

Increased highway speeds in rural Oregon mean more deaths

■ HB 3402 was supposed to boost productivity —not deaths

By Antonio Sierra
East Oregonian

PENDLETON — It started almost as soon as the Oregon Department of Transportation began posting the new signs on March 1, 2016.

For the first time in decades, the state was raising speed limits on some of Eastern and Central Oregon's most traveled highways. The Eastern Oregon section of Interstate 84 and Interstate 82 were now 70 miles per hour. Nearly the entire length of Highway 97 and several other segments of highway in the region were bumped up to 65 miles per hour.

Five days later, the first person died on one of the affected roads.

According to Oregon State Police, a man from California was driving his 1998 Honda Civic northbound on Highway 97 near La Pine when the vehicle lost control on the icy pavement and collided with a 1994 Mitsubishi 3000GT.

The driver and passenger in the Mitsubishi were taken to a local hospital and treated for nonlife-threatening injuries. Authorities pronounced the man from California dead at the scene.

In the first three months after the state raised speed limits, 18 people died in 11 crashes on the targeted roads.

Interstate 84 took a particularly heavy toll.

There was the man driving a milk tanker on Interstate 84 before it overturned and caught fire east of Boardman, leading to his death at a Portland hospital. And the man who died after his motorcycle struck a guardrail east of Pendleton. And the wrong-way driver who collided with another car outside Pendleton, killing two.

The crashes didn't discriminate by age or origin. Victims ranged in age from 3 years old to 80. Some victims came from familiar dots on the map — Hermiston, La Grande, Portland and Kennewick — while others were traveling through the state from California, Kansas, Idaho and Illinois.

ODOT made an adjustment and re-lowered the speed limits on some stretches of highway a few months after the law went into effect.

The blistering pace of fatal traffic collisions on these roads started to wane through the second half of 2016 and through 2017, only to pick up again in 2018. As of last week, 37 people have died in 2018 on roads that had their speed limits raised, the most in a year since the speed limits were boosted.

Hundreds of people die from vehicle crashes every year in Oregon in myriad circumstances, most of them on the interstates, U.S. routes, and state highways that stretch like veins through the state's wide-open spaces.

Speed may or may not have been a cause of the individual crashes listed above, but the speed limit raise has had a noticeable effect.

The East Oregonian analyzed ODOT crash data and OSP press releases to get an idea of how many people died on the roads 26 months before and 26 months after the speed limit increase went into effect.

Total deaths went up from 60 to 66, representing a 10 percent increase. Over the same time frame, traffic deaths on other state roads fell by 3.5 percent.

ODOT didn't unilaterally raise the speed limits in 2016. In fact, the department warned lawmakers that such a move has a history of leading to more fatalities.

Instead, the speed limit increase was the result of a bill with bipartisan support, signed into law by the governor.

House Bill 3402 was intended to bring Oregon closer together.

Co-sponsored by state Rep. Greg Barreto, R-Cove, in 2015, the bill was consolidated with more ambitious legislation from Cliff Bentz, then a Republican representative from Ontario, that would have raised all major highways to either a 65 or 75 mile per hour speed limit.

Although the new bill only targeted parts of 10 highways, the goal remained the same: increase expediency and boost productivity by allowing commuters east of the Cascade Mountains to drive to the west side a little faster.

"In sort of a weird way, to the extent that we can increase the speed without increasing danger, we should do so, because it makes our state closer," Bentz told the House Committee on Transportation and Economic Development during testimony in 2015. "To the extent that we don't do that, it's sort of a weird way to discriminate against rural folk."

A freshman representative who forged through a contentious primary to win his seat, Barreto said raising the speed limit was a popular proposal from constituents.

In a Legislature controlled by Democrats, a Republican-backed bill needs bipartisan support to survive. Luckily for HB 3402, it got it in spades.

The bill passed the House 52-5 and the Senate 22-6 before Democratic Gov. Kate Brown signed it into law.

A year later, during the short session, lawmakers passed a supplementary bill that raised the limits on Interstate 82 and Highway 97 from Klamath Falls to the California border. ODOT said doing this would avoid creating "speed traps" where lengths of slower roads are surrounded by faster ones.

