

SB

304

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. CSSB 304 (RLS)

Revision Date		Dept. Affected	DOT&PF
Title	Regulation of Motor Vehicles & Highways	BRU	Office of the Commissioner
Sponsor	Donley	Component	Commissioners Office
Requester	H TRA	Component Serial No.	530

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: *(Attach a separate page if necessary)*

Prepared by	Dennis Poshard, Special Assistant	Phone	465-3907
Division	Commissioners Office	Date	4/14/98
Approved by	Commissioner	Date	4/14/98
Agency	Department of Transportation and Public Facilities		

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SENATOR DAVE DONLEY
ALASKA STATE LEGISLATURE

Sponsor Statement
for
CS for SB 304 (RLS)

Senate Bill 304 would double the fines for moving traffic violations in construction zones in an effort to protect highway construction workers. If passed, Alaska would join 26 other states which have increased sanctions for motorists who recklessly endanger the safety of roadway workers.

Work zone accidents and deaths have increased due to motorists speeding in highway construction zones. In 1994, work zone fatalities in the United States climbed to an all-time high when 833 people were killed. Senate Bill 304 imposes stiffer fines on motorists who disregard speeding laws in construction zones.

DD/jja

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MEMBER: Senate Finance Committee • Legislative Budget & Audit Committee
• Senate Community & Regional Affairs Committee

Produced in House

**Summary Table of Special Sanctions for Exceeding the
Speed Limit in Either a Construction or School Zone**

S T A T E	Sanctions for Speeding in a Construction Zone	Sanctions for Speeding in a School Zone
AK		Six (6) points are assessed on a person's record for exceeding the speed limit in school zone.
AR		<u>1st offense</u> : Jail - 1 to 10 days/fine - \$25 to \$100 <u>2nd offense</u> (within 1 year): Jail - 5 to 25 days/fine - \$50 to \$250 <u>Subsequent offense</u> (within 1 year): Jail -25 days to 6 months/fine - \$250 to \$1,000 <u>3rd offense</u> (within 1 year): License suspension for 1 year.
D	(CO)	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.
D	(CT)	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.
D	(FL)	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.
C	GA	Jail - not more than 12 months /fine - \$100 to \$2,000
O	IL	There is a minimum fine of \$150.
D	(IA)	The fine is double the amount in the fine schedule.
D	(KS)	The fine is double the usual amount.
D	(KY)	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.
D	(MI)	A fine is double that prescribed by law.
		A surcharge is assessed

0	MN	A surcharge is assessed which equals the fine. However, the surcharge cannot be <\$25.	which equals the fine. However, the surcharge cannot be <\$25.
0	MS	For exceeding the posted speed limit in a "highway work zone," there is a fine of no more than \$250.	
0	MO	For speeding in a construction zone, a person is assessed an additional fine of \$35.	
D	MT	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.	
D	NE	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.	If a speeding offense occurs in a school crossing zone, the designed fine is double the usual amount.
D	NV	There is an additional sanction which is equal to the original sanction imposed for exceeding such limit. Imprisonment sanctions for the original and additional sanctions must run consecutively. However, the combined sanctions cannot exceed 6 months of imprisonment, \$1,000 or 120 hours of community service.	
D	NJ	The fine is double the usual amount.	
0	NY	Exceeding the speed limit 10 MPH: Fine - \$60 to \$100. Exceeding the speed limit >10 MPH but <30MPH: Jail Not more than 30 days/fine - \$100 to \$120. Exceeding the speed limit >30MPH: Jail - not more than 30 days/fine - \$240 to \$400 For a 2nd offense (within 18 months) for any of the above offenses, the fine is increased by \$100. For a subsequent offense (within 18 months) for any of the above offenses, the fine is increased by \$250.	
0	NC	There is a mandatory \$100 fine.	There is a mandatory \$25 fine and 3 points are assessed against a person's driving record.
0	ND	Fee schedule for exceeding the speed limit by 1 to 10 MPH - \$40. Fee schedule for exceeding the speed limit by >10 MPH - \$40 plus \$1 for each MPH over 10 MPH.	
D	OH	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.	
D	PA	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.	Exceeding the speed limit in a school zone - \$35 plus \$2 for every MPH in excess of 5 MPH.
D	SD	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.	

