

**AGENDA
LEBANON CITY COUNCIL
FEBRUARY 19, 2020**

9. NEW BUSINESS:

**9.C – DISCUSSION & SET PUBLIC HEARING FOR MARCH 4, 2020:
ORDINANCE #2020-04 TO AMEND CITY CODE CHAPTER 168**

BACKGROUND

Throughout the course of any given year, the Police Department fields numerous calls regarding speeding cars in residential neighborhoods. Many traffic studies are conducted annually to determine the validity of these calls. The vast majority show that traffic is traveling above the posted speed limit. When roads are not posted for a specific speed, the default, by statute, is 30mph (or greater).

To assist in determining if the City should consider a change to the non-posted speed limit, the Police Department commissioned RSG of White River Junction to conduct a study. Details of the study can be found in the attached memorandum from Police Chief Richard Mello.

ACTION

Should the Council decide to move forward with the setting a prima facie speed limit of 25mph, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, March 4, 2020, beginning at 7:00pm in Council Chambers, 3rd Floor, 20 West Park Street, for the purpose of receiving public input and taking action on proposed Ordinance #2020-04, to amend City Code Chapter 168, Vehicles and Traffic, by adding new Section 168-10, Speed Limit.

Included in this Section:

1. Proposed Ordinance #2020-04
2. January 23, 2020 memo from Police Chief Richard Mello re: Addition to City Code setting prima facie speed limit
3. January 13, 2020 Lebanon Speed Study by RSG
4. Lebanon Police Department Accident Data and Casual Factors
5. NH RSA's 265:60 and 265:63

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**CITY OF LEBANON
ORDINANCE #2020-04**

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 168, VEHICLES AND TRAFFIC, by ADDING new Section 168-10, Speed Limit.

BE IT ORDAINED, by the City Council of the City of Lebanon as follows:

Section 1:

The Code of the City of Lebanon Chapter 168, "Vehicles and Traffic," is hereby amended to add new Section 168-10, "Speed Limit," to read as follows:

§168-10 Speed Limit.

A. The prima facie speed limit on all City streets and roads shall be 25 miles per hour unless otherwise posted.

Section 2: Severability.

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 3: Effective Date.

This ordinance shall be effective upon passage.

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To: Honorable Mayor and City Council
Cc: City Manager Shaun Mulholland
From: Chief Richard R. Mello
Date: January 23, 2020
Re: Addition to City Code setting minimum prima facie speed limit

INTRODUCTION:

Throughout the course of every year, the Lebanon Police Department receives numerous complaints and requests regarding speeding vehicles and reducing speed limits on residential roads within the City. This often results in the completion of a traffic study in those areas to determine the gravity of the traffic/speed issue.

BACKGROUND:

The vast majority of instances where a traffic study is conducted on residential roadways in the City of Lebanon, results in a determination that traffic is traveling above the posted speed limit. Many of the residential roads in the City are not posted and therefore, by statute, the speed limit defaults to 30MPH, or greater (NH RSA 265:60)

However, for many of these residential streets, a 30MPH, or greater, prima facie speed limit allows cars to travel at a speed that is greater than reasonable for the street, neighborhood and existing roadway conditions. The vast majority of speed related complaints made to the Public Safety Committee are accompanied by a request to reduce the speed limit in that area to 25MPH and the majority of those requests are supported.

An analysis of traffic accident data for the last two years within the City of Lebanon shows that 50% of all accidents occurred on local, City maintained roadways, and improper operation, including unsafe speed, was a contributing factor 35% of the time. Maintaining speed limits on City maintained roads above what would be considered safe will only exacerbate these contributing factors.

In October of 2019, the Lebanon Police Department commissioned RSG of White River Junction, Vermont to conduct a study to determine whether the non-posted speed limit in the City should be changed. The scope of the study called for collecting speed data at 5 sample locations within the City on roads that are currently not posted. At the conclusion of the study, RSG recommended, based on the data, that the default speed limit in the City be reduced from 30 MPH to 25 MPH. The conclusion, in part, was based upon the factor that at 4 of the 5 sampled location, the 85th percentile speeds were within 5 MPH of 25 MPH and considering the local roadway factors noted in the Manual on Uniform Traffic Control Devices (MUTCD), "a default speed limit of 25 MPH is most suitable for typical unposted roadways within the city."

