

\$ 250 Speeding Penalty in Work Zones

The Revised Law

How it Works

December 9, 1999

Legislation

House Bill 303 revised General Statute 20-141(j2) effective December 1, 1999 to read:

"A person who drives a motor vehicle in a highway work zone at a speed greater than the speed limit set and posted under this section shall be required to pay a penalty of two hundred fifty dollars (\$250.00). This penalty shall be imposed in addition to those penalties established in this Chapter. A "highway work zone" is the area between the first sign that informs motorists of the existence of a work zone on a highway and the last sign that informs motorists of the end of the work zone. This subsection applies only if a sign posted at the beginning of the highway work zone states the penalty for speeding in the work zone. The Secretary shall ensure that work zone shall only be posted with penalty signs if the Secretary determines, after engineering review, that the posting is necessary to ensure the safety of the traveling public due to a hazardous condition.

A law enforcement officer issuing a citation for a violation of this section while in a highway work zone shall indicate the vehicle speed and speed limit posted in the work zone. Upon an individual's conviction of a violation of this section while in a highway work zone, the clerk of court shall report that the vehicle was in a work zone at the time of the violation, the vehicle speed, and the speed limit of the work zone to the Division of Motor Vehicles.

Process

In December of 1997 the Secretary of NCDOT approved the attached "engineering review" process that requires the State Traffic Engineer to establish an ordinance for each "\$250 speeding penalty" zone. Area Traffic Engineers, the Traffic Control Section and Division Construction personnel have been working together to use this penalty to our best advantage. Any citations written in work zones without ordinances will not be prosecuted in court.

Implementation

This penalty can only practically be applied to full and partial control-of-access roadways as the law is currently written.

Signs need to be changed to reflect the current law. Signs have been fabricated and are being shipped from Prison Enterprises today, tomorrow and Monday to

your Traffic Services Shops for use on the projects shown on your handouts. An estimate of the number of signs needed was made by the Traffic Control Section. If you need more signs please advise Jim Kellenberger by phone or e-mail.

Please have your contractors replace existing speeding penalty signs with the new ones by January 3, 2000 if at all possible. If you have a project that is not on the attached list that you feel needs a "Speeding Penalty" ordinance please contact the Traffic Control Section and we will review the project location with you and the ATE. All "Speeding Penalty" should be removed from non-ordinanced locations as soon as possible.

Modifications have been made to the "Advance Warning" sign standards to insure better installation practices and smaller overall sign size.

Enforcement

The Traffic Control Section is working with Division personnel and DMV to identify the locations for increased safety surveillance. The Division Engineer is the primary contact for this increased presence in the identified project locations.