<p>0</p> <p>TN</p>	<p>For speeding in a construction zone, a person is subject a fine from \$250 (mandatory) to \$500.</p> <p>The following points have been assigned for speeding in a construction zone: Speeding violations where the vehicle's speed was not noted on the citation - 3 points; exceeding the speed limit 1 through 5 MPH - 2 points; exceeding the speed limit 6 through 15 MPH - 6 points; exceeding the speed limit 16 through 35 MPH - 7 points; and, exceeding the speed limit by 36 or more MPH - 8 points.</p> <p>The following points have been assigned for speeding in a construction zone by a commercial vehicle: Speeding violations where the vehicle's speed was not noted on the citation - 4 points; exceeding the speed limit 1 through 5 MPH - 2 points; and, exceeding the speed limit 6 through 14 MPH - 5 points.</p>	
<p>0</p> <p>TX</p>	<p>If a speeding offense occurs in a construction zone, the minimum and maximum fines are doubled.</p>	
<p>0</p> <p>VA</p>	<p>The fine for exceeding the speed limit in a construction zone is not more than \$250.</p>	<p>The fine for exceeding the speed limit in a school crossing zone is not more than \$250.</p>
<p>WA</p>		<p>There is a mandatory fine for exceeding the speed limit in a school zone which is double the normal amount.</p>
<p>WV</p>		<p><u>1st or subsequent offense:</u> Fine - \$100 to \$500 <u>Subsequent offense (within 2 years):</u> Jail - not more than 6 months.</p>
<p>0</p> <p>WI</p>	<p>If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.</p>	<p><u>1st offense:</u> Fine - \$40 to \$300 <u>Subsequent offense:</u> Fine - \$80 to \$600.</p>

**SUMMARY TABLE OF SPECIAL SANCTIONS FOR EXCEEDING THE
SPEED LIMIT IN EITHER A CONSTRUCTION OR SCHOOL ZONE**

STATE	SANCTIONS FOR SPEEDING IN A CONSTRUCTION ZONE	SANCTIONS FOR SPEEDING IN A SCHOOL ZONE
AK		Six (6) points are assessed on a person's record for exceeding school zone.
AR		<p>1st offense: Jail-1 to 10 days/jail/fine-\$25 to \$100</p> <p>2nd offense (within 1 year): Jail-5 to 25 days/fine-\$50 to \$100 (within 1 year): Jail-25 days to 6 months/fine-\$250 to \$500</p> <p>3rd offense (within 1 year): License suspension for 1 year</p>
CT	If a speeding offense occurs in a construction zone, the designed fine is <u>double</u> the usual amount.	
FL	If a speeding offense occurs in a construction zone, the designed fine is <u>double</u> the usual amount.	If a speeding offense occurs in a school zone, the designed fine is double the usual amount.
GA	Jail-not more than 12 months/fine-\$100 to \$2,000	
IL	There is a minimum fine of \$150.	There is a minimum fine of \$150
KY	If a speeding offense occurs in a construction zone, the designed fine is <u>double</u> the usual amount.	
MI		Jail-not more than 90 days/fine-not more than \$100
MO	For speeding in a construction zone, a person is assessed an additional fine of \$35	
NE	If a speeding offense occurs in a construction zone, the designed fine is <u>double</u> the usual amount.	
NY	<p><u>Exceeding the speed limit 10 MPH</u>: Fine-\$60 to \$100</p> <p><u>Exceeding the speed limit >10 MPH but <30 MPH</u>: Jail-Not more than 30 days/fine-\$120 to \$100</p> <p><u>Exceeding the speed limit >30 MPH</u>: Jail-Not more than 30 days/fine-240 to \$400</p> <p>For a 2nd offense (within 18 months) for any of the above offenses, the fine is increase by \$100</p> <p>For a subsequent offense (within 18 months) for any of the above offenses, the fine is increase by \$250</p>	

0	ND Fee schedule for exceeding the speed limit by 1 to 10 MPH-\$40 Fee schedule for exceeding the speed limit by >10 MPH-\$40 plus \$1 for each MPH over 10 MPH	
D	(OH) If a speeding offense occurs in a construction zone, the designed fine is <u>double the usual amount.</u>	
D	(PA) If a speeding offense occurs in a construction zone, the designed fine is <u>double the usual amount.</u>	Exceeding the speed limit in a school zone-\$35 plus \$2 of 5 MPH
D	(SD) If a speeding offense occurs in a construction zone, the designed fine is <u>double the usual amount.</u>	
0	TN For speeding in a construction zone, a person is subject to a fine of from \$250 to \$500. If the offense occurred while operating a commercial vehicle, 2 to 5 points are added to the person's driving record	
	VA The fine for exceeding the speed limit in a construction zone is not more than \$250.	
	WV	<u>Subsequent offense (within 2 years):</u> Jail-not more than <u>1st or subsequent offense:</u> Fine-\$100 to \$500
D	(WI) If a speeding offense occurs in a construction zone, the designed fine is <u>double the usual amount.</u>	<u>1st offense</u> Fine-\$40 to \$300 <u>Subsequent offense</u> Fine-\$80 to \$600



