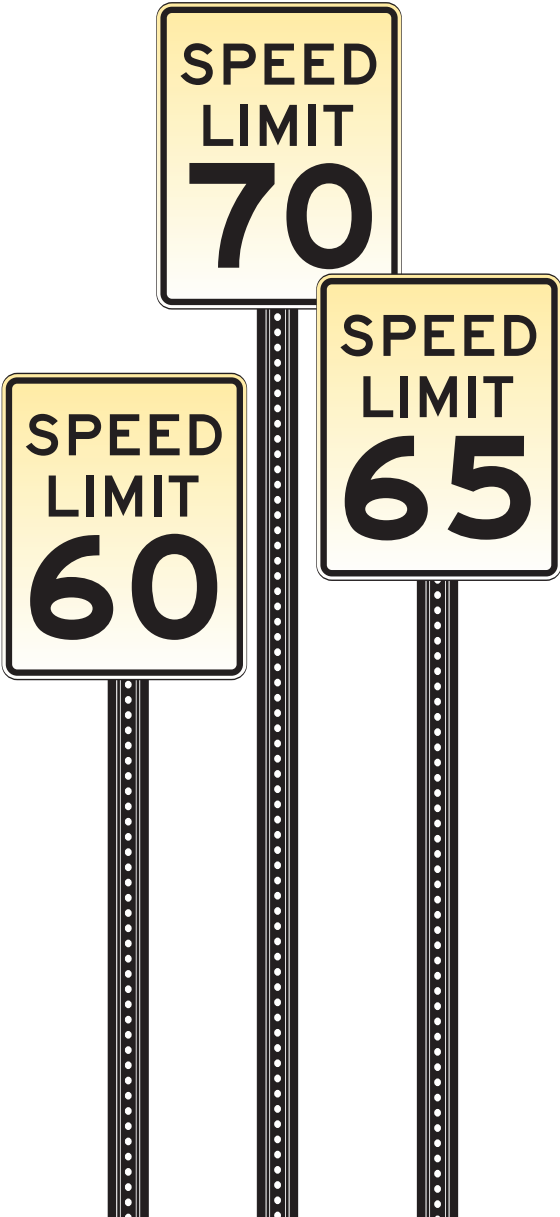
SURVEY OF THE STATES --- SPEEDING



The Governors Highway Safety Association (GHSA) is the states' voice on highway safety. GHSA represents the highway safety programs of states and territories on the human behavioral aspects of highway safety. Such areas include occupant protection, impaired driving, speed enforcement, aggressive driving, and pedestrian and bicycle safety, as well as highway safety issues relating to older and younger drivers, drowsy driving and distracted driving. In addition to the behavioral aspects of driving, GHSA also represents other aspects of highway safety, such as traffic records and training. GHSA's mission is to provide leadership in the development of national policy to ensure effective highway safety programs. For more information, please visit www.ghsa.org or call **(202) 789-0942**.

Contents

- Executive Summary 4
- Speeding: Highway Safety's Next Big Issue 5
- Summary of Key Results 7
 - Alabama 12
 - Alaska 14
 - Arizona 15
 - Arkansas 16
 - California 18
 - Colorado 20
 - Connecticut 22
 - Delaware 23
 - District of Columbia 25
 - Florida 26
 - Georgia 28
 - Guam 30
 - Hawaii 31
 - Idaho 32
 - Illinois 34
 - Indiana 36
 - Indian Nation 38
 - Iowa 39
 - Kansas 41
 - Kentucky 42
 - Louisiana 43
 - Maryland 44
 - Massachusetts 46
 - Michigan 48
 - Minnesota 50
 - Mississippi 52
 - Missouri 53
 - Montana 55
 - Nebraska 56
 - Nevada 58
 - New Hampshire 60
 - New Jersey 61
 - New Mexico 62
 - North Carolina 64
 - North Dakota 65
 - Ohio 66
 - Oklahoma 67
 - Oregon 68
 - Pennsylvania 70
 - South Carolina 72
 - South Dakota 74
 - Tennessee 75
 - Texas 77
 - Utah 78
 - Vermont 80
 - Virginia 82
 - Washington 84
 - West Virginia 86
 - Wisconsin 87
 - Wyoming 89
- State Contacts 90



Executive Summary

Executive Summary

Speeding is cited as a major factor in nearly one-third of motor vehicle crashes annually in the United States. Setting speed limits has traditionally been the responsibility of states, except for the period 1973-1994. During that period the federal government enacted mandatory speed limit ceilings on interstate highways and so-called interstate look-alike roads through the National Maximum Speed Limit (NMSL) policy. The NMSL was repealed in 1995. Most states raised speed limits after the repeal of NMSL.

