



**Senate Fiscal Agency**  
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**BILL ANALYSIS**



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Senate Bill 755 (as reported with amendment)  
 Sponsor: Senator Doug Carl  
 Committee: Transportation and Tourism

Date Completed: 1-16-96

**RATIONALE**

Highway construction zones apparently can be dangerous places in which to work and drive. According to Michigan State Police data, the State Police processed 5,146 construction zone accidents Statewide in 1991 and 5,992 in 1994. While the more recent data do not indicate the number of accidents in which speeding was a factor, the 1991 numbers show that more than one-half of the accidents were speed-related. Further, the 1994 accidents resulted in a total of 2,355 reported injuries and 29 deaths. While the Michigan Vehicle Code already sets a lower speed limit in highway construction zones than allowed elsewhere on highways (described in BACKGROUND), apparently many drivers disregard the lower limit. It has been suggested that doubling the fine for moving violations in a construction zone would give motorists an incentive to obey the law.

**CONTENT**

The bill would amend the Michigan Vehicle Code to provide that, notwithstanding any other provision of the Code, a person responsible for a moving violation in a construction zone would be subject to a fine that was double the fine otherwise prescribed for that violation.

Whenever practical, signs designed in compliance with the Uniform Manual of Traffic Control Devices would have to be placed appropriately at the construction zone by the State Transportation Department or road authority having jurisdiction over the construction zone, notifying vehicle operators that for the protection and safety of construction workers the fine for a moving violation in that work area would be double the fine otherwise prescribed for that moving violation.

“Construction zone” would mean a designated work area described in Section 627, which refers

to an area where a normal lane or part of the lane of traffic has been closed due to highway construction, maintenance, or surveying. “Moving violation” would mean an act or omission prohibited under the Code or a substantially corresponding local ordinance that occurred while a person was operating a motor vehicle, and for which the person was subject to a fine.

Proposed MCL 257.601b

**BACKGROUND**

The Michigan Vehicle Code provides, “A person operating a vehicle on a highway, when entering and passing through a designated work area where a normal lane or part of the lane of traffic has been closed due to highway construction, maintenance, or surveying activities, shall not exceed a speed of 45 miles per hour unless otherwise determined and posted by the state transportation department, a county road commission, or a local authority” (MCL 257.627(9)).

**ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

**Supporting Argument**

Despite the lower speed limit required in construction zones, many people continue to drive excessively fast through these areas and accidents continue to occur. This makes construction zones hazardous for both highway workers and travelers. Since the current penalties for moving violations apparently are not enough to discourage motorists from ignoring speed limits and driving carelessly, a double fine for violations in a construction zone could provide the necessary

incentive. Moreover, by requiring the posting of signs informing vehicle operators of the double fine, the bill would ensure that drivers were aware of the potential penalty and were reminded to obey the law for their own safety and that of road workers.

Legislative Analyst: S. Margules

### **FISCAL IMPACT**

Revenue generated would depend on the level of enforcement at construction zones. The Michigan Department of State Police issued 1,427 moving violation tickets in construction zones in 1994. These data do not include tickets issued by local law enforcement officers. There were 5,992 crashes in construction zones Statewide in 1994.

Costs for signs notifying motorists that fines for moving violations in construction zones were double would depend on the size of sign required. The cost of movable signs currently used in construction areas is approximately \$80 per sign.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.