

SENATE AMENDMENTS

2nd Printing

By: Sheets

H.B. No. 1097

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the definition of a construction or maintenance work
3 zone on a highway or street.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 472.022(e)(2), Transportation Code, is
6 amended to read as follows:

7 (2) "Construction or maintenance work zone" means a
8 portion of a highway or street:

9 (A) where highway construction or maintenance is
10 being undertaken, other than mobile operations as defined by the
11 Texas Manual on Uniform Traffic Control Devices; ~~and~~

12 (B) that is marked by at least one sign ~~[signs]~~:

13 (i) indicating that it is a construction or
14 maintenance work zone;

15 (ii) indicating the maximum lawful speed
16 ~~[where the zone begins and ends]~~; and


17 (iii) stating: "Fines double when workers
18 present"; and

19 (C) that is marked by signs indicating where the
20 zone begins and ends. ~~["]~~

21 SECTION 2. This Act takes effect September 1, 2013.

ADOPTED

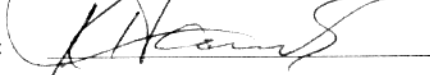
MAY 20 2013


Secretary of State

By: Shuts/Paxton

H.B. No. 1097

Substitute the following for H.B. No. 1697:

By: 

C.S. H.B. No. 1097

A BILL TO BE ENTITLED

AN ACT

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relating to the amount of a fine for certain traffic offenses committed in a construction or maintenance work zone.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 542.404, Transportation Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (c), if ~~if~~ an offense under this subtitle, other than an offense under Chapter 548 or 552 or Section 545.412 or 545.413, is committed in a construction or maintenance work zone when workers are present and any written notice to appear issued for the offense states on its face that workers were present when the offense was committed:

(1) the minimum fine applicable to the offense is twice the minimum fine that would be applicable to the offense if it were committed outside a construction or maintenance work zone; and

(2) the maximum fine applicable to the offense is twice the maximum fine that would be applicable to the offense if it were committed outside a construction or maintenance work zone.

(c) The fine prescribed by Subsection (a) applies to a violation of a prima facie speed limit authorized by Subchapter H, Chapter 545, only if the construction or maintenance work zone is marked by a sign indicating the applicable maximum lawful speed.

SECTION 2. This Act takes effect September 1, 2013.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1097 by Sheets (Relating to the amount of a fine for certain traffic offenses committed in a construction or maintenance work zone.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, SD, AG, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 13, 2013

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1097** by Sheets (Relating to the amount of a fine for certain traffic offenses committed in a construction or maintenance work zone.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, AG, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 14, 2013

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1097 by Sheets (Relating to the definition of a construction or maintenance work zone on a highway or street.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Transportation Code, Section 472.022, relating to obeying warning signs and barricades, to specify that a "construction or maintenance work zone" as defined by Section 472.022 is marked with at least one sign indicating the maximum lawful speed.

Based on the information provided by the Texas Department of Transportation, it is assumed that any change to the department's current method of implementing construction or maintenance speed zones under the provisions of the bill could be accomplished within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: UP, AG, TG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 11, 2013

TO: Honorable Larry Phillips, Chair, House Committee On Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1097 by Sheets (Relating to the definition of a construction or maintenance work zone on a highway or street.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Transportation Code, Section 472.022, relating to obeying warning signs and barricades, to specify that a "construction or maintenance work zone" as defined by Section 472.022 is marked with at least one sign indicating the maximum lawful speed.

Based on the information provided by the Texas Department of Transportation, it is assumed that any change to the department's current method of implementing construction or maintenance speed zones under the provisions of the bill could be accomplished within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: UP, AG, TG