NH RSA 265:63, Speed Limitations, provides a mechanism for "Local Authorities" to declare a "reasonable and safe prima facie limit." Prima Facie is defined as the presumptive speed limit when not otherwise posted. By statute, NH 265:63, I(c), provides the necessary authority for Local jurisdictions to "Decrease the limit outside an urban district but not less than 25 miles per hour. Further, section I(d) "Decrease the limit within any business or urban residence district but not less than 25 miles per hour.

The statute calls for a "traffic investigation" to determine the prima facie speed for all "arterial" streets and I submit that we have conducted the necessary traffic investigation, through the RSG study, to support this recommendation.

If adopted, the Police Department will request that the Department of public works erect signs, where appropriate, notifying the public of the minimum speed limit within the City of Lebanon, unless otherwise posted. The Police Department will also formulate an aggressive public awareness campaign notifying the public of the newly enacted minimum speed limit on non-posted City roadways.

RECOMMENDATION/RATIONALE:

The Lebanon Police Department, supported by the Public Safety Committee and by the attached study by RSG, respectfully requests that the City Council adopt code in City Ordinance, pursuant to NH RSA 265:63, setting the minimum prima facie speed limit in the City of Lebanon at 25MPH, unless otherwise posted. It is also recommended that this be placed in Chapter 168 of the City code, "Vehicles and Traffic.

BACKUP INFORMATION:

1. NH RSA 265:63
2. NH RSA 265:60
3. Recommended ordinance language
4. Lebanon Police Department accident data and causal factors
5. RSG Speed Study

MEMO

TO: Richard Mello, Lebanon Chief of Police
FROM: Ben Swanson; Austin Feula, PE, PTOE; Erica Wygonik, PhD, PE
DATE: January 13, 2020
SUBJECT: Lebanon Speed Study

On behalf of Lebanon, New Hampshire, RSG has conducted a citywide speed analysis. This analysis is to aid the City of Lebanon with updating the citywide speed limit on unposted roadways based on New Hampshire Statute 265:63.

1.0 SUMMARY OF KEY FINDINGS

We offer the following summary of key findings based on the analysis presented in this memorandum:

- Speed data were collected from November 29 to December 1, 2019 on five local roadways within Lebanon that do not currently have posted speed limits.
- Currently the speed limits on unposted roadways in Lebanon default to the state of New Hampshire Statute of 30 MPH within business and urban residence districts and 35 MPH in rural residence districts and any class V highway outside the compact part of the city.
- Based on national MUTCD guidance and observed speeds the City of Lebanon could consider setting a default speed limit of 25 MPH for unposted city roadways.”
- Lebanon could consider installing 25 MPH speed limit signage (MUTCD R2-1) with supplemental CITYWIDE (MUTCD R2-5aP) and UNLESS OTHERWISE POSTED (MUTCD R2-5P) mounted below along key local roadways to inform drivers of the change.

2.0 PROJECT DESCRIPTION

To advise the City of Lebanon in setting a local default speed limit for unposted city roadways, RSG conducted a speed study on five representative roadways.

New Hampshire Statute 265:63 governs how speed limits are set within the state and includes the following language regarding the designation of local speed limits that differ from prima facie limits set within the statute:

“Whenever local authorities in their respective jurisdictions determine on the basis of an engineering or traffic investigation that the prima facie speed permitted under this chapter is greater or less than is reasonable and safe under the conditions found to exist upon a way or part of a way, the local authority may determine and declare a reasonable and safe prima facie limit thereon which:

- (a) Decreases the limit at intersections;
- (b) Increases the limit within an urban district but not to more than 60 miles per hour;
- (c) Decreases the limit outside an urban district but not to less than 25 miles per hour; or
- (d) Decreases the limit within any business or urban residence district but not to less than 25 miles per hour.”

