

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

# A Bill

SENATE BILL 690

## For An Act To Be Entitled

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

## Subtitle

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

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

SECTION 1. As used in this act, unless the context otherwise requires:

(1) "Highway work zone" means any area upon or adjacent to any highway, road or street of this state where construction, reconstruction, maintenance, or any other type of work is being performed or is in progress by employees of the Arkansas State Highway and Transportation Department, the counties or the municipalities of this state, or any contractors of the Arkansas State Highway Commission or the counties or municipalities.

(2) "Conviction" means a person who is charged with a violation of law and who pleads guilty, nolo contendere, who is found guilty, or who forfeits a bond in lieu of a plea or trial.

(3) "Department" means the Arkansas Highway and Transportation Department.

(4) "Construction personnel" means employees of the Arkansas State Highway and Transportation Department, the counties of the municipalities of this state or any contractors of the Arkansas State Highway Commission or the

1 *counties or municipalities.*

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

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

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

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

1 and Transportation Department in order that such signs shall be uniform  
2 throughout the state. The department is authorized to develop guidelines for  
3 the counties and municipalities to achieve such uniformity.

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

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

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

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

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*/s/Keet*

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

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