



**DOUBLE FINE FOR TRAFFIC
VIOLATION IN WORK ZONE**

**House Bill 5163 with committee
amendment
First Analysis (11-7-95)**

**Sponsor: Rep. Clark Harder
Committee: Transportation**

THE APPARENT PROBLEM:

Many miles of Michigan roadways are in need of repair or general maintenance, and it is not difficult while traveling the state's roads to find construction crews either repairing existing roads or building new ones. Because road workers often must work in close proximity to fast-moving vehicles, Michigan law currently requires speed limits within these construction zones to be reduced below the normal speed limit, usually to 45 miles per hour along roadways posted at 50 miles per hour or faster. Unfortunately, some drivers irresponsibly choose to ignore the lower limits posted in road construction areas, which has resulted in a growing number of fatalities and severe injuries both to drivers and workers in these zones. According to Michigan State Police data, the number of traffic accidents in construction zones statewide has steadily increased over the last few years, from about 2,600 in 1991 to nearly 3,000 last year, and speeding was cited as a factor in most cases. In order to encourage drivers to be more careful while driving in these areas, legislation has been proposed to double the fine that ordinarily applies for moving violations in road construction areas, and require transportation authorities to erect signs in these zones to notify drivers of the change.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Vehicle Code to specify that, notwithstanding other provisions of the act, someone responsible for a moving violation in a construction zone (that is, a "designated work area") would be subject to double the fine that otherwise would apply to the violation under current law. Under the act, a speed limit of 45 miles per hour generally applies in designated work areas along highways, unless otherwise posted. Also, signs designed to comply with the Uniform Manual of Traffic Control Devices would have to be placed, when practical, at the work site either by the Department of Transportation or road authority with jurisdiction over the site notifying drivers that, to protect the general public and ensure the safety

of construction workers, double the otherwise normal fine would apply to moving violations that occurred in construction zones.

MCL 257.601b

FISCAL IMPLICATIONS:

The House Fiscal Agency says the bill would generate an indeterminate increase in revenue for the state and its local governments. Fines paid on state law violations would be paid into a fund for public libraries, and fines paid for moving violations under local ordinances would be deposited into the appropriate municipality's general fund. (11-2-95)

The Department of Transportation says the bill would have minimal cost implications for the state and local governments; the amount would depend on the number of road crews working on projects in their respective jurisdictions and the number of signs erected in those areas or elsewhere. (If the bill were enacted, the department indicates it may provide for the erection of similar signs at the state's borders, too, alerting drivers of the double fine.) (11-6-95)

ARGUMENTS:

For:

Speeding and carelessness while driving in road construction zones seem to be contributing to a steady rise over the last few years in motor vehicle accidents involving deaths and serious injuries in these areas. A spokesman for the Michigan Road Builders Association, for instance, testified before the House Transportation Committee about a recent incident in which a worker in a road construction area near Grand Rapids, after being hit by a driver traveling well over the speed limit, suffered severe internal injuries and almost died. In fact, statistics kept by the Michigan State Police show the number of accidents in these areas jumped from

House Bill 5163 (11-7-95)

around 2,600 in 1991 to nearly 3,000 in 1994. The bill should help reduce this problem by doubling the fine that normally would apply to a traffic violation occurring in a road construction zone. Perhaps more important than doubling the fine, however, would be the requirement for road authorities to erect signs in these areas warning drivers of increased fines, which should help remind drivers to obey the law there--both for their own safety and that of road workers. A number of other states, including some bordering Michigan, reportedly have adopted similar laws.

POSITIONS:

The Department of Transportation supports the bill. (11-6-95)

The Department of State Police supports the bill. (11-6-95)

The Michigan Road Builders Association supports the bill. (11-3-95)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.