Work Zone Safety Legislation

WORK ZONE SAFETY LEGISLATION GIVES WORKERS ADDED PROTECTION

"All it takes is one careless motorist and in the blink of an eye, many lives can be tragically changed forever"... These were the words of Tammy Malone, widow of WSDOT/Northwest Region engineer Michael D. Malone, as she testified in support of work zone safety measures before the Senate Transportation Committee on January 18, 1994. Her husband, Mike Malone, was killed after being struck by a drunk driver last June while working on Interstate 5 in Seattle.

Also testifying was Pat Forinash who was struck by a driver going 65 mph through a work zone in Seattle in August, 1993. He experienced first hand how current safety measures have failed to protect workers from drivers who show blatant disregard for other people's well being, or from drivers who are under the influence of alcohol or other substances or both. "Highway workers no longer wonder whether or not they will be injured by a driver or their passengers. Rather we wonder when and how badly," said Forinash.

As a result of the increasing numbers of work zone accidents, a new law was enacted by the Legislature in 1994 aimed at protecting highway workers. The two major provisions of the law are doubled fines for speeding in work zones and provisions for citing persons who drive negligently in work zones for endangerment of roadway workers.

Statewide, traffic collision reports indicate 17,297 incidents were reported within construction work zones from January 1, 1991 to June 30, 1996. These incidents included 12,184 injuries and 69 fatalities.

WSDOT's Work Zone Safety Task Force convened in September 1993 to study the problem. They found that drivers speeding through work zones created a substantial risk of injury or death to flaggers and other construction crew workers within highway work zones.

This new protective legislation, combined with the task force's 27 other recommendations, will ultimately lead to safer work zones and fewer injuries and deaths for WSDOT personnel. Task force recommendations call for increased and improved worker protection, operating procedures, worker and contractor training and incident reporting.

Some of those improvements will come through the use of innovative work zone safety devices, such as water-filled barriers, truck-mounted attenuators and movable barriers. Other changes include making workers' clothing more visible, using more law enforcement vehicles at work sites, and closely monitoring traffic control operations to make sure unneeded barrels and signs are removed. An added emphasis on safety in the work zone is also being provided for employees at district safety meetings.

Another major part of the work zone safety program is the Washington "Give 'em a Brake" public education campaign. Entering into its fifth year, the campaign will focus on developing a "partnering" agreement with the traveling public. Busboards, media packets, radio and television

public service announcer ts will be used to develop driver appr tion for what goes on in a construction work zone from a safety standpoint. In return, the deparument will keep the public informed of work, while minimizing delays by using various techniques to expedite work.

As construction and maintenance activities gear up, we can all do our part to raise awareness of safety in the work zones. Talk to your neighbors and friends. Write a letter to the editor. Let them know we are out there doing an important job and that we matter. If you have a good idea for spreading the word that you want to share, contact the Eastern Region Public Information Office at (509)324-6015 or Headquarters Communications in Olympia at (360)705-7075.

(This story was written by Ann Briggs of the WSDOT Olympic Region Communications Office.)

Washington State Department of Transportation/Eastern Region
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[Top of page](#)

Last updated: May 05, 1997



Texas

FOR IMMEDIATE RELEASE, June 17, 1997

Speeding in work zones becomes costlier with passage of new state law

(Austin, Texas) — Motorists who blatantly disregard construction laws will have to ante up more money for their transgressions. Under House Bill 981, which passed this last legislative session, fines will double for speeding in construction zones or ignoring warning signs. That means that motorists who don't obey posted construction warning signs could pay as much as \$400 for the offense. And for highway construction workers, the news couldn't have come at a better time, say officials with the Texas Department of Transportation (TxDOT).

