

# 2004 SESSION

INTRODUCED

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## SENATE BILL NO. 408

Offered January 14, 2004

Prefiled January 14, 2004

*A BILL to amend and reenact § 46.2-878 of the Code of Virginia, relating to authority of the Commonwealth Transportation Commissioner to change speed limits.*

Patron—Ruff

Referred to Committee on Transportation

### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 46.2-878 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-878. Authority to change speed limits.

Notwithstanding the other provisions of this article, the Commonwealth Transportation Commissioner or other authority having jurisdiction over highways may *increase or* decrease the speed limits set forth in §§ 46.2-870 and ~~may increase or decrease the speed limits set forth in §§ 46.2-873 through 46.2-875~~ on any highway under its jurisdiction; and may establish differentiated speed limits for daytime and nighttime by decreasing for nighttime driving the speed limits set forth in § 46.2-870 and by increasing for daytime or decreasing for nighttime the speed limits set forth in §§ 46.2-873 through 46.2-875 on any highway under his jurisdiction. Such increased or decreased speed limits and such differentiated speed limits for daytime and nighttime driving shall be effective only when prescribed after a traffic engineering investigation and when indicated on the highway by signs. It shall be unlawful to operate any motor vehicle in excess of speed limits established and posted as provided in this section. The increased or decreased speed limits over highways under the control of the Commonwealth Transportation Commissioner shall be effective only when prescribed in writing by the Transportation Commissioner and kept on file in the Central Office of the Department of Transportation. Whenever the speed limit on any highway has been increased or decreased or a differential speed limit has been established and such speed limit is properly posted, there shall be a rebuttable presumption that the change in speed was properly established in accordance with the provisions of this section.

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