

**North Carolina Department of Transportation
Division of Highways
Transportation Mobility and Safety Division**

**Standard Practice
For
\$250 Speeding Fine Guidelines for NC Highway
Construction and Maintenance Activities on High Speed Facilities**

Purpose: This document provides guidance and uniformity on the establishment of \$250 speeding fines in work zones.

Objective: The objective of this guideline is to identify conditions where it's appropriate to implement a \$250 speeding fine on roadways with existing speed limits of 60 MPH and above for work being performed in construction and maintenance work zones.

Guideline: The Work Zone Traffic Control Section in consultation with the Regional Traffic Engineering staff has developed these guidelines to provide guidance and uniformity in the implementation of the \$250 speeding fine in work zones. The intent of the \$250 speeding fine is to increase the impact of receiving a speeding citation whenever road conditions and/or site conditions dictate a need for the driver to be more focused on maintaining a safe speed. Another component of the \$250 speeding fine is to encourage "uniform" speeds by reducing speed differential in the travel stream through the work zone. Therefore, it's imperative this application only be used whenever it's appropriate.

The \$250 penalty can be applied to work zones where the existing speed limit remains, or it can be implemented during times when the speed limit is reduced. Work Zone speed limits can be reduced in two (2) methods. The first is the long term type where the speed limit signs (R2-1) are changed to a lower speed limit and are displayed continuously. This method is referred to as the "Work Zone Speed Limit Reduction". The other method is done for specific activities during the project and the lower speed limits are displayed only for the activities that warrant the lower speeds. The speed limits are displayed on either portable speed limit signs or displayed as a number on changeable message signs. This method is referred to as the "Work Zone Variable Speed Limit Reduction".

This guideline has been established to ensure thorough engineering review and analysis prior to implementation of the \$250 speeding fine. Typically, road conditions that warrant this strategy have been altered and generally contain restrictive features throughout its length, which may require added decision making, increased reaction times and other driver focused actions. Adhering to the speed limit allows for better driver recognition and reaction and hopefully the negative consequence of an added \$250 speeding fine will obtain the desired result of uniform speeds through the work zone. However, this guideline can not cover every situation that may be encountered in a work zone; therefore, appropriate judgment must be used in applying the guidelines. Exceptions to the criteria below will be considered on a case by case basis.

\$250 Ordinance Criteria

The \$250 speeding fine ordinance warrants are defined below. In order for a project to “qualify” for this treatment, it must meet all warrants in Section I and at least 1 warrant in Section II. If Section II warrants aren’t met, the project must meet at least 2 warrants in Section III to qualify for the \$250 fine. If Section I warrants aren’t met, the project doesn’t qualify for the \$250 Fine.

ORDINANCE CRITERIA

SECTION I

The work zone **must meet all** of the following warrants to be considered for the \$250 fine ordinance:

1. The work zone is located on a facility where the existing posted speed limit is 60 MPH or higher.
2. The work zone is greater than 1 mile in length.
3. The work zone is long term duration (greater than 30 days)

AND

SECTION II

The work zone shall meet **at least one** of the following warrants to be further considered for the \$250 fine ordinance:

- 1. The existing Posted Speed Limit within the work zone is reduced during construction by either a Work Zone Speed Limit Reduction or by a Work Zone Variable Speed Limit Reduction.**
2. The work zone is adjacent to other work zones where a \$250 ordinance is in effect.
3. Significant amount of work requiring “*frequent use*” of **Short-term stationary** lane closures (daytime work occupying a particular location for more than 1 hour) and/or **Intermediate-term stationary** lane closures during construction (work occupying a particular location for more than one daylight period up to 3 days or night work lasting more than 1 hour).

Note: “*frequent use*” pertains to more than **25%** of total duration of project

OR

SECTION III

\$250 Ordinance Criteria

The work zone shall meet **at least two** of the following warrants in Section III to be further considered for the \$250 fine ordinance:

1. The 85th percentile speeds within the work zone are 10 miles per hour or higher than the posted speed limit (speed study should be done during off-peak hours and prior to beginning of work).
2. The accident rate and/or severity crash rate for the facility (prior to construction) is higher than the statewide rate as compared to similar facilities
3. The work zone crash rate and/or work zone severity crash rate for the corridor (prior to construction) is higher than the 5 year average as compared to similar facilities
4. Current Truck Traffic levels greater than 15% in work zone.

SECTION IV- IMPLEMENTATION PROCESS

AUTHORIZATION

Senate Bill 649 amended Senate Bill 30 to allow flexibility in the designation of segments of Work Zones subject to the \$250 speeding penalty. It became effective on December 1, 2009. This Bill rewrote Section (j2) of General Statute 20-141. In this Bill, it says “the additional penalty imposed by this subsection applies only if sign (signs) are posted at the beginning and end of any segment of the highway work zone stating the penalty for speeding in that segment of the work zone. The Secretary shall ensure that work zones 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. Described below is a process to implement this Bill.

IMPLEMENTATION

1. Process initiated by contact from the Work Zone Traffic Control Section of the Transportation Mobility and Safety Division to the Regional Traffic Engineer’s office requesting an engineering investigation. The initiation may come from the Division office or others.
2. Engineering Investigation will include a review of the existing posted speed limit and the 85th percentile speeds and the need for the increased penalty of up to \$250 for speeding in the work zone.
3. In addition, the \$250 fine ordinance criteria will be reviewed by the Work Zone Traffic Control Section to determine if the project meets the criteria.

\$250 Ordinance Criteria

4. The Work Zone Traffic Control Section and the Regional Traffic Engineer will discuss and collaborate on the results of the review and determine whether to implement the \$250 speeding fine.
5. If it is determined that the increased fine for speeding in the work zone applies to this location, it can be used without a speed limit reduction.
6. Further, if it is determined in a separate review, the existing posted speed limit should be lowered in the work zone, the \$250 fine for speeding should also be used.
7. If the ordinance is approved, the Regional Traffic Engineer will notify the Resident Engineer and the Work Zone Traffic Control Section.
8. In order for the \$250 speeding fine to be in effect, the ordinance has to be approved and signed by the State Traffic Engineer. No "\$250 fine" signs are to be installed in the work zone before the ordinance is in effect.
9. See attached drawings for the correct signs and sign locations for this application.
10. Once the conditions that warranted either the \$250 alone or in conjunction with a speed limit reduction are removed, so shall the ordinance. The Resident Engineer will notify the Regional Traffic Engineer to rescind the ordinance. For example, once traffic is placed in their final pattern, the \$250 fine signs need to be removed.

SECTION V- \$250 Signing Applications

The \$250 Speeding Penalty can be applied in a variety of applications and scenarios within an application. The Traffic Control Designer, the Division and Regional Traffic Engineer need to evaluate to determine which application is the best method for the project. The first scenario is when the \$250 fine implemented without reducing the speed limit. The others are when the \$250 fine is implemented where the speed limit **IS** reduced through a Work Zone Speed Limit Reduction or a Work Zone "Variable" Speed Limit Reduction. Each is shown on separate drawings.