

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 1796

**DATE:** February 7, 2014

**Version:** The delete everything amendment (H1796DE1)

**Authors:** Erhardt

**Subject:** Work zone safety

**Analyst:** Matt Burress, 651-296-5045

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd/](http://www.house.mn/hrd/)

### Overview

This bill, as proposed to be amended by the H1796DE1 delete everything amendment, modifies provisions governing work zones to: prohibit cell phone use in work zones when workers are present, set a \$375 fine amount for some traffic violations in work zones, allocate fine revenue to a new work zone safety account, appropriate account funds for work zone safety activities, and authorize a pilot program for automated speed enforcement in work zones.

#### Section

- 1 Work zone.** Defines “work zone” in the chapter on traffic safety, to identify construction or maintenance work by a road authority (such as MnDOT, counties, and cities) along with at least one of some other conditions, such as a temporary work zone speed limit or lane closure.
- 2 Obedience to traffic-control signal or flagger; presumptions.** Sets a statutory fine amount of \$375 (not including a \$75 court surcharge or other fees) for a motorist who violates the directives of a traffic flagger in a work zone. Allocates the funds to a new work zone safety account (being created in section 4 of the bill).
- 3 Speed zoning in work zone; surcharge.** Sets a statutory fine amount of \$375 (not including a \$75 court surcharge or other fees) for violating a work zone speeding limit when workers are present. Allocates the funds to a new work zone safety account (being created in section 4 of the bill).

## Section

The fine amount replaces a current law provision that doubles the fine when the speeding violation occurs in a work zone. (The amount of fine varies depending on the driver's speed.)

### **4 [169.255] Work zone safety.**

**Subd. 1. Work zone safety account; appropriation.** Establishes a new work zone safety account (which receives some traffic fine funds), and appropriates the funds to the Minnesota Department of Transportation for enhanced traffic enforcement in work zones on state and local roads as well as for work zone safety education efforts.

**Subd. 2. Legislative report.** Requires an annual legislative report on uses of funds from the work zone safety account, effectiveness of efforts, and the automated speed enforcement pilot program (authorized in section 6 of the bill). It is first due October 1, 2015.

### **5 Prohibition on use; work zones.** Prohibits using a cell phone while operating a vehicle in a work zone, both in handheld and hands free modes, when workers are present.

### **6 Work zone automated speed enforcement pilot program.** Authorizes the Department of Transportation, in conjunction with the Department of Public Safety, to create a pilot program to use automated traffic enforcement in work zones.

**Subd. 1. Definitions.** Defines terms.

**Subd. 2. Authority, limitations, requirements.** Establishes requirements governing the pilot program, including (1) limiting it to speeding enforcement in up to five work zones and in calendar years 2014-15 only, (2) requiring review by a State Patrol trooper before a citation is given, (3) requiring signage about the use of automated enforcement devices; and (4) authorizing contracting administrative or other services.

**Subd. 3. Violations.** Makes violators cited under the pilot program subject to a fine of \$375 (not including a \$75 court surcharge or other fees), allocates the funds to a new work zone safety account, identifies cases where the violation does not apply, provides for other limitations in prosecution, and prevents violations from impacting driver license suspensions and revocations and from appearing on a person's driving record.

**Subd. 4. Automated speed enforcement data.** Provides for data practices governing data collected under the pilot program.