

**House Bill 1097**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

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

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

~~(C) that is marked by signs indicating where the zone begins and ends.~~<sup>[2]</sup>

**No equivalent provision.**

SENATE VERSION (CS)

**No equivalent provision.**

CONFERENCE

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

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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.

SECTION 2. Same as House version.