



## NATIONAL MOTORISTS ASSOCIATION

*Empowering Drivers Since 1982*

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### Testimony for the House Transportation and Infrastructure Committee On House Bills 4423 through 4427, September 29, 2015

Mr. Chairman and members of the committee, the National Motorists Association (NMA) strongly supports all five bills in their original form. We have a chance to give Michigan the world's most advanced speed limit laws, based entirely on science, not on emotion or revenue.

First I want to state a few facts.

These bills are about the numbers painted on the signs – the posted speed limits. They are not about actual travel speeds. Posted limits and travel speeds are almost unrelated.

The bills will not increase today's actual safe and comfortable travel speeds by any significant amount. They will make the safe travel speeds legal on both urban and rural roads, rather than many being arbitrarily defined as illegal.

The bills will virtually eliminate artificially-low speed limits on main roads which facilitate speed traps for revenue.

They will cause a redirection of traffic patrol officers to find drivers actually creating safety hazards, rather than enforcing artificially-low posted limits for revenue or other reasons. This includes finding drivers whose speeds are far above the normal pattern who deserve speeding tickets.

The bills will help restore respect for traffic laws, and the officers that enforce them. Most rational people know that artificially-low limits which arbitrarily define 50 or 70 or 90% of the safe drivers as violators are not about safety.

The bills retain low statutory limits for residential subdivisions, mobile home parks, public parks, and business districts.

Groups opposed to the bills will mostly be in two categories.

One group will seek to protect lucrative speed traps which generate court fines and insurance surcharges that go mostly to safe drivers for the "crime" of driving safely at appropriate speeds. The NMA estimates speeding tickets are a \$5 to \$10 billion dollar for-profit industry in the USA. Enforcement for profits is always wrong.

The other group will be officials that are unwilling to explain the science of safe speed limits to their well meaning constituents that innocently ask for artificially-low and less-safe posted limits. They are unwilling to explain the "speeding problem" constituents want fixed is caused by the artificially-low limits – not by the drivers.

For more than 70 years traffic safety engineers have known setting speed limits at the 85<sup>th</sup> percentile speeds of free flowing traffic under good conditions almost always produces the smoothest and safest traffic flows, with the fewest crashes, and the most efficient throughput capacities. I have the 1941 National Safety Council Report on Speed that recommends posted speed limits set between the 80<sup>th</sup> and 90<sup>th</sup> percentile speeds.

The stair step category limits from 80 mph on rural freeways down to 15 mph in mobile home parks are just right. And these default limits can be modified with traffic and engineering studies for unusual exceptions where those limits might not be appropriate. The bills note the correct use of warning signs for short segments where design speeds are below the 85<sup>th</sup> percentile speeds. They even take account of the desire for lower default limits on the more populated gravel roads found in Oakland and Wayne counties.

Texas, Utah, Wyoming, Idaho and South Dakota have all raised some rural freeway limits to 80 mph with little or no change in 85<sup>th</sup> percentile speeds and no negative safety issues. Montana and Nevada are recently following suit. Much of Europe has freeway limits of 130 kph or 81 mph. Michigan raised most urban freeway limits to 70 with excellent results, with none having to be rolled back. Texas Highway 130 is posted at 85 mph, the highest in the US. The actual 85<sup>th</sup> percentile speeds are 86 mph. It is a total myth that drivers will "always drive 10 over". Drivers respect realistic limits and do not respect unrealistic ones.

As experts including those in the Michigan State Police and MDOT know, there are two things these bills will not do. First, they will not increase the actual and safe 85<sup>th</sup> percentile speeds by any amount negative for safety. We may see some increases in 85<sup>th</sup> percentile speeds of one to three mph, but some 85<sup>th</sup> percentile speeds will likely go down as well. Second, they will not make our urban or rural streets and highways less safe; they will rather do the opposite to improve safety and smooth traffic flows overall. A list of relevant research is attached.

Objections from opponents to the bills on the basis that the resulting travel speeds will be significantly higher and thus more dangerous will simply be false nonsense.

One thing the bills will do that every driver should appreciate is to reduce speed variance and crash risks.

Another benefit will be to help make our successful Pure Michigan campaign a more welcoming reality. Speed traps for visitors are a serious negative to tourism. Over 100 million people visit Michigan yearly and they spend over \$22 billion dollars. Souring that experience for some with unfair speeding tickets is not in line with the goals of Pure Michigan.

