

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Senator Keet**

# A Bill

**ACT 893 OF 1995**  
**SENATE BILL 690**

## For An Act To Be Entitled

8 "AN ACT TO PROVIDE FOR THE DOUBLING OF ALL FINES AND  
9 PENALTIES ASSESSED ANY PERSON FOR VIOLATING THE POSTED  
10 SPEED LIMIT WHILE TRAVELING THROUGH A HIGHWAY CONSTRUCTION  
11 WORK ZONE; AND FOR OTHER PURPOSES."

## Subtitle

14 "TO PROVIDE FOR THE DOUBLING OF FINES  
15 FOR VIOLATING THE POSTED SPEED LIMIT  
16 WHILE TRAVELING THROUGH A HIGHWAY WORK  
17 ZONE."

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. As used in this act, unless the context otherwise requires:  
22 (1) "Highway work zone" means any area upon or adjacent to any highway,  
23 road or street of this state where construction, reconstruction, maintenance,  
24 or any other type of work is being performed or is in progress by employees of  
25 the Arkansas State Highway and Transportation Department, the counties or the  
26 municipalities of this state, or any contractors of the Arkansas State Highway  
27 Commission or the counties or municipalities.  
28 (2) "Conviction" means a person who is charged with a violation of law  
29 and who pleads guilty, nolo contendere, who is found guilty, or who forfeits a  
30 bond in lieu of a plea or trial.  
31 (3) "Department" means the Arkansas Highway and Transportation  
32 Department.  
33 (4) "Construction personnel" means employees of the Arkansas State  
34 Highway and Transportation Department, the counties of the municipalities of  
35 this state or any contractors of the Arkansas State Highway Commission or the  
36 counties or municipalities.

1

2 SECTION 2. (a) In addition to all fines and penalties otherwise  
3 provided by law, after the conviction of any person for speeding in excess of  
4 the posted speed limit through any highway work zone in this state *and if*  
5 *construction personnel were present in the highway work zone when the offense*  
6 *occurred*, the trial judge shall assess an additional fine or penalty  
7 equivalent to all other fines and penalties imposed by law upon that person  
8 for speeding in excess of the posted speed limit in the highway work zone.  
9 Any bond posted pursuant to a charge of speeding in excess of the posted speed  
10 limit through any highway work zone in this state shall be double the amount  
11 of the bond otherwise required for speeding in excess of the posted speed  
12 limit.

13 (b) All fines, penalties, and other amounts collected by any court in  
14 this state as a result of this act shall be paid over by the court clerk or  
15 the collecting official to the county treasurer or municipal treasurer. All  
16 such amounts collected in county cases shall be remitted to the county  
17 treasurer and all such amounts collected in municipal cases shall be remitted  
18 to the municipal treasurer. Amounts received by the county treasurer may be  
19 used for general county purposes and amounts received by the municipal  
20 treasurer may be used for general municipal purposes.

21

22 SECTION 3. (a) The additional fines and penalties shall not be  
23 assessed unless signs, either permanent or temporary, were present at the time  
24 of the violation in advance of the highway work zone warning the traveling  
25 public that fines are double in highway work zones. The signs shall be  
26 located no greater than one (1) mile nor less than fifteen hundred feet  
27 (1,500\_) in advance of the highway work zone. Further, the additional fines  
28 or penalties shall not be assessed unless signs, either permanent or  
29 temporary, are posted in advance of the highway work zone indicating the  
30 maximum speed limit to be obeyed while traveling through the highway work  
31 zone.

32 (b) All signs authorized by this act shall conform with the Manual on  
33 Uniform Traffic Control Devices. The counties and municipalities, prior to  
34 utilizing any such signs, shall seek the advice of the Arkansas State Highway  
35 and Transportation Department in order that such signs shall be uniform

1 throughout the state. The department is authorized to develop guidelines for  
2 the counties and municipalities to achieve such uniformity.

3

4 SECTION 4. Nothing contained in this act shall be construed to abrogate  
5 any of the provisions of § 12-8-106 regarding the powers of the Arkansas State  
6 Police.

7

8 SECTION 5. All provisions of this act of a general and permanent nature  
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
10 Revision Commission shall incorporate the same in the Code.

11

12 SECTION 6. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

17

18 SECTION 7. All laws and parts of laws in conflict with this act are  
19 hereby repealed.

20

*/s/Keet*

21

22

APPROVED: 4-4-95

23

24

25

26

27

28

29

30

31

32

33

34

35

***As Engrossed: 3/9/95 3/31/95***

**SB 690**

1

2

3

**0303951627.vjf369**