Currently speed limits on unposted Lebanon roadways are set according to New Hampshire Statute 265.60, as follows:

- “(b) 30 miles per hour in any business or urban residence district as defined in RSA 259:118;
- (c) 35 miles per hour in any rural residence district as defined in RSA 259:93, and on any class V highway outside the compact part of any city or town as defined in RSA 229:5, IV;”

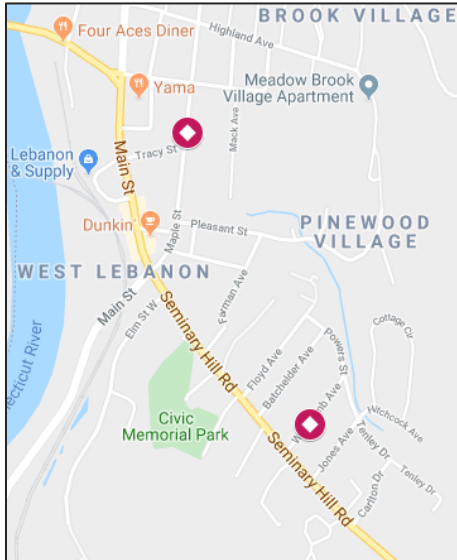
Speed data were collected via pneumatic tubes from November 29 to December 1, 2019 at five locations within West Lebanon and Lebanon. The study sample locations were chosen to provide geographically diverse representation of typical unposted roadways within the city. As arterials and major collectors within the city are generally posted, the five sample locations are all local streets, and as such, residential land-uses dominate proximate to all sites. The weather was clear, and the roads were dry over the 3 days. The five locations are listed below and shown in Figure 1:

- Maple Street (between Dana Street and Tracy Street)
- Whitcomb Avenue (between Seminary Hill Road and Powers Street)
- Colburn Street (between Amsden Street and Williams Street)
- Eldridge Street (just east of Clark Street)
- Green Street (between Union Street and Shaw Street)



FIGURE 1: STUDY LOCATIONS

West Lebanon



Downtown Lebanon



3.0 LITERATURE REVIEW

In recent years many municipalities have experimented with lowering citywide speed limits in an effort to reduce vehicle speeds and improve safety for all road users, especially pedestrians and cyclists. It is well-documented that higher vehicle speeds result in higher rates of injuries and fatalities, especially for pedestrians¹. The difficulty lies in how to reduce vehicle speeds. There are three main methods to reduce vehicle speeds:

- Reduce the speed limit
- Police enforcement
- Physical roadway adjustments (speed tables, narrow roads, on-street parking, etc.)

This literature review focuses specifically on reducing speed limits. Summaries from a few studies are provided below:

- A 2018 study in Boston, Massachusetts² found that 85th percentiles speeds remained unchanged when the citywide speed limit was lowered from 30 MPH to 25 MPH. However, the estimated odds of a vehicle exceeding 35 MPH fell 29.3%, exceeding 30 MPH fell 8.5%, and exceeding 25 MPH fell 2.9%.
- A 2012 study in Springfield and Columbia, Missouri³ found that lowering speed limits on residential streets from 30 MPH to 25 MPH resulted in a statistically significant reduction in average speeds. Additionally, this study found that the use of an education campaign produced minimal or statistically insignificant reductions in average speeds.

¹<https://aaafoundation.org/wp-content/uploads/2018/02/2011PedestrianRiskVsSpeedReport.pdf>

²<https://www.ihs.org/news/detail/city-drivers-slow-down-for-lower-speed-limit-in-boston>

³<https://benthamopen.com/contents/pdf/TOTJ/TOTJ-6-39.pdf>

- A 2005 study in Australia⁴ found that a 20% reduction in casualty crashes occurred during a period when jurisdictions reduced speed limits on residential roads from 60 km/h (37 mph) to 50 km/h (31 mph). Additionally, particularly significant safety benefits appear to exist for vulnerable road users such as pedestrians.
- A 2019 study in Bristol, United Kingdom⁵ found that creating a citywide 20 MPH speed limit resulted in a 63% reduction in fatal injuries.
- A 2016 study in Montana⁶ found a statistically significant reduction in total, fatal and injury crashes at sites with speed limits set 5 mph lower than engineering recommendations. Additionally, it was found that compliance with posted speed limits lessen when they are set more than 5 MPH below the engineering recommendations.

These studies suggest modest reductions in overall speed limits often reduce fatal and injury crashes. Impacts on travel speeds are mixed, with some reductions in average speeds observed, and a reduction in the number of vehicles driving faster than the speed limit. Any reduction in travel speed tends to be less than the reduction in speed limit.