In 1999, the Insurance Institute for Highway Safety (IIHS) funded a research project to study the effects of the repeal of NMSL. In that study, and in a special issue on speeding released in 2003, researchers reiterated concern about the societal cost of speeding in the U.S. According to the most recent IIHS report, higher travel speeds on rural interstates are responsible for an average 35 percent increase in death rates.

In an effort to understand the continued role speeding plays in highway fatalities, the Governors Highway Safety Association (GHSA) with financial assistance from the U.S. Department of Transportation, convened a national forum focusing on excessive speed. The outcome of the June 2005 forum will be recommendations for a national speed strategy in which federal, state and local actions to control speeding can be identified, coordinated and implemented.

This Survey of the States report provides background information for the National Forum in reducing speeding-related fatalities and also provides a snapshot of state countermeasures.

To gauge what speeding reduction efforts states and territories are undertaking, GHSA asked state highway safety agencies to complete a questionnaire on the issue. Forty-seven states plus Guam, the District of Columbia and the Indian Nations responded. Individual responses are provided in Appendix A.

GHSA's Survey of the States found:

- While all jurisdictions have developed and use a state-specific standardized crash report form, forms vary from state to state, making regional comparisons difficult. Some states are able to isolate speeding-related fatal and injury crashes while others are not.
- Speeding-related crash data, if available, is available statewide in most instances. Speeding-related citation and/or conviction data is not as frequently collected or maintained in a statewide database.
- Aggressive driving is rarely defined in state statutes. Ten states reported as having enacted legislation specifically defining aggressive driving. Some states use informal definitions, some use federal definitions, and some states use other statutes such as reckless driving. It does appear that the number of states defining aggressive driving in state statutes is increasing, however. In January 2001, GHSA published a Survey of the States on the subject of aggressive driving. At that time only four states reported having enacted specific aggressive driving legislation.
- Geographic and demographic data isolated to speeding (crashes or citations) is not readily available in a statewide database format.
- Most jurisdictions did not isolate speeding in terms of targeting federal highway safety funding. Rather, speeding was most often included as one of several components of funded activities.
- Nearly all respondents reported a public perception that there exists a cushion above a posted speed limit in which officers will not cite offenders. The range most often reported was 5-10 miles per hour above the posted limit.

Speeding: Highway Safety's Next Big Issue

Background

Speeding is one of the most prevalent factors in motor vehicle crashes. The National Highway Traffic Safety Administration (NHTSA) lists speeding as the third leading contributing factor in traffic fatalities. Speeding continues to be cited as a major factor in almost one-third (31 percent) of traffic fatalities nationally and is estimated to cost \$40 billion each year. State crash data for local roadways and collector roads also points to speeding as a contributing factor in a significant number of fatal and injury crashes.

Speeding is often defined in code or policy in terms such as driving too fast for conditions or driving in excess of the posted speed limit. Responsibility for setting speed limits rests with state and local governments. However, in 1973 Congress preempted state and local authority and enacted a national speed policy entitled the National Maximum Speed Limit (NMSL.) The provision was authorized during the energy crisis and was intended to conserve fuel and decrease the nation's reliance on petroleum. The NMSL limited speeds on interstates and limited access roadways to 55 mph. In 1987 and again in 1991, Congress allowed states to raise the maximum speed limits to 65 mph outside urban areas. Following years of controversy over the NMSL, Congress repealed the national speed policy in 1995. The repeal meant state and local governments once again controlled speed limits on all state and local roadways.

