

What are the legal speed limits?

Nebraska's speed regulations are based on the same basic speed law that is used in all 50 states. Nebraska State Statute 60-6,185 states:

"No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. A person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions."

Statutory limits are based on the concept that uniform categories of highways can be traveled safely at certain preset maximum speeds under ideal conditions. Whether the speed limit is posted or not posted, drivers should reduce their speed below these values in poor weather, heavy traffic, and under other potentially hazardous conditions.

Nebraska's statutory speeds, unless posted otherwise

- 20 mph in business districts
- 25 mph in residential districts
- 50 mph on any roadway that is not dustless (or gravel) and not part of the state highway system
- 55 mph on any dustless (or paved) roadway and not part of the state highway system
- 65 mph on state highway system other than expressway or freeway
- 70 mph on expressway that are part of the state highway system
- 75 mph on rural interstate highways

Whenever statutory speed limits are not appropriate for a specific section of a highway, the Nebraska Department of Transportation (NDOT) is responsible for posting of other regulatory speed limits. (See Nebraska State Statute 60-6,186)

Intent of Speed Zoning

The basic intent of speed zoning is to identify a safe and reasonable limit for a given road section. A uniform speed of vehicles in a traffic flow results in the safest operation. The posted speed limits can keep the traffic flowing smoothly, provided the majority of drivers find the speed limits reasonable. To best do this, the limits must be consistently set throughout the state.

Reasonable speed limits also give the motorist an idea of a safe speed to drive in an unfamiliar location and are used by the police to identify excessive speeds and curb unsafe behavior.

Will lowering the speed limit reduce speeds?

Federal Highway Administration research¹ show that there is little change in the speed pattern after the posting of a reduced speed limit. The driver is much more influenced by the roadway environment.

Will lowering the speed limit reduce crash frequency?

Although lowering the speed limit is often seen as a solution to preventing crashes, this is not the case. Crashes are most often the result of driver inattention or driver error. If a posted speed limit is unrealistically low, it creates a greater speed variance (i.e. some drivers follow the speed limit, while most drive at a higher speed that seems reasonable to them). This speed variance can lead to tailgating, unsafe passing, road rage, and ultimately to more crashes.

¹Federal Highway Administration "Effects of Raising and Lowering Speed Limits on Selected Roadway Sections" Publication No.: FHWA-RD-97-002, Date: 1997

Realistic Speed Limits ...

- Invite public compliance by conforming to the behavior of the majority
- Give a clear reminder of reasonable and prudent speeds to nonconforming violators
- Offer an effective enforcement tool to the police
- Tend to minimize public antagonism toward law enforcement which results from unreasonable regulations
- Encourage drivers to travel at the speed where the risk of accident involvement is the lowest

Unrealistic Speed Limits ...

- Do not invite voluntary compliance, since they do not reflect the behavior of the majority
- Make the behavior of the majority unlawful
- Increase public antagonism toward law enforcement, since they are enforcing a "speed trap"
- May create a bad image for a community in the eyes of tourists
- May increase the potential for accidents along a roadway



How does NDOT determine the regulatory speed limit?

The NDOT sets regulatory speed limits on state and federal highways based on a thorough engineering and traffic investigation.

The following factors are considered:

- Road type and surface (curve, hill, etc.)
- Location and type of access points (intersections, entrances, etc.)
- Existing traffic control devices (signs, signals, etc.)
- Crash history
- Traffic volume
- Sight distances
- Pedestrian activity
- Results of a field review and speed study

The most important part of the traffic investigation is the speed study. When choosing a speed, drivers take many roadway environment factors into consideration. The speed that the majority of people consider prudent is an important value. Data is collected using a radar speed gun at selected locations on the roadway under ideal driving conditions.

A technical analysis is done on the results to determine the 85th percentile speed. This is the value indicating the speed which most (85%) drivers are traveling at or below. Experience has shown that a posted speed limit near this value is the maximum safe and reasonable speed. Studies have shown that traveling much faster or slower than this value can increase your chance of being in a crash.

Engineering judgment is an important component. The traffic investigator must use knowledge of nationally recognized engineering and safety principles, combined with experience, to assign the safe speed.

How are speed limits established?

Nebraska Statute 60-6,190 allows the establishment of speed limits on the State Highway System "upon the basis of an engineering and traffic investigation."

Speed zoning in Nebraska is based on the widely accepted principle of setting speed limits as near as practicable to the speed at or below which 85 percent of the drivers are traveling. According to a Federal Highway Administration study, all states and most local agencies use the 85th percentile speed of free-flowing traffic as the basic factor in establishing speed limits.

This speed is subject to revision based upon such factors as: crash experience, roadway geometries, parking, pedestrians, curves, adjacent development, and engineering judgment. This practice is in accordance with the Federal Highway Administration's "Manual on Uniform Traffic Control Devices" which has been adopted by the State of Nebraska for use by all state and local agencies.

For more information contact:
Nebraska Department of Transportation
Traffic Engineering Division
1500 Highway 2
Lincoln, NE 68509
402-479-4594

*Thank you to Iowa DOT and Kansas DOT for allowing
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How Are Speed Limits Established?

NEBRASKA

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DEPARTMENT OF TRANSPORTATION