

## Minnesota Speed Limits

Minnesota law sets speed limits on state highways and local roads, establishes penalties, and provides authority for the Department of Transportation (MnDOT) and local governments to change the limit in certain situations (see [Minnesota Statutes, section 169.14](#)).

### ***Basic requirements and speed limits***

Regulation of speeding is part of Minnesota's traffic laws. The law requires that: "No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions .... In every event speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway." [Minn. Stat. § 169.14](#), subd. 1.

Minnesota law also sets speed limits for different types of roadways, which can be adjusted under certain circumstances. The speed limit is 30 m.p.h. for most local streets and highways, 65 or 70 m.p.h. for interstate highways (depending on whether it is, respectively, within or outside an urbanized area of 50,000 or more), and 55 or 65 m.p.h. on other types of highways.

### ***Speed zones adjust speed limits***

MnDOT has the authority to establish speed zones in which the speed limit is higher or lower than the limits set in law. Speed zones are established after MnDOT conducts an engineering and traffic investigation that includes a segment's design, physical characteristics, traffic volume, accident history, and actual speeds. Generally, MnDOT believes that a speed limit at or near the 85<sup>th</sup> percentile—the speed at or below which 85 percent of vehicles are traveling—is most likely to be the safest maximum limit. Speed limits in speed zones are effective as soon as signs are erected.

### ***Local authority is limited***

Cities, counties, and towns have limited authority over speed limits, even on their own streets and highways. A local road authority may ask MnDOT to conduct an engineering and traffic investigation into whether a speed zone could be created for a portion of a local road, but MnDOT makes the final determination of the speed limit on that segment. There are a few exceptions to this general rule:

- ▶ On a segment of road up to a half-mile long that is classified as a local street (referred to in statute as a residential roadway), a local road authority may reduce the speed limit from 30 to 25 m.p.h.
- ▶ If MnDOT has established a speed zone for a city street or town road in an urban district, the local road authority can lower the limit to 30 m.p.h. An "urban district" is any segment of a street or highway that is built up with structures less than 100 feet apart, for a distance of at least a quarter-mile. [Minn. Stat. § 169.01](#), subd. 59.
- ▶ In school zones, defined as a segment of street or highway that abuts school grounds where children have access to the roadway or where a school crossing is established, a local road authority may prescribe a

lower speed limit that is not less than 15 m.p.h., or more than 30 m.p.h. below the surrounding limit.

- Subject to certain state requirements, lower speed limits can also be set on park roads and in alleys.

Both MnDOT and local road authorities can set speed limits within their own highway work zones, which are effective while highway workers are on the job. A work zone speed limit cannot be less than 20 m.p.h. or reduce the speed limit by more than 15 m.p.h. The maximum work zone speed limit is 55 m.p.h. on divided highways and 40 m.p.h. on other highways.

### ***Penalties for speeding violations***

Speeding is generally a petty misdemeanor punishable by a fine of up to \$300 with no prison sentence, but other penalties can apply. An additional surcharge that doubles the amount of the fine is applied if the violation occurs in a work zone or school zone, or if it involves speeds of 20 m.p.h. or more above the posted limit. If a speeding violation is committed in a manner that endangers persons or property, it can be charged as a misdemeanor with maximum penalties of a \$1,000 fine and 90 days imprisonment. A driver's license will be suspended for six months for driving over 100 m.p.h.

Minnesota does not use a point system, which assigns point values to different traffic violations and then requires driver's license suspension or revocation once a driver accumulates a minimum number of points within a time period, such as a year or 18 months. However, a third petty misdemeanor in a year can be charged as a misdemeanor, and a third misdemeanor in a year can result in a driver's license revocation.

Speed limits within cities are absolute, meaning that any speed in excess of them is automatically illegal. Elsewhere, any speed in excess of the limit is "prima facie evidence" that the speed was illegal. This means that there is a presumption that the excess speed is illegal but the presumption may be rebutted by other evidence.

### ***Speeding violations on a driver's record***

A law first enacted in 1986 known as the "Dimler amendment" (after its author, former Rep. Chuck Dimler) governs which speeding violations are recorded on a motorist's driving record. The Department of Public Safety maintains the record. Speeding violations are not placed on the driving record if:

- The driver was going no more than 10 m.p.h. above the speed limit in a 55 m.p.h. zone; or
- The driver was going no more than 5 m.p.h. above the speed limit in a 60 m.p.h. zone.

There is no prohibition on recording speeding violations when the speed limit is 65 or 70 m.p.h. The Dimler amendment provisions do not apply if the speeding violation occurred in a commercial motor vehicle, or if the driver holds a commercial driver's license (class A, B, or C). [Minn. Stat. § 171.12](#).

**For more information:** Contact legislative analyst Matt Burress at 651-296-5045.

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