After federal controls were removed on the interstate system, many states also increased speed limits on local roadways, particularly on rural freeways. Not surprisingly, state crash data since 1995 is showing continuing increases in the number of deaths and injuries attributed to speed.

In 1999, the Insurance Institute for Highway Safety (IIHS) funded a study of the effects of the repeal of the national maximum speed limit law. Researchers compared the number of motor vehicle deaths in 24 states that raised speed limits with corresponding fatality counts in the 6 years prior to the repeal. Researchers also compared fatality counts from 7 states that didn't change speed lim-

its. In 1999, IIHS estimated a 15 percent increase in fatalities on interstates and freeways in states that raised speed limits. In 2003, in a special issue on speeding, the Institute reiterated concern about speeding in the U.S. and the related societal cost in terms of increased death and injury rates. In the most recent report, IIHS found when states increased the speed limit to 75 mph, a 38 percent increase in the number of deaths per million vehicle miles of travel occurred, compared to states that did not increase the speed limit. States that increased speed limits to 70 mph experienced a 35 percent increase, resulting in approximately 1,100 more deaths.

Today, despite the substantial social and technological changes that have occurred in the past decade, speeding remains an important public policy and traffic safety issue. States are becoming increasingly concerned that gains made in the areas of safety restraint usage and impaired driving have been offset by increased fatalities and injuries due to higher speeds. In an effort to understand the continued role speeding plays in highway fatalities, the Governors Highway Safety Association, with assistance from several federal agencies and private organizations, organized a national forum focusing on excessive speeding. The outcome of the June 2005 forum will be recommendations for a national speed strategy in which federal, state and local actions to control speeding can be identified, coordinated and implemented.

Effect of Speed in Crashes

Speed limits are typically set based on roadway design. A curving two-lane rural road will have a different speed limit allowance than a modern controlled access freeway. Road characteristics that contribute to an assigned speed limit include sight distance (how far ahead the driver can see), road curvature, number of lanes, surface condition, the number of intersections, access to nearby commercial developments, whether the roadway is within city limits and so forth.

However, while road characteristics determine what is physically possible for a vehicle, adding the human element to the equation changes the out-

come. Actual driving speed is strongly influenced by what seems appropriate to the driver at the time. The perception of risk, i.e. whether the driver perceives that he/she will be caught speeding, is also a factor in how well a posted speed limit is followed.

The relationship between vehicle speed and crash severity is based on the laws of physics. Excessive vehicle speed (speed above that for which the roadway was designed, exceeding posted limits or speed too fast for conditions) has severe and often times disastrous effects in a crash, because speed:

- Reduces a driver's ability to negotiate curves or maneuver around obstacles in the roadway
- Extends the distance necessary for a vehicle to stop
- Increases the distance a vehicle travels while the driver reacts to a hazard
- Compromises the integrity of the vehicle structure
- Decreases the effectiveness of vehicle design features such as airbags and restraint systems
- Decreases the ability of roadway hardware such as guardrails, barriers and impact attenuators to protect occupants
- Increases tread wear on tires and wear on braking systems
- Increases the risk of crashes because other vehicles and pedestrians may not be able to judge distance accurately

Survey of the States: Speeding

To better understand speeding as a highway safety issue at the state level, GHSA asked state highway safety offices to complete a questionnaire on the speeding issue. Forty-seven states plus Guam, the District of Columbia and the Indian Nations responded. Individual responses are provided in Appendix A.

Highway safety jurisdictions were asked to provide the following information:

1. Comparison of speed limits between 1994 (just before the repeal of NMSL) to 2004. States/territories were also queried about different speed limits for trucks.
2. What type of speeding-related data each state/territory maintains, including any data about aggressive driving, and whether and how the state/territory defines "aggressive driving."
3. Proportion of fatal and injury crashes attributed to speeding, and annual number of speeding citations or speeding convictions.
4. Description of efforts to reduce excessive speeding, including educational, engineering and enforcement efforts. Respondents were asked to isolate measurable efforts that addressed only speeding, if possible.
5. Percentage of federal highway safety dollars committed to reducing incidences of speeding, as well as identifying amounts and sources of state funding.
6. Impact of speeding and/or aggressive driving programs in the last two years.
7. Opinion survey question about whether the motorist public believes police give a cushion above the posted speed limit before issuing a citation.

