

MAINE STATE LEGISLATURE

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R 95

L.D. 182

DATE: 5/10/95

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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:

COMMITTEE AMENDMENT

R. & S.

COMMITTEE AMENDMENT "A" to H.P. 134, L.D. 182

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:

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

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

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

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

28 **·FISCAL NOTE**

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

34 **STATEMENT OF FACT**

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