4.0 METHODOLOGY

The Manual on Uniform Traffic Control Devices (MUTCD) provides guidance on setting speed limits. Section 2B.13; Guidance 12 states “When a speed limit within a speed zone is posted, it should be within 5 mph of the 85th percentile speed of free-flowing traffic”. It also states in Section 2B.13; Option 16 that “other factors that may be considered when establishing or reevaluating speed limits are the following:

- A. Road characteristics, shoulder condition, grade, alignment, and sight distance;
- B. The pace;
- C. Roadside development and environment;
- D. Parking practices and pedestrian activity; and
- E. Reported crash experience for at least a 12-month period.”

While a map of all unposted roadways within Lebanon is not available currently, most local/neighborhood streets are currently unposted. As collecting speed data on all unposted roadways within Lebanon would be prohibitively expensive and time consuming, a sample of five roadways were selected. These roadways were selected to represent the various characteristics of “typical” local, unposted roadways within Lebanon.

5.0 SPEED ANALYSIS

To better understand the existing speed dynamics along the streets in the study, we have calculated the following metrics at each sampling site (results shown below in Figure 2).

⁴https://www.jstage.jst.go.jp/article/easts/6/0/6_0_3562/pdf/-char/ja

⁵<https://injuryprevention.bmj.com/content/injuryprev/early/2019/07/25/injuryprev-2019-043305.full.pdf>

⁶https://www.mdt.mt.gov/other/webdata/external/research/docs/research_proj/speed_limit_lower/Final_Report.pdf

- **50th Percentile Speed:** the speed at which 50% of all traffic is travelling at or below.
- **85th Percentile Speed:** the speed at which 85% of all traffic is travelling at or below.
- **Modal Speed:** the speed at which the highest percentage of traffic is travelling.
- **10 MPH Pace Speed:** the 10 MPH speed range within which the highest percentage of traffic is travelling.
- **Percent in 10 MPH Speed Pace:** the percent of all traffic travelling within the 10 MPH pace range.

FIGURE 2: SPEED DATA SUMMARY

	Maple St	Whitcomb Ave	Colburn St	Eldridge St	Green St	Average
50 th Percentile Speed	27	20	19	20	22	22
85 th Percentile Speed	31	25	23	26	25	26
Modal Speed	26	20	19	21	21	21
10 MPH Pace Speed	22 - 32	17 - 27	14 - 24	17 - 27	17 - 27	17 - 27
Percent in 10 MPH Pace Speed	77%	59%	70%	54%	77%	67%

As presented above in Figure 2 most vehicles are travelling between 17 and 27 MPH on the study roadways. Additionally, the 85th percentile speed ranges from 23 MPH to 31 MPH, with an average of 26 MPH.

The five other factors that may be considered when establishing or reevaluating speed limits are examined below for the currently unposted roadways in Lebanon.

- A. Road characteristics, shoulder condition, grade, alignment, and sight distance;
 - Unposted roadways within Lebanon are mostly in residential neighborhoods.
 - These roadways often have no/minimal shoulders.
 - Some roadways have moderate grades (specifically in the neighborhood west of Hanover Street in downtown Lebanon).
 - Most roadways are fairly straight.
 - As these are local roadways with on-street parking sight distance is sometimes obscured by parked vehicles.
- B. The pace;
 - The average pace for the five sample locations is 17 – 27 MPH.
- C. Roadside development and environment;
 - Almost all unposted roadways within Lebanon are in residential areas.
- D. Parking practices and pedestrian activity;
 - On-street parking is permitted on most unposted roadways within Lebanon.
 - Most unposted roadways have sidewalks and frequent pedestrian activity.
- E. Reported crash experience for at least a 12-month period.
 - No crash data is available currently.

6.0 CONCLUSIONS

Based on the assessment of unposted roadways within Lebanon, including speed data collected at typical locations, we recommend a default speed limit of 25 MPH for unposted roadways within Lebanon. With 85th percentile speeds at 4 of the 5 locations within 5 MPH of 25 MPH and considering the local roadway factors noted in the MUTCD, a default speed limit of 25 MPH is most suitable for typical unposted roadways within the city.

On a case-by-case basis, currently unposted roadways that may merit higher speed limits could be considered for direct posting of speed limits other than this recommended default.

