

BILL ANALYSIS

Senate Research Center

H.B. 981
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Criminal Justice
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Engrossed

DIGEST

Currently, persons committing moving traffic violations in construction or maintenance zones may be issued citations, with fines ranging from \$1 to \$200. H.B. 981 would increase the allowable fines for moving traffic violations that occur in marked construction or maintenance work zones when construction workers are present to a fine of not less than \$2 or more than \$400. In addition, this legislation would redefine "construction or maintenance work zone" to mean a portion of a street or highway where construction or maintenance is being undertaken, excepting mobile operations, that is appropriately marked with one or more signs.

PURPOSE

As proposed, H.B. 981 establishes fines for traffic offenses in highway or street construction or maintenance work zones.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 472.022(d) and (e), Transportation Code, to provide that an offense under this section is a misdemeanor punishable by a fine of not less than \$1 or more than \$200, except that if the offense is committed in a construction or maintenance work zone when workers are present, the offense is a misdemeanor punishable by a fine of not less than \$2 or more than \$400. Defines "construction or maintenance work zone" to mean a portion of a highway or street where highway construction or maintenance is being undertaken, other than mobile operations, that is appropriately marked by one or more signs. Makes conforming changes.

SECTION 2. Amends Chapter 542D, Transportation Code, by adding Section 542.404, as follows:

Sec. 542.404. FINE FOR OFFENSE IN CONSTRUCTION OR MAINTENANCE WORK ZONE. Provides that if an offense under this subtitle, other than certain offenses, is committed in a construction or maintenance work zone when workers are present, the minimum and maximum fines applicable are twice the minimum and maximum fines that would be applicable if the offense were committed outside a construction or maintenance work zone. Defines "construction or maintenance work zone."

SECTION 3. Amends Chapter 729, Transportation Code, by adding Section 729.004, as follows:

Sec. 729.004. FINE FOR OFFENSE IN CONSTRUCTION OR MAINTENANCE WORK ZONE. Provides that this section applies to an offense under Section 729.001 for a violation of Subtitle C, other than Chapter 548 or 552 or Section 545.412 or 545.413. Makes conforming changes.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: January 1, 1998.

SECTION 6. Emergency clause.