Summary of Key Results

Speed Limits: 1994 and 2004

Of the 50 respondents, 47 provided information about speed limits in 1994 and 2004. These are shown on Table 1.

Table 1 Speed Limits: 1994 and 2004

State	Limited Access Rural Interstates		Limited Access Urban Interstates		Other Limited Access Roads		Truck Speed (Y or N)
	1994	2004	1994	2004	1994	2004	
Alabama	65	70	55	60	55	65	N
Alaska	55	55	55	55	55	55	N
Arizona	65	75	55	55-65	55	55-65	N
Arkansas	65	70	55	60	60	60	Y
California	55	70	55	65	55	65	Y
Colorado	65	75	55	55	55	65	N
Connecticut	55	65	55	55	55	65	N
Delaware	55	65	55	65	55	55	N
District of Columbia	N/A	N/A	55	55	N/A	N/A	N
Florida	65	70	55/65	55/65	55/65	65/70	N
Georgia	55	70	55	55-65	55	65	N
Guam	45	45	45	45	25	25	Y
Hawaii	55	55/65	55	55	55	55	N
Idaho	65	75	65	65	65	65	Y
Illinois	65	65	55	55	55	65 or 55	Y
Indiana	65	65	55	55	55	55	Y
Iowa	65	70	55	70	55	65	N
Kansas	65	70	55	55-70	55	55-70	N
Kentucky	65	65	65	65	65	65	N
Louisiana	55	70	55	70	50	55-60	Some
Maryland	55	65	55	65	55	55-65	Some
Massachusetts	55	65	55	65	55	65	N
Michigan	65	70	55	70	55	70	Y
Minnesota	65	70	55	55 to 70	55	55	N
Mississippi	55	70	50-55	50 to 70	55	65	N
Missouri	65+	70	55	60	55	70	N
Montana	65	75	55	65	55	65	Y
Nebraska	65	75	55	65	55	65	N
Nevada	55	75	55	65	55	70	N
New Jersey	55	65	55	55	55	65	N
New Mexico	65	75	55	65	55	70	N
North Carolina	55	65/70	55	55/65	55	55/65	N
North Dakota	65	75	65	75	None	None	Y
Ohio	65	65	55	65	65	65	Y
Oklahoma	55	70	55	60	55	60	N
Oregon	55	65	55	50/55/60	55	55	Y
Pennsylvania	55	65	55	65	55	65	N
South Carolina	65	70	55	60	55	60	N
South Dakota	65	75	65	75	N/A	N/A	Y
Tennessee	65	70	45-55	45-55	65	70	Some
Texas	D 65/N 55	D 75/N 65	55	D 70/N 65	55	D 75/N 65	Y
Vermont	65	65	55	55	NR	55	N
Virginia	65	65	55	55	55	55-60-65	Some
Washington	65	70	55	60	55	60	Y
West Virginia	55	70	55	60	55	U 50/R 65	N
Wisconsin	55	65	55	55	55	65	N
Wyoming	65	75	65	65/75	50/55	55/65	N

Eighteen respondents indicated a different speed limit for trucks (AR, CA, Guam, ID, IL, IN, LA, MD, MI, MT, ND, OH, OR, SD, TN, TX, VA and WS.) Differential speed limits for trucks were in place for a variety of reasons, with the most common being urbanized areas, mountainous areas, certain interstates or sections of interstates, primary/secondary/state roads, truck size/weight, roadway type and day/night.

D = Day N = Night U = Urban R = Rural

Summary of Key Results

To date, 10 states have either enacted aggressive driving legislation or have modified existing reckless driving statutes to include aggressive driving. Aggressive driving laws typically stipulate that a driver must be observed demonstrating more than one action included in a series of driver actions that are defined as “aggressive.”