Additionally, Lebanon could consider installing 25 MPH speed limit signage (MUTCD R2-1) with supplemental CITYWIDE (MUTCD R2-5aP) and UNLESS OTHERWISE POSTED (MUTCD R2-5P) mounted below along key local roadways to inform drivers of the change. See Figure 3 below for example signage.

FIGURE 3: EXAMPLE MUTCD SIGNAGE⁷



⁷ Nextdoor.com, Medford Police Department.



Apparent Contributing Factors (prior to 4.6.19)

	Occurrence (s)	Percentage
FAILURE TO YIELD R-O-W	121	7.5
UNSAFE BACKING	55	3.4
NO/IMPROPER SIGNAL	3	0.2
IMPEDING TRAFFIC	1	0.1
SKIDDING	38	2.4
DRIVER INATTENTION/DISTRACTION	263	16.3
DRIVER INEXPERIENCE	18	1.1
PEDESTRIAN VIOLATION/ERROR	3	0.2
DEFECTIVE EQUIPMENT	13	0.8
VISION OBSCUREMENT	39	2.4
PHYSICAL IMPAIRMENT	30	1.9
ILLEGAL/UNSAFE SPEED	51	3.2
NO IMPROPER DRIVING	760	47.1
FOLLOWING TOO CLOSE	64	4.0
DISREGARD TRAFFIC CONTROL DEV.	24	1.5
CENTERLINE ENCROACHMENT	7	0.4
IMPROPER PASSING/OVERTAKING	16	1.0
IMPROPER/UNSAFE LANE USE	27	1.7
IMPROPER PARK/START/STOP	17	1.1
IMPROPER TURN	22	1.4
OTHER	16	1.0
UNKNOWN	24	1.5
Total Occurrences	1612	100.0 %

