

Chapter 10-05

SPEED REGULATIONS

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Section 10-05-01 STATE SPEED LAWS APPLICABLE

The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this City, except as this Chapter, as authorized by State law, hereby declares and determines regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this Chapter when signs are in place giving notice hereof.

Section 10-05-02 BASIC SPEED

No person shall drive a vehicle on a highway at 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 highway in compliance with legal requirements and the duty of all persons to use due care. (Ord. 2864, 4-1-68)

Section 10-05-03 PRIMA FACIE SPEED LIMITS

Except when a special hazard exists that requires lower speed for compliance with Section 10-05-02, the limits specified in this Section or established as hereinafter authorized shall be lawful speeds, and any speed in excess of the limits specified shall be prima facie evidence that such speed is not reasonable or prudent, and that it is unlawful.

- A. Ten (10) miles per hour in any alley.
- B. Fifteen (15) miles per hour in any public park.
- C. Twenty (20) miles per hour when passing any school building or when crossing any marked school zone, such zone to extend one hundred-fifty feet (150'), unless otherwise posted, in either direction from any marked school crossing when appropriate signs giving notice thereof are erected, and any of the following exist:
 - 1. A school speed limit sign with flashing lights attached and the words "when flashing" included and the lights are activated; or
 - 2. A school speed limit sign with "when children are present" included thereon, and there is a child or children present.

Boise Municipal Code

- a. When children are present shall be defined to mean whenever one or more children are on the roadway, sidewalk, pathway, road shoulder, in front of school buildings, or on adjacent school grounds. This definition applies to children present on the same side of the street as the school building, as well as across the street from the school building in any direction within the marked school zone, and is not restricted to school days or hours.
 3. A school speed limit sign with "7:00 a.m. to 4:30 p.m." included thereon.
 4. On streets where the maximum speed limit is twenty miles per hour, a school zone will be identified by a sign stating "school".
- D. Thirty (30) miles per hour upon through streets as listed in Schedule II of Section 10-09-01 when "Stop" or "Yield" signs are in place as required by this Title.
- E. Twenty (20) miles per hour upon all other streets in the City. (Ord. 4355, 1-15-79)
(Ord. No. 5688, Amended, 12/12/95)
(6172, Amended, 07/30/2002)

Section 10-05-04 AUTHORITY TO ALTER MAXIMUM LIMITS

Whenever the City Traffic Engineer determines on the basis of an engineering and traffic investigation that the maximum speed permitted under this Chapter is greater or less than is reasonable and safe under the conditions found to exist upon a street or part thereof, he may determine and declare a reasonable and safe maximum limit which shall be effective when appropriate signs giving notice thereof are erected upon said street.

Section 10-05-05 MINIMUM SPEED

It shall be unlawful for any person to operate a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic at the point of operation thereof, except when a reduced speed is necessary for safe operation or in compliance with any law, rule, or regulation. (Ord. 2864, 4-1-68)

Section 10-05-06 SPEEDING WITHIN A SCHOOL ZONE

No person shall operate a vehicle on a highway in a marked school zone in excess of the speed limit as established in Title 10, Chapter 5, Section 3.C, Boise City Code. Any person that violates this section shall be assessed a fixed penalty of One Hundred Dollars (\$100.00) excluding court costs and fees. An infraction is a civil public offense, not constituting a crime, which is punishable only by a penalty not exceeding one hundred dollars (\$100) and for which no period of incarceration may be imposed. There is no right to a trial by jury of a citation or complaint for an infraction and such trials shall be held before the court without a jury.
(6136, Added, 04/16/2002)