

SUBJECT: Increasing fines for traffic offenses in work zones

COMMITTEE: Transportation — committee substitute recommended

VOTE: 6 ayes — Alexander, Siebert, Finnell, Hartnett, Hill, Pickett  
0 nays  
3 absent — Edwards, Hawley, Uher

WITNESSES: For — Tom Johnson, Association of General Contractors of Texas; Keith Calloway, Texas Chapter of the American Traffic Safety Services Association  
Against — None  
On — Bill Burnett, Texas Department of Transportation; Rosanna Church-Abrea, Texas Department of Public Safety

BACKGROUND : Under current law, persons committing a moving traffic violation in a construction or maintenance zone may be issued citations, with fines ranging from \$1 to \$200.

DIGEST: CSHB 981 would increase to a range of \$2 to \$400 the allowable fines for moving traffic violations that occur in marked construction or maintenance work zones when construction workers are present.  
“Construction or maintenance work zone” would be defined as portion of a street or highway where construction or maintenance was being undertaken, excepting mobile operations, such as a road-striping crew, that were appropriately marked with one or more signs.  
CSHB 981 would take effect January 1, 1998, and apply to offenses committed on or after its effective date.

SUPPORTERS SAY: CSHB 981 is needed to help protect the lives of construction and maintenance workers and and make roadways safer for motorists. Roadwork poses many uncontrollable and unpredictable situations to transportation

workers; reckless driver behavior only adds to the danger they face. According to Texas Department of Public Safety (DPS) estimates, 31,000 traffic accidents in work zones resulted in over 300 fatalities between 1993 and 1995.

The public awareness program "Give Us a Brake," sponsored by the Texas Department of Transportation and DPS, has been a good start in reminding drivers to slow down and observe construction or maintenance signs, but it is not enough. Doubling the fines for traffic violations in work zones may make people just that much more cautious. Of the 35 other states that already have enacted laws increasing fines for work zone traffic violations, 24 have doubled the fines. Even the maximum fine under CSHB 981 would be just \$400, a small fine if it meant the difference between life or death for a highway worker.

OPPONENTS  
SAY:

No apparent opposition.

NOTES:

The committee substitute removed provisions in the original version of the bill that would have increased fines for drinking and driving offenses committed in construction zones and set a minimum fine of \$70 for all moving violations in construction zones. The substitute also changed the effective date from September 1, 1997, to January 1, 1998.