
HOUSE BILL No. 1123

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-5-6.

Synopsis: School zone and signs. Authorizes a city, county, or town to establish speed limits for schools located on streets or highways under the jurisdiction of the city, town, or county. Requires that, after June 30, 2011, there must be: (1) a sign at or as near as practical to the point where a school zone begins, indicating the reduced speed limit for the school zone; and (2) a sign at the end of the school zone indicating: (A) the speed limit for the section of highway that follows the school zone; or (B) the end of the school zone.

Effective: July 1, 2009.

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January 12, 2009, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 116th General Assembly (2009)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1123



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.169-2006,
2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 6. (a) Except as provided in ~~subsection~~
4 **subsections (e) and (f)**, whenever a local authority in the authority's
5 jurisdiction determines that the maximum speed permitted under this
6 chapter is greater or less than reasonable and safe under the conditions
7 found to exist on a highway or part of a highway, the local authority
8 may determine and declare a reasonable and safe maximum limit on
9 the highway. The maximum limit declared under this section may do
10 any 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.



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. **After June 30, 2011,**
34 **there must be:**

35 **(A) a sign located:**

36 **(i) where the reduced speed zone begins; or**

37 **(ii) as near as practical to the point where the reduced**
38 **speed zone begins;**

39 **indicating the reduced speed limit; and**

40 **(B) a sign located at the end of the reduced speed zone**
41 **indicating:**

42 **(i) the speed limit for the section of highway that follows;**

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or

(ii) the end of the reduced speed zone.

(5) The Indiana department of transportation has been notified of the limit imposed by certified mail.

(e) A local authority may decrease a limit on a street to not less than fifteen (15) miles per hour if the following conditions exist:

(1) The street is located within a park or playground established under IC 36-10.

(2) The:

- (A) board established under IC 36-10-3;
 - (B) board established under IC 36-10-4; or
 - (C) park authority established under IC 36-10-5;
- requests the local authority to decrease the limit.

(3) The speed zone is properly signed.

(f) A city, town, or county may establish speed limits on a street or highway upon which a school is located if the street or highway is under the jurisdiction of the city, town, or county, respectively. However, a speed limit established under this subsection is valid only if the following conditions exist:

(1) The limit is not less than:

(A) twenty (20) miles per hour within an urban district; and

(B) thirty (30) miles per hour outside an urban district.

(2) The limit is imposed only in the immediate vicinity of the school.

(3) Children are present.

(4) The speed zone is properly signed. After June 30, 2011, there must be:

(A) a sign located:

(i) where the reduced speed zone begins; or

(ii) as near as practical to the point where the reduced speed zone begins;

indicating the reduced speed limit; and

(B) a sign located at the end of the reduced speed zone indicating:

(i) the speed limit for the section of highway that follows;

or

(ii) the end of the reduced speed zone.

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