** Data only goes to 12/19/19 due to transitioning to E-crash

Total at fault factors: 852

Accidents involving improper operation and speed: 299 35%

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Accidents By Street Name

<u>Street / Location Names</u>	<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>TOTALS</u>
AIRPARK RD	0	0	0	0	1	0	0	0	0	0	0	0	1
AIRPORT RD	0	1	1	1	0	0	2	5	2	0	1	1	14
ALICE PECK DAY DR	0	0	0	0	0	0	0	0	1	0	0	0	1
BANK ST	0	0	0	1	0	0	1	2	0	0	0	1	5
BANK STEX	0	1	0	0	1	0	0	0	1	0	2	0	5
BENNING ST	1	1	1	0	0	1	1	1	1	1	0	2	10
BRIDGE ST	0	2	0	0	1	3	1	1	0	3	1	3	15
CAMBRIDGE PL	0	0	0	0	0	0	0	0	1	0	0	0	1
CAMPBELL ST	1	0	0	0	0	0	0	0	1	0	1	0	3
CEDARWOOD LN	0	0	1	0	0	0	0	0	0	0	0	0	1
CENTERRA PKWY	0	1	0	0	1	0	0	1	0	0	0	1	4
CHURCH ST	1	0	0	1	1	0	1	0	0	0	0	0	4
CHURCH STW	1	0	0	0	0	0	0	0	0	0	0	0	1
COMMERCE AVE	2	0	0	0	0	0	0	0	0	0	0	0	2
COURT ST	0	0	0	0	0	0	0	0	0	0	1	0	1
CRAFTS AVE	0	0	0	0	1	0	0	0	0	0	0	0	1
DAISY HILL	0	1	0	0	0	0	0	0	0	0	3	0	4
DARTMOUTH COLLEGE HWY	6	7	5	6	5	6	2	0	2	3	6	6	54
DULAC ST	0	0	1	0	0	0	1	0	1	0	0	0	3
DWINELL DR	0	0	0	0	1	0	0	0	0	0	0	0	1
EAST PARK ST	0	0	1	1	0	0	0	0	0	0	1	0	3
EAST WILDER RD	0	0	0	0	0	0	0	0	0	0	1	0	1
EASTMAN HILL	0	1	0	1	0	0	0	0	0	0	0	0	2
ELDRIDGE ST	0	1	0	0	1	0	0	0	0	1	0	0	3
ELM ST	1	0	0	0	0	0	0	0	0	0	0	0	1
ETNA RD	1	0	1	1	2	0	0	1	0	0	0	0	6
EVANS DR	1	0	0	0	0	0	0	0	0	0	0	1	2
FAIRVIEW AVE	0	0	0	0	0	0	0	1	0	0	0	0	1
FARR RD	0	0	0	0	0	0	1	0	0	0	0	0	1
FLYNN ST	0	0	0	1	0	0	0	1	0	0	0	0	2
FOLIAGE VIEW	0	0	0	0	0	1	0	0	0	0	0	0	1
GILSON RD	0	0	0	0	0	0	0	0	0	1	0	0	1
GLEN RD	0	0	2	2	0	0	2	2	1	1	2	0	12
GRANITE ST	1	1	0	0	0	0	0	0	0	0	0	0	2
GREEN ST	0	1	0	0	0	0	1	0	0	0	0	0	2
HADDOCK LN	1	0	0	0	0	0	0	0	0	0	0	0	1
HANOVER ST	4	1	3	3	0	2	6	0	0	4	2	3	28
HANOVER STEX	0	1	1	1	0	0	0	0	0	1	3	0	7
HARDY HILL RD	0	0	1	0	0	0	0	0	1	2	1	0	5
HEATER RD	0	0	0	0	0	1	0	1	1	2	0	4	9
HIGH ST	0	0	1	0	0	0	2	0	0	0	0	0	3
HIGHLAND AVE	0	0	0	0	0	0	0	1	0	0	0	0	1
HOUGH ST	1	0	0	0	0	1	0	0	0	0	0	1	3
INTERCHANGE DR	0	1	1	0	1	1	0	0	1	0	0	0	5
INTERSTATE 89	12	8	14	5	6	12	10	5	4	6	12	6	100
LABOMBARD RD	0	0	1	0	0	1	0	1	0	0	0	0	3
LAFAYETTE ST	0	0	0	0	0	0	0	0	1	0	0	0	1
LAHAYE DR	0	0	2	1	0	0	0	1	1	0	1	2	8
LAPLANTE RD	0	0	1	0	0	0	0	0	0	0	0	0	1
LOOP RD	2	1	2	1	2	1	0	3	0	0	2	0	14
MAIN ST	1	5	1	2	6	2	3	1	2	4	3	4	34
MAPLE ST	0	1	0	0	0	0	0	0	0	0	0	0	1
MARKET ST	0	3	0	0	0	0	0	1	1	1	0	0	6
MASCOMA	0	0	0	0	0	0	0	0	0	1	0	0	1
MASCOMA ST	2	1	1	0	0	1	0	0	2	0	1	0	8
MASCOMA STEX	0	0	0	1	0	0	0	0	0	0	0	0	1
MECHANIC ST	5	3	6	2	0	4	10	1	8	3	4	4	50
MEDICAL CENTER DR	3	2	6	2	1	1	3	3	2	1	1	2	27
MERIDEN RD	0	0	2	1	0	0	0	1	0	0	1	2	7
MIRACLE MI	1	4	1	1	4	1	5	0	5	3	2	3	30
MORGAN DR	0	0	0	1	0	0	0	0	0	0	0	0	1
MOUNT SUPPORT RD	0	0	0	0	0	1	0	1	1	1	0	0	4
MOUNTAIN VIEW DR	0	0	0	0	0	0	0	0	0	0	0	1	1
NORTH MAIN ST	4	1	1	1	0	1	3	4	0	1	4	0	20
NORTH PARK ST	0	0	0	1	0	0	0	0	0	1	0	1	3
NOTTINGHAM CIR	0	1	0	0	0	0	0	0	0	0	0	0	1
OAK RIDGE RD	0	0	0	0	0	0	1	0	0	0	1	0	2

