

BILL ANALYSIS

Senate Research Center
83R28121 JRR-F

C.S.H.B. 1097
By: Sheets (Paxton)
Transportation
5/13/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a person commits an offense if the person drives around a barricade or disobeys the instructions, signals, warnings, or markings of a warning sign. Interested parties have expressed concern about drivers being unaware of the speed limit in construction or maintenance work zones and therefore committing an offense as the nearest speed limit signs may not be near a construction or maintenance work zone. C.S.H.B. 1097 seeks to alleviate this problem by placing additional requirements on the signs marking a construction or maintenance work zone.

C.S.H.B. 1097 amends current law relating to the amount of a fine for certain traffic offenses committed in a construction or maintenance work zone.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

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

(a) Provides that, except as provided by Subsection (c), if an offense under this subtitle, other than an offense under Chapter 548 (Compulsory Inspection of Vehicles) or 552 (Pedestrians) or Section 545.412 (Child Passenger Safety Seat Systems; Offense) or 545.413 (Safety Belts; Offense), 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, 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 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) Provides that the fine prescribed by Subsection (a) applies to a violation of a prima facie speed limit authorized by Subsection H (Speed Restrictions), Chapter 545 (Operation and Movement of Vehicles), only if the construction or maintenance work zone is marked by a sign indicating the applicable maximum lawful speed.

SECTION 2. Effective date: September 1, 2013.