Table 2 Aggressive Driving Laws

Arizona	Speeding and at least two of the following: failure to obey traffic control device, passing on the right out of regular lanes of traffic, unsafe lane change, following too closely, or failure to yield right of way; and the person’s driving is an immediate hazard to another person or vehicle.
Delaware	At least 3 of the following: speeding, running red lights or stop signs, failure to yield right-of-way, making unsafe lane changes, passing on the shoulder, following too closely and passing stopped school buses.
Florida	At least two of the following: speeding, unsafe or improper lane change, following too closely, failing to yield right of way, improper passing, and failure to obey traffic control devices.
Georgia	Operation of a motor vehicle with the intent to annoy, harass, molest, intimidate, injure, or obstruct another person while violating motor vehicle code sections including overtaking and passing another vehicle; traffic lane violations; following too closely; turn signal; lane change; slowing or stopping violations; impeding traffic flows; or reckless driving.
Maryland	At least three of the following: failure to obey traffic control device, overtaking and passing, passing on right, improper driving on laned roadways, following too closely, failure to yield right of way or exceeding maximum speed limit.
Nevada	Within 1 mile, speeds create a hazard for other drivers and at least two of the following: fails to obey traffic control device, passing on the right off of paved roadway, following too closely, lane violation, and failure to yield right of way.
North Carolina	Speeding and driving carelessly and heedlessly in willful or wanton disregard of the rights or safety of others (defined as reckless driving and includes at least two of the following: running a red light, running a stop sign, illegal passing, failing to yield right of way, and following too close.)
Rhode Island	At least two of the following: failure to obey traffic control device, passing on the right, driving outside the lanes of traffic, following too closely, failure to yield right of way, failure to use turn signals, and use of emergency lane for travel.
Utah	Amended reckless driving law to include aggressive driver actions: willful and wanton disregard and 3 or more moving violations in one episode.
Virginia	Is a hazard to others with the intent to harass, intimidate, injure or obstruct another person and commits at least one of the following: failure to drive on the right side of highway, failure to drive in lanes marked for traffic, following too closely, failure to yield right of way, failure to obey traffic control device, passing on right, speeding and stopping on a highway.

Speeding-related data; aggressive driving data

Being able to isolate and capture specific speeding-related deaths and injuries is an integral part of comparing the incidence of speeding-related deaths and injuries to all deaths and injuries within a state. Such identification allows jurisdictions to subsequently target funds to address the specific problem. While all jurisdictions have developed and use a state-specific standardized crash report form, forms vary from state to state, making regional comparisons difficult. Some states are able to isolate speeding-related fatal and injury crashes while others are not.

Of the 50 jurisdictions responding to the survey, almost all (48) collect speeding-related crash data, primarily from crash reports that are maintained in a state database. Some states also collect specific speed data, not related to speeding citations. By law, Colorado collects 85th percentile speed data (measuring driving speeds on sections of roadway to calculate the prevailing driving speeds of 85 percent of drivers) from engineering studies in order to change speed limits. Idaho collects speed data from temporary and permanent speed counters located throughout the state. Massachusetts defines speeding-related crashes by considering speeding-related violations issued as the result of a crash, and has identified nine violations that are considered specifically speeding-related. Oklahoma also collects 85th percentile speeds at various points along the highway system. Pennsylvania collects spot speed data manually through radar at specific locations and also uses automatic traffic data collection devices embedded in the roadway surface to collect speed data on major thoroughfares.

By comparison, speeding-related citation data is not as frequently collected or maintained in a statewide database. In response to the question of maintaining speeding-related citation data, 31 jurisdictions (AL, AK, CA, CO, CT, DE, FL, GA, Guam, HI, IL, IA, KY, LA, MD, MA, MS, NC, NV, NH, NJ, OK, SC, SD, TN, TX, VA, WA, WV, WI, WY) responded in the affirmative. Many of the affirmative responses stated that citation database information is only maintained on citations issued by the state police and does not include speeding citations issued by local enforcement agencies.

Some states, while not counting the number of speeding citations, reported they are nonetheless able to extrapolate the effects of speeding by counting the number of speeding violations posted to driving records or through analyzing conviction data. Maintaining both citation and conviction data for comparison purposes is one means of identifying problem areas relating to adjudication.