OLD ETNA RD	0	0	0	0	0	0	0	1	0	0	0	1	2
OLD PINE TREE CEMETERY RD	0	0	0	0	0	0	0	0	0	1	0	0	1
PARKING LOT	0	0	0	0	0	0	0	0	0	0	1	0	1
PEABODY ST	0	0	0	1	0	0	0	0	0	0	0	0	1
PINE ST	1	0	0	0	0	0	0	0	0	0	0	0	1
PINETREE LN	0	0	0	0	0	0	0	0	0	0	1	0	1
PLAINFIELD RD	12	12	9	6	12	7	7	14	10	6	17	15	127
PLAZA HTS	0	0	0	0	0	0	0	0	0	0	0	1	1
PLEASANT ST	0	0	1	0	0	0	0	0	0	1	0	0	2
POVERTY LN	1	1	1	2	0	0	1	1	0	1	2	0	10
PUMPING STATION RD	0	0	0	0	0	0	0	0	0	0	1	0	1
RAILROAD AVE	0	0	1	0	0	1	0	0	0	0	0	0	2
RENIHAN MEADOWS	0	0	0	0	0	0	0	0	1	0	0	0	1
RIVERSIDE DR	0	0	0	0	0	1	0	1	0	0	0	0	2
ROUTE 120	6	7	7	5	8	2	9	8	7	10	8	5	82
ROUTE 4-A	0	0	1	0	1	0	1	0	0	1	0	0	4
SCHOOL ST	0	1	0	1	0	0	1	0	0	1	2	1	7
SEMINARY HILL	1	1	3	1	2	4	0	1	2	2	6	0	23
SHAW ST	1	0	0	0	0	0	0	1	1	0	0	0	3
SLAYTON HILL RD	0	0	0	0	1	0	0	2	0	2	0	0	5
SOUTH MAIN ST	4	5	3	3	4	5	7	3	3	7	3	6	53
SOUTH PARK ST	0	0	0	1	0	0	0	0	0	0	0	0	1
SOUTH ST	0	0	0	0	0	0	0	0	0	0	0	1	1
SPENCER ST	0	0	0	0	0	0	1	0	0	0	0	0	1
SPRING ST	0	0	0	0	0	1	0	0	1	0	0	0	2
TAYLOR ST	0	0	0	0	0	0	1	1	0	1	0	0	3
TRACY ST	0	1	0	0	0	0	0	1	0	0	1	0	3
TRUES BROOK RD	0	0	0	1	0	0	0	0	0	0	2	0	3
WATER ST	0	0	0	0	0	0	0	0	1	0	0	0	1
WEATHERVANE DR	0	0	0	0	0	0	0	0	1	0	0	0	1
WEST PARK ST	0	0	1	0	1	0	0	0	0	1	0	0	3
WEST ST	0	0	0	0	0	1	0	0	0	0	0	1	2
WHITCOMB AVE	0	0	0	0	0	0	0	0	0	0	0	1	1
WILDWOOD DR	0	0	0	0	0	0	0	0	0	0	1	0	1
WOLF RD	0	1	0	0	0	0	0	0	0	0	0	0	1
X 17	0	0	0	0	0	0	0	0	0	0	1	0	1
YOUNG ST	0	0	0	0	0	0	0	1	0	0	0	0	1
TOTALS	78	80	85	59	64	63	84	74	68	75	103	80	913

** State roadways excluded

**Total local roadway
 accidents: 456 50%**

TITLE XXI

MOTOR VEHICLES

CHAPTER 265

RULES OF THE ROAD

Speed Limitations

Section 265:60

265:60 Basic Rule and Maximum Limits. –

I. No person shall drive a vehicle on a way at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the way in compliance with legal requirements and the duty of all persons to use due care.

II. Where no hazard exists that requires lower speed for compliance with RSA 265:60, I, the speed of any vehicle not in excess of the limit specified in this section or established as hereinafter authorized shall be prima facie lawful, but any speed in excess of the limit specified in this section or established as hereinafter authorized shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

(a) In a posted school zone, at a speed of 10 miles per hour below the usual posted limit from 45 minutes prior to each school opening until each school opening and from each school closing until 45 minutes after each school closing.

(b) 30 miles per hour in any business or urban residence district as defined in RSA 259:118;

(c) 35 miles per hour in any rural residence district as defined in RSA 259:93, and on any class V highway outside the compact part of any city or town as defined in RSA 229:5, IV;

(d) 55 miles per hour in other locations, except as provided in (e);

(e) 65 miles an hour on the interstate system, the central New Hampshire turnpike and the eastern New Hampshire turnpike in locations where said highways are 4-lane divided highways or other divided highways of 4 or more lanes, except that the speed limit on the portion of I-93 from mile marker 45 to the Vermont border shall be 70 miles per hour.

