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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 134, L.D. 182, Bill, "An Act to Increase Safety in Highway Construction and Work Maintenance Areas"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the work environment along the State's highways is dangerous and the protection of employees who must work in this environment is paramount; and

Whereas, speed is a major factor in accidents in construction and maintenance zones; and

Whereas, the construction and maintenance season begins in the early summer; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Page 1-LR1563(2)
Sec. 1. 29-A MRSA §2075, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Public ways under construction. The Commissioner of Transportation may restrict the speed limit on a public way under construction or during maintenance and the Executive Director of the Maine Turnpike Authority may restrict the speed limit on any portion of the turnpike under construction or during maintenance when a lower rate of speed would minimize the danger of accident. A person may not operate a motor vehicle in excess of these speeds, as long as notice of the maximum speed has been given by standard black and white speed limit signs on the way. Signs erected pursuant to this subsection must be covered or removed during hours when the speed limit is not restricted.

The penalty for a violation of this subsection is a fine equal to twice the amount of the fine designated in accordance with Title 4, section 164, subsection 12 for a similar speeding violation under section 2073.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Further amend the bill by inserting at the end before the statement of fact the following:

‘FISCAL NOTE

Doubling the fines for certain traffic infractions will increase General Fund revenue. The amounts can not be estimated at this time.’

STATEMENT OF FACT

This amendment gives the Executive Director of the Maine Turnpike Authority the authority to restrict the speed limit on any portion of the turnpike under construction or maintenance. This amendment specifies that to enforce the reduced speed limits the signs must be standard black and white speed limit signs. It clarifies that a fine imposed for a speeding violation within a construction or maintenance area is double the fine normally imposed for a similar speeding violation in a nonconstruction area. It also adds an emergency preamble, an emergency clause and a fiscal note to the bill.