

## 270.53 EXCEEDING THE POSTED SPEED LIMIT. INFRACTION

The defendant has been charged with exceeding the posted speed limit.

For you to find the defendant responsible for this infraction, the State must prove two things beyond a reasonable doubt:

First, that (*state posted speed limit*) was the lawfully posted speed limit on (*name highway or describe portion thereof*) (A speed limit is lawfully posted if appropriate signs have been erected by proper authorities giving motorists notice of the speed limit.)<sup>1</sup>

And Second, that the defendant drove a vehicle on this portion of the highway at a speed exceeding (*state posted speed limit*).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant drove a vehicle at a speed exceeding (*state posted speed limit*), on (*name highway or describe portion thereof*) and the lawfully posted speed limit on this portion of the highway was (*state posted speed limit*) it would be your duty to return a verdict of responsible. If you do not so find or if you have a reasonable doubt as to one or both of these things, it would be your duty to return a verdict of not responsible.

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1. This sentence should be given only where the lawful posting of the speed limit is in issue. In such a case further instruction on what constitutes "appropriate signs," "proper authorities," or "notice" may be necessary.