(f) On a portion of a highway where officers or employees of the agency having jurisdiction of the same, or any contractor of the agency or their employees, are at work on the roadway or so close thereto as to be endangered by passing traffic, at a speed of at least 10 miles per hour below the usual posted limit. The speed shall be displayed on signs as required by RSA 265:6-a.

(g) For a vehicle equipped with a transponder, 25 miles per hour through a toll booth or gate that is equipped with a transponder reader for automated toll collection except for an open road tolling lane and except that at toll booths staffed by toll collectors drivers whose vehicles are not equipped for automated tolling shall come to a full stop at the toll booth so that the attendant may collect the toll.

(h) In the toll collection area of an open road tolling lane, at a speed greater than is reasonable and prudent for the conditions and actual and potential hazards existing at the time or greater than a per se maximum speed of 65 miles per hour, whichever is less.

III. The limits specified in subparagraphs II(e) and II(g) shall be the maximum lawful speed and no person shall drive a vehicle on said ways at a speed in excess of such maximum limit. The prima facie speed limits set forth in this section may be altered as authorized in RSA 265:62.

IV. The driver of every vehicle shall, consistent with requirements of paragraph I, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic by reason of weather or highway conditions.

V. The fines for violation of subparagraphs II(a)-(d) shall be as follows:

Miles per hour above the limit specified:

1-10 \$50
11-15 75
16-20 100
21-25 200
26+ \$350

The fines listed in this paragraph shall be plus penalty assessment.

VI. The fines for violations of subparagraph II(e) shall be as follows:

Miles above the 65 mph limit:

1-5 \$65
6-10 100
11-15 150
16-20 250
21+ 350

Miles above the 70 mph limit:

1-5 \$65
6-10 100
11-15 200
16-20 300
21+ 400

The fines listed in this paragraph shall be plus penalty assessment.

Source. 1905, 86:8. 1909, 154:4. 1911, 133:13. 1921, 119:13. PL 103:17. 1927, 76:2. 1937, 125:1. RL 119:29. 1949, 286:1. RSA 263:53. 1963, 330:1. RSA 262-A:54. 1965, 335:1. 1979, 358:4. 1981, 146:1. 1987, 217:1. 1988, 245:11. 1989, 164:1. 1997, 11:1. 1999, 73:1. 2005, 177:42. 2010, 51:2, 3. 2013, 192:1, eff. Jan. 1, 2014. 2015, 202:8, eff. Jan. 1, 2016. 2018, 160:1, eff. Aug. 3, 2018.

TITLE XXI

MOTOR VEHICLES

CHAPTER 265

RULES OF THE ROAD

Speed Limitations

Section 265:63

265:63 Alteration of Limits. –

I. Whenever local authorities in their respective jurisdictions determine on the basis of an engineering or traffic investigation that the prima facie speed permitted under this chapter is greater or less than is reasonable and safe under the conditions found to exist upon a way or part of a way, the local authority may determine and declare a reasonable and safe prima facie limit thereon which:

- (a) Decreases the limit at intersections;
- (b) Increases the limit within an urban district but not to more than 60 miles per hour;
- (c) Decreases the limit outside an urban district but not to less than 25 miles per hour; or
- (d) Decreases the limit within any business or urban residence district but not to less than 25 miles per hour.

II. Local authorities in their respective jurisdictions shall determine by an engineering or traffic investigation the proper prima facie speed for all arterial streets and shall declare a reasonable and safe prima facie limit thereon which may be greater or less than the prima facie speed permitted hereunder for an urban district.

II-a. Local authorities shall not be required to hire outside consultants to determine the proper prima facie speed limits as provided in paragraphs I and II if the local community has sufficient staff to conduct the required engineering or traffic investigation.

III. Any altered limit established as hereinabove authorized shall be effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice thereof are erected upon such street or way.

IV. Any alteration of limits on state highways or extensions thereof in a municipality by local authorities shall not be effective until such alteration has been approved by the commissioner of transportation.

V. Notwithstanding the other provisions of this section, local authorities shall modify the speed limits authorized herein so that said speed limits shall not exceed the temporary prima facie speed limits established for the state highway system under RSA 265:62, II, so long as the same are in effect.

Source. RSA 262-A:56-a. 1965, 335:3. 1974, 45:10. 1981, 146:1. 1989, 306:1. 1990, 74:1, 2, eff. June 9, 1990.

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