But before the first bill was passed, the Legislature received a stark warning about its potential impacts.

The East Oregonian's analysis of total deaths before and after implementation of the bill comes with some caveats.

The analysis didn't account for designated areas on some highways below the speed limit, utilized a relatively small sample size, and relied on OSP press releases for 2017 and 2018 traffic deaths, which isn't as

comprehensive as ODOT data.

Chuck Farmer, the vice president of research and statistical services at the Insurance Institute for Highway Safety, said a larger sample size would be needed to make conclusions about the effects of HB 3402, but the early data could be an indicator of what's to come.

A month after speed limit increases began, the Insurance Institute released a study authored by Farmer that took a national look at speed limit increases from 1993-2013.

Farmer found fatality rates were 3.6 percent higher for every 5 miles per hour the speed limit was increased. If looking at interstates alone, the rate was twice the amount.

The Legislature didn't need the benefit of hindsight to see that: Studies done by other researchers in 2006 and 2009 found similar results.

And when the bill was still in committee, the Legislature also received testimony from Troy Costales, the administrator for ODOT transportation and employee safety division.

He told the committee that for each 10 mph increase in car speed, the amount of energy released in a crash doubles.

The sheer physics of cars going faster meant after Washington state raised its maximum speed limit to 70 miles per hour in 1996, its overall traffic deaths rose by 93 in the two years that followed. During that same time period, traffic fatalities in Oregon dropped by 18.

More than three years later, Costales thinks his

arguments still have merit. "I stand by my testimony," he said.

Barreto acknowledges the laws of physics means a collision at higher speeds will create more damage.

But he's not ready to attribute the trend to HB 3402, saying he wants to see more data on how many people died as a result of intoxicated or distracted driving.

The bill was carried in the Senate by state Sen. Bill Hansell, who had similar questions about other factors in fatal crashes.

He also bemoaned that even when they raised the speed limit, some drivers would always exceed it.

Costales said the "big three" of fatal crashes are "belts, booze and speed," as in a lack of seat belt use, driving under the influence or traveling at a high rate of speed.

A fourth contributor, distracted driving, is harder to measure, Costales said, because authorities can't always determine whether drivers were using an electronic device before they crashed.

While the top three can be visualized as a Venn diagram where many crashes have overlapping causes, Costales said speed as the sole reason for a crash is the biggest of the three.

Even if someone is traveling near the newly legal 65 or 70 mile per hour speed limit, vehicles are typically crash tested at only 35 or 40 miles per hour.

Researchers and bureaucrats weren't the only groups pouring water on the idea.

Among a handful of legislators who voted against

HB 3402, state Rep. Dan Rayfield, D-Corvallis, said he remembers his issues with the bill clearly.

Rayfield said he drew flak from his colleagues for voting against the bill, which he felt hadn't been debated enough.

Regardless if a driver had been drinking or texting at the time of their crash, Rayfield said driving at 65 or 70 miles per hour will still cause more damage than if motorists drove slower.

"I stuck with my guns and what my research told me," he said.

Faced with an ugly spate of traffic wrecks within the first few months of the speed limit hike, the state made some takebacks.

Exercising its authority in the event of a high fatality rate, the Oregon Transportation Commission re-lowered the speed limit on four stretches of road on highways 97 and 20 in June 2016 while officials studied the problem further.

Costales said the commission is a nice safety valve to have in these instances, but it can only react to a rash

of crashes instead of being proactive.

ODOT is doing its own fatal crash study with Portland State University, one that will be able to strain out certain factors like weather and compares post-HB 3402 roads with other highway segments that didn't have their speeds changed.

Barreto said only one or two people have complained to him since HB 3402 went into effect, and many more have thanked him for passing the legislation.


Farmer, the Insurance Institute researcher, said speed limit increases continue to happen in states across the country because they're popular. In a society that values speed, there's a desire from the public to literally push the limit.



Just as there was consensus on HB 3402, legislators and state officials seem interested in the data produced by the ODOT report once it's completed in mid-December.

"Is the risk acceptable or is that something we need to look at?" Hansell said.

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