For those who don't know me, I have studied these issues since I was a freshman at the U of M in 1962/63. I have worked with the Traffic Services Section of the Michigan State Police for 20 years, as we both respect using correct traffic laws and fair enforcement to enhance safety. In 55 years as a licensed driver, I have over 1.1 million miles of driving experience in 24 major countries, witnessing realistic speed limits that work and unrealistic ones that don't.

I urge the committee to ultimately report out these five bills in their original form with recommendations.

Thank you and I would be happy to take any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Walker". The signature is fluid and cursive, written over a white background.

James C. Walker, for the National Motorists Association

[www.ibiblio.org/rdu/sl-irrel.html](http://www.ibiblio.org/rdu/sl-irrel.html)

This is the 1992 study by Michigan researcher Martin Parker titled "Effects of Raising and Lowering Speed Limits", the most extensive research ever done on the actual effects of raising or lowering posted speed limits. It found that raising low limits by up to 15 mph or lowering good ones by up to 20 mph changes the actual 85<sup>th</sup> percentile speeds by not more than three mph and usually less. The study found that the lowest predictable crash rates occurred when posted limits were raised to or close to the actual 85<sup>th</sup> percentile speeds.

[www.motorists.org/speedlimits/articles](http://www.motorists.org/speedlimits/articles)

The last article here is the Powerpoint presentation to the Michigan House and Senate Transportation Committees by the Traffic Services Section of the Michigan State Police in 2011, titled "Establishing Safe and Realistic Speed Limits". It explained the science of 85<sup>th</sup> percentile speed limits as the safest, and explained the benefit for proper enforcement.

<http://www.schinc.com/news/truth-about-speed-limits-explained-engineer>

An explanation of 85<sup>th</sup> percentile posted speed limits by a professional engineer at Short Elliott Hendrickson Inc., a Minnesota based engineering firm. Here is an important paragraph from the work.

*Before explaining why interstate speeds are trending upward, let's first expunge some misconceptions. Here are four commonly held, but inaccurate statements about speed limits:*

*Lowering a posted speed limit will slow down traffic.*

*Lowering a posted speed limit will increase safety and decrease the number of crashes.*

*Raising the posted speed limit increases traffic speed.*

*Drivers will always travel at 5 mph over the posted speed limit.*

*There is no guarantee that a speed limit will have any effect on driving behaviors. The fact is, when driving, most motorists choose a speed in which they personally feel both comfortable and safe.*

<http://www.motorists.org/speed-limits/recommended-zoning>

A recommended speed zoning practice by the ITE, the Institute of Transportation Engineers. Here is a key excerpt.

#### *Rationale for Consistent Speed Zone Guidelines*

*Several studies have demonstrated that drivers who travel either slower or faster than the 85th percentile speed of the traffic stream have a higher accident involvement rate than those drivers whose speed is close to the 85th percentile speed. Posting the speed limit at the 85th percentile speed informs the motorist of the speed which is expected to minimize their risk of an accident. Thus, the overriding basis (from a safety perspective) for speed zoning should be that the creation of the zone, and the speed limit posted, reflects the maximum speed considered to be safe and reasonable (i.e., the 85th percentile speed).*

*A second rationale for consistency in speed zoning practice is the desire for equitable treatment of motorists. When speed limits are set artificially low, and enforcement action cannot be directed at all the violators, the enforcement officer has too much discretion in selecting the motorists to be penalized. The cost of being selected can include both a fine and an increase in the cost of insurance. This type of enforcement ultimately leads to poor public relations for both the traffic engineering agency and the enforcement agency.*

*A third rationale is the need for consistency between the speed limit and other traffic control devices. Signal timing and sight distance requirements, for example, must be based on the prevailing speed of traffic. If these values are based on a speed limit that does not reflect the prevailing speed of traffic, safety may be compromised.*

Addendum to statement by James C. Walker of the National Motorists Association to the House Transportation and Infrastructure Committee on HB4423 through 4427 on September 29, 2015.

**One last point is not in the original printed text. There may be efforts to scale back the changes and improvements claiming we need things like: limited areas of freeway at 75 mph, more tests, more research, pilot projects, etc. These will all be bogus delays. We have decades of data NOW to know what is right. There are no valid reasons to delay or scale back these positive bills.**