

SB

304

SENATE COMMITTEE REPORT

DATE: 3/20/98

FURTHER:

DATE TURNED
IN TO OFFICE: 3-25-98

Judiciary Committee considered

SENATE BILL NO. 304

"An Act relating to regulation of highways and motor vehicles; and providing for an effective date."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS SP 304 (TRA)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical title
- new: SCR# _____

P. 2916

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Lean Starnell</i>	X		
		<i>Mike Miller</i>	✓		
		<i>Kenice</i>	✓		
CHAIR: <i>Adrian Taylor</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

<i>DGT/DF, COMMISSION</i>	<i>3-20-98</i>	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

No. 1

B Bill Version: CSSB 304 (TRA)

(S) Publish Date: 3-20-98

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Revision Date	Dept. Affected
Title	DOT&PF
and motor vehicles; & providing for an effective date	BRU Office of the Commissioner
Sponsor	Component
Senator Donley	Commissioner's Office
Requester	Component Serial No.
Senate Transportation	530

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
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
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
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	Phone	465-3904
Division	Office of the Commissioner	Date	2/23/98
Approved by:	<i>Joseph L. Robinson</i> , Commissioner	Date	2/23/98
Agency	Department of Transportation and Public Facilities		

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SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

Sponsor Statement for CS for SB 304 (TRA)

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.

Additionally Senate Bill 304 adds a provision stating that drivers operating a motor vehicle on a divided highway may not drive in the far left lane unless;

- a) the person is overtaking another vehicle; or
- b) the person is making a left turn from the divided highway; or
- c) road or traffic conditions require driving in the left lane.

A person violating this provision would be subject to a fine of up to \$50. Encouraging drivers to stay to the right will improve traffic flow and increase the efficiency of divided highways.

DD/jja

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June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 258-8181 • FAX: (907) 258-1648

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

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		1st offense: Jail - 1 to 10 days/fine - \$25 to \$100 2nd offense (within 1 year): Jail - 5 to 25 days/fine - \$50 to \$250 Subsequent offense (within 1 year): Jail -25 days to 6 months/fine - \$250 to \$1,000 3rd offense (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.	If a speeding offense occurs in a construction zone, the designed fine is double the usual amount.
O GA	Jail - not more than 12 months/fine - \$100 to \$2,000	
O IL	There is a minimum fine of \$150.	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.	Imprisonment for not more than 90 days and a fine that is double that prescribed by law (i.e., not >\$200).
		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 <30MPH: Fine -\$60 to \$100. Exceeding the speed limit >30MPH 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 to 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>D</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>D</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 SCH
AK		Six (6) points are assessed on a person's record for excc school zone.
AR		<p><u>1st offense</u>: Jail-1 to 10 days jail/fine-\$25 to \$100</p> <p><u>2nd offense</u> (within 1 year): Jail-5 to 25 days/fine-\$50 t (within 1 year): Jail-25 days to 6 months/fine-\$250 to \$</p> <p><u>3rd offense</u> (within 1 year): License suspension for 1 ye</p>
D CT	If a speeding offense occurs in a construction zone, the designed fine is <u>double</u> the usual amount.	
D 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 design usual amount.
O GA	Jail-not more than 12 months/fine-\$100 to \$2,000	
O IL	There is a minimum fine of \$150.	There is a minimum fine of \$150.
D 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
O MO	For speeding in a construction zone, a person is assessed an additional fine of \$35.	
D NE	If a speeding offense occurs in a construction zone, the designed fine is <u>double</u> the usual amount.	
O 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 <u>2nd offense</u> (within 18 months) for any of the above offenses, the fine is increase by \$100.</p> <p>For a <u>subsequent offense</u> (within 18 months) for any of the above offenses, the fine is increase by \$250.</p>	

D	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>	
O	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	Subsequent offense (within 2 years): Jail-not more than 1st or subsequent offense: 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>	1st offense: Fine-\$40 to \$300 Subsequent offense: Fine-\$80 to \$600



Washington State
Department of Transportation



Washington

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 announcements will be used to develop driver appreciation for what goes on in a construction work zone from a safety standpoint. In return, the department 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
2714 N. Mayfair St.
Spokane, WA 99207
(509)324-6000

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Last updated: May 05, 1997



Texas Department of Transportation

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 road way 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

TxDOT Home Page

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]



Virginia Department of Transportation

General Information

HOME

See Orange? Slow Down!

At any time, Virginia Department of Transportation crews or their contractors are working on more than 300 highway construction and maintenance projects across the Commonwealth.

Each year, hundreds of motorists are injured or killed in Virginia highway work zone accidents. Don't become another statistic. When you drive on Virginia's highways, look for the color orange, which marks highway improvement projects.

As you approach one of these work zones, proceed with caution and drive at the posted speed. Exceeding the speed limit in a Virginia highway work zone carries fines of up to \$250.

Keep an eye out for highway workers and "Give 'em a Brake!"

For the locations of major ongoing highway projects through which you could experience delays, go to the map and listing of current highway construction projects. The map pinpoints locations of selected highway construction and maintenance work areas on major highway corridors in Virginia.

Do you have questions about road construction in Virginia? Refer to the Transportation Directory for more information sources.

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