In responding to a question about collecting aggressive driving data, it is interesting to note that 21 states (CA, CO, DE, D.C., FL, ID, IL, IN, MD, MA, MS, MO, NH, NC, PA, SC, TX, UT, VT, VA, WA) report collecting aggressive driving data, but only 10 states (AZ, DE, FL, GA, MD, NC, NV, RI, UT, VA) report having enacted legislation to legally define “aggressive” driving. Most states reported that aggressive driving is not a category of offense recognized by state statute, but is rather a generally recognized set of behaviors that have been used by law enforcement and the courts to define aggressive driving in crash and citation reports. Some states report using reckless driving statutes to determine aggressive driving offenses. Several jurisdictions reported that state police mirror the National Highway Traffic Safety’s (NHTSA) definition of aggressive driving in determining citable driver actions. NHTSA defines aggressive driving as “the operation of a motor vehicle in a manner which endangers or is likely to endanger persons or property.”

Proportion fatal and injury speeding-related data, speed citation data and specific group data

One method of identifying and subsequently addressing speeding as an issue is to look at the proportion of fatal and injury crashes attributed to speeding compared with all fatal and injury crashes. Proportional data is useful in determining the overall scope of any particular highway safety problem area. Proportional data is often coupled with citation (or conviction) data to add yet another dimension to the data analysis. A more comprehensive problem identification process is to compare relational data, citation (or conviction) data and geographic, race, gender, age and other grouping data. For example, if all three data sets are available, a highway safety jurisdiction would be

Summary of Key Results

able to isolate speeding as a percentage of crashes, to understand how the problem of speeding is being addressed through adjudication, and to identify significant geographic or population groupings most often associated with the problem of speeding. The appropriate mix of countermeasures could then be applied to address the problem.

Nearly all respondents provided proportional fatal and injury crash data, charts of which are provided in Appendix A, as reported by each respondent. Appendix A also contains information related to speeding citation (or conviction) data where available, as well as data covering over- or under-representation by a given geographic or other group.

Description of efforts to address speeding

When asked to describe efforts to reduce excessive speeding, jurisdictions were asked to provide information specifically targeting speeding. Nearly all respondents reported on programs that address multiple unsafe driving behaviors, among which was speeding. For example, most states reported utilizing the Selective Traffic Enforcement Program (STEP) or similar program to address speeding, with speeding being one of several components of a STEP. States also combined impaired driving and seat belt use programs with speeding enforcement and education efforts. Specific responses from each jurisdiction are contained in Appendix A.

Program funding committed to speeding

Jurisdictions were asked to provide information about the amount or percentage of federal highway safety dollars committed to reducing speeding in each of three fiscal years. Responses were a mix of dollars, percentages and aggregates of all funding (rather than just funding related to speeding.) Similarly, the majority of respondents reported funds committed to STEP or similar programs that addressed a variety of unsafe driving behaviors, among which was speeding. It was not possible to isolate federal dollars committed specifically to speeding in most instances. Each jurisdiction's specific response is contained in Appendix A. Of those that did provide percentages of federal highway safety dollars that addressed speeding, at least to some degree, the average range was 15 percent to 20 percent. Four states (AZ, IA, TX, WY) reported a range of 34 percent to 37 percent, and one state (OH) estimated 40 percent.

Colorado was the only state to report using state funds (beyond those committed to state patrol for enforcement activities or used for highway safety personnel expenses.) However, not all states responded to this question, thus more state funds may actually be committed to addressing speeding than what was reported.

Impact of speeding or aggressive driving program in the last two years

Some jurisdictions did not have data available for the report period. Of the 50 respondents, 21 jurisdictions (AZ, AR, CA, CO, FL, GA, ID, IL, IA, KS, KY, MD, NJ, OH, PA, SC, SD, UT, VA, WA) reported reductions in speeding, in speeding-related crashes, in numbers of high accident locations or in the death rate per 100 million vehicle miles traveled. Two states (MA, NH) reported increases in the numbers of speeding-related citations. One state (MD) implemented a program targeting speeding and aggressive driving, and reported an increase in public awareness by measuring pre- and post-program awareness levels. One state (VT) observed a relationship between an increase in fatalities and a decrease in funding for enforcement.