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HOUSE BILL NO. 1692**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Transportation
on February 3, 2011)

(Patron Prior to Substitute—Delegate Stolle)

A BILL to grant authority to the governing body of the City of Virginia Beach to change certain speed limits.

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the governing body of the City of Virginia Beach may by ordinance decrease the speed limits set forth in § 46.2-870 of the Code of Virginia and may increase or decrease the speed limits set forth in §§ 46.2-873 through 46.2-875 of the Code of Virginia on any highway within its jurisdiction. The governing body of the City of Virginia Beach is expressly authorized to establish and indicate variable speed limits on such structures or roadways to be effective under such conditions as would, in its judgment, warrant such variable speed limits, including, but not limited to, darkness, traffic conditions, atmospheric conditions, weather emergencies, and like conditions that may affect driving safety. Any speed limits, whether fixed or variable, shall be prominently posted in such proximity to such structure or road as deemed appropriate by the City of Virginia Beach subsequent to a traffic engineering study and analysis of available and appropriate accident and law-enforcement data. The findings of the City shall be conclusive evidence of the maximum safe speed that can be maintained on such structure or roadway. It shall be unlawful to operate any motor vehicle in excess of speed limits established and posted as provided in this act. Whenever the speed limit on any highway has been increased or decreased or a variable speed limit has been established, and such speed limit is properly posted, there shall be a rebuttable presumption that the change in speed limit was properly established in accordance with the provisions of this act. The authority granted to the governing body of the City of Virginia Beach under this act shall not extend to any portion of the Interstate Highway System.*