

# Speed Limits – Myths and Realities

**Myth #1:** Speed limits significantly affect traffic speeds.

**Reality:** Traffic speeds do not significantly change following the posting of new or revised speed limit. Most drivers travel at speeds that they consider safe, regardless of the speed limit.

**Myth #2:** Most drivers travel too fast for road conditions.

**Reality:** The majority of drivers travel at prudent speeds and are capable of recognizing driving conditions that require greater driving caution.

**Myth #3:** Lower speed limits result in safer roads.

**Reality:** The more uniform the speeds of vehicles in a traffic stream, the less chance there is for conflict and crashes. Speed limits that reflect the normal actions of the reasonable majority, therefore, usually provide the most uniform speeds. In fact, unrealistically low speed limits may actually lead to crashes by producing two distinct groups of drivers – those attempting to observe the speed limit and those driving at what they feel is reasonable and prudent. These differences in speeds may result in increased crashes due to tailgating, improper passing, reckless driving and weaving from lane to lane.

**Myth #4:** Lower speed limits allow for effective enforcement.

**Reality:** Unrealistically low speed limits cannot be enforced with reasonable enforcement. In addition, they make the behavior of the majority unlawful and create public antagonism toward the police. However, realistic speed limits (i.e., those that reflect the normal actions of the reasonable majority) allow police to target their enforcement efforts to those drivers clearly out of line with

## Types of Speed Limits

The basis of all speed limits predicated upon the nationally accepted principle that the majority of drivers are cautious, prudent and drive at speeds that are reasonable and proper, regardless of the posted speed limit. This “reasonable and proper” theme is part of the Basic Speed Law as set forth in the Michigan Vehicle Code. In part it reads:

*“A person driving a vehicle on a highway shall drive at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition then existing. A person shall not drive a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead.” [Sec. 257.627]*

In other words, motorists must always drive at a speed which allows them to stop safely. The Basic Speed Law governs the speed of all drivers regardless of any posted speed limits. This is an important point because there are several types of speed limits.

**Advisory** speed limits are recommended safe driving speeds to alert drivers of the maximum recommended speed through a curve or for other special roadway conditions. They are posted only in combination with an appropriate warning sign. *Advisory* speeds are not enforceable in Michigan courts except under the *Basic Speed Law* provisions.

**Regulatory** speed limits are enforceable and are categorized as either statutory or modified.

**Statutory** speed limits are set either as maximum/minimum speed limits or a *prima facie* restrictions. *Prima facie* is Latin for “on the face of it” and is the speed limit under most conditions. These limits are established by the legislature and apply throughout the State. An example of maximum/minimum speed limits is freeway limits. There are also maximum speed limits set for school buses, heavy trucks and other special vehicles. *Prima facie* restrictions are primarily for residential and business districts and city and village streets and highways. (See reverse side for further details).

**Modified** speed limits are utilized in areas requiring speed limits between the statutory maximum speed limits on state and country roadways and the 25 mph *prima facie* speed limits in business and residential areas. These *modified* speed limits are established by administrative action based upon a traffic engineering study. They can only be set by agencies having legal authority and jurisdiction over the respective roadway. These *modified* speed limits are often referred to as absolute speed limits and are not to be exceeded regardless of conditions.

## SPEED LIMITS: How fast is TOO fast?



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It is very understandable that speed limits on primary and local roads within a county are a concern to residents. The Monroe County Road Commission (MCRC) realizes that

speed involves the safety of motorists and is also concerned about this issue. State law provides for a three-member committee made up of one representative from the Township, one representative from the Road Commission and one representative from the State Police to review speed matters. Requests to review the speed limit on any road must meet the following criteria:

- ◆ Written request received from the Township Board or Supervisor,
- ◆ Request must be for a paved road,
- ◆ Road must be county primary or local road
- ◆ Study must be completed by Committee

### The 85th Percentile Speed

The 85th Percentile Speed Rule is one of the factors reviewed in order to establish a proper, realistic speed limit. Studies are conducted to determine the speed that 85 percent of all motorists drive in the area. In order for any traffic law to be enforceable, voluntary compliance must be practiced by the vast majority of drivers so that violators (the remaining 15% traveling above the realistic speed) can be easily identified. This 85th percentile speed is determined during a speed study conducted the MCRC. The other factor reviewed is the crash data, or accidents occurring on that portion of roadway.

## Prima facie speed limits

The Michigan Vehicle Code sets speed limits for roads, even where no limit is posted. These unposted speed limits are known as “prima facie” speed limits. The prima facie speed limits identified in the law are:

- Residential and business streets: Where no speed limit is posted, the prima facie limit on paved or gravel residential streets and streets in business districts is 25 mph.
- Parks: Unless a different speed is posted, the prima facie speed limit in parks is also 25 mph.
- Highways: On highways outside of the residential or business districts, if no speed limit is posted, the prima facie speed limit is 55 mph.



## Why do we need speed limits?

Speed limits can and should provide motorists, police and traffic courts with information on reasonable and safe speeds that will facilitate the safe, orderly flow of traffic under normal conditions.

Speed limits should not be set based on casual observations or uninformed opinion. Public agencies have the responsibility to establish speed limits based upon thorough traffic engineering studies using number and type of crashes, speed of vehicles, number of cars, pedestrians and bicycles, as well as physical road conditions such as sidewalks, hills, curves, lanes, driveways, intersections, roadway surfaces and traffic controls.



## School Zones

School speed zones are established for the protection of students walking to and from school. According to state law, the speed limit in school zones must be set at 25 mph if students walk to the school and there are no sidewalks. If there are sidewalks, the school zone speed limit can only be 15 mph below the posted speed for the road, but not less than 25 mph.



School zones are established only for elementary and middle schools, and are generally defined as the portion of the road 1,000 feet from the property line of the school in each direction.



State law also dictates that a school zone speed can be in effect only from 30-60 minutes before the first class begins; from school dismissal until 30-60 minutes after; and during lunch if the students leave the premises.

## Updated traffic crash data guide now available

The brochure, *Michigan Traffic Crash Data and Information: A Guide to the State's Free Resources*, was recently updated and is now available. This brochure outlines Web-based resources and reports that can be used to gather local crash data to assist with program development. Current data is essential for accurately identifying traffic safety problems, planning effective enforcement efforts, and allocating resources appropriately.

Initiatives based on current crash data and related information have a greater likelihood of resulting in a reduction in crashes, fatalities, and injuries, ultimately saving lives. Copies of this brochure can be ordered via requests e-mailed to [trafficsafety@michigan.gov](mailto:trafficsafety@michigan.gov) or faxed to (517) 636-5347.