"Summer is probably our busiest time since a lot of our roadway construction and maintenance is done in the warmer, drier months. That's also the time more Texans are on the roadways traveling. Each year between May and August, on-the-job accidents and injuries at TxDOT increase significantly. HB 981 is just one more tool we can use to better our workers' chances of being safe on the roadway," said Bill Burnett, executive director for TxDOT. Burnett and Rep. Clyde Alexander were on hand in Athens today for the first unveiling in the state of a new work zone warning sign that will be posted in construction work zones. Rep. Alexander, as chairman of the House Transportation Committee, authored the legislation.

Instead of the usual "Observe Warning Signs" that motorists typically see in construction zones, the new 3 feet by 6 feet "Traffic Fines Double" sign will greet drivers as they enter work zones. The signs, which bear the typical construction orange and black, are strikingly different from most construction signs. They, according to Rep. Alexander, carry more punch.

"Call it friendly caution from the state to speeders: you've been warned. The next time you speed in a construction zone or ignore a construction warning, it's going to cost you," said Rep. Alexander.

Although the signs were unveiled today, enforcement won't begin until January, the effective date of the legislation. The early posting of the signs, Burnett said, are simple reminders to the public of the importance of the law.

In 1995, there were 9,337 work-zone accidents in Texas, claiming the lives of 112 Texans. More than 19 percent of those accidents were caused by drivers either speeding or driving too fast for conditions.

"Everyday our workers put their lives on the line to make Texas roads better, to help Texans get to their destinations. All we want in return is to work in a safe environment. We don't think that's asking too much," Burnett said.

For more information, call Randall Dillard, (512)463-9896.

TxDOT Phone Numbers



Texas Department of Transportation

Give Us a Brake!



Slow down and save a life.

Meet Homer. He's your typical kind of guy. He's your neighbor, your friend, your relative. Every day Homer puts on his flashy orange vest, hard hat and steel-toed boots to protect himself from the dangers he faces at work. Homer is a highway worker. Orange signs, flashing yellow warning lights and winding lanes mark the area that Homer calls his "office." Construction work zones are perceived by motorists as inconvenient, but for highway workers like Homer, they are a way of life. Highway workers know how to make construction work zones safe for motorists and themselves, but Homer needs your help.

Slow down and save a life.

Work zones are designed to keep travelers and workers safe on Texas roads. When motorists fail to obey traffic signs in work zones, both highway workers and motorists can lose.

Slow down and save a life.

Imagine going to work each morning knowing you are putting your life on the line. In 1994, 89 fatal work-zone accidents occurred on Texas highways. The increasing rate of work-zone accidents has cost hundreds of Texas highway workers and motorists their lives.

So drive smart - slow down and save a life.

Highway workers put their lives on the line to improve roads that make your trip safer, faster and more enjoyable. They join Homer in his plea for motorists to slow down and save a life: **GIVE US A BRAKE!**

Don't speed.

Observe orange work-zone warning signs calling for reduced speed. Eighteen percent of work-zone accidents are caused by motorists driving too fast for conditions.

Keep a safe distance from the vehicle in front of you.

Most accidents in work zones involve rear-end collisions.

Stay alert.

Keep your eyes peeled for orange work-zone traffic signs. Pay attention to flaggers in orange vests directing traffic.

Be patient.

Traffic delays in work zones are unavoidable as improvements are made to Texas roads. Patience can prevent accidents.

Highway work-zone accident facts

- High speed causes 18 percent of accidents
- Most accidents occur in July
- Most accidents occur on a Friday
- Most accidents occur between 5 and 6 p.m.

For information about work zone safety, contact the TxDOT office nearest you.

[TxDOT Phone Numbers]





ASSOCIATED GENERAL CONTRACTORS of ALASKA

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*Kevin
F+I*

28. April 1998

To
Judiciary Committee
House of Representatives
Juneau, AK.

The Honorable
Joe Green, Chairman

*Dorley's bill in
(H) JUD.*

Subject: CSSB No. 304 "An Act relating to regulation of highways..."

Dear Committee members:

AGC of Alaska, a 600+ member organization serving and representing the construction industry in Alaska supports this bill.

Safety in construction- and workzones is of paramount importance to the contractors and the employees. Despite continous efforts, the accident rate in construction zones is still way above the rates in other comparable worksettings and directly the result of carelessness by the travelling public.

Implementation of this bill will have positive effects and results from other states which have passed similar legislation have been encouraging.

We urge you to pass this bill out of committee.

Sincerely,

Heinrich Springer
Exec. Director