

By: Representatives Miles, Hudson,  
Montgomery, Ward

To: Transportation

HOUSE BILL NO. 768

1 AN ACT TO AMEND SECTION 63-3-516, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT A PERSON WHO OPERATES A MOTOR VEHICLE WITHIN A  
3 HIGHWAY WORK ZONE IN EXCESS OF THE MAXIMUM SPEED LIMIT  
4 SPECIFICALLY ESTABLISHED FOR THAT ZONE MAY BE PUNISHED BY A FINE  
5 OF DOUBLE THE MAXIMUM AMOUNT OTHERWISE AUTHORIZED BY LAW IF SIGNS  
6 OR OTHER TRAFFIC CONTROL DEVICES APPROVED BY THE MISSISSIPPI  
7 DEPARTMENT OF TRANSPORTATION ARE POSTED IN THE AREA WARNING THAT  
8 WORK IS IN PROGRESS AND THAT A VIOLATION OF THE MAXIMUM SPEED  
9 LIMIT POSTED MAY BE PUNISHED BY SUCH INCREASED FINE; AND FOR  
10 RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 63-3-516, Mississippi Code of 1972, is  
13 amended as follows:

14 63-3-516. (1) It shall be unlawful for any person to  
15 operate a motor vehicle within a highway work zone at a speed in  
16 excess of the maximum speed limit specifically established for the  
17 zone whenever workers are present and whenever the zone is  
18 indicated by appropriately placed signs displaying the reduced  
19 maximum speed limit. Any person violating the provisions of this  
20 section shall be punished, upon conviction, for a first offense by  
21 a fine of not more than Two Hundred Fifty Dollars (\$250.00; and  
22 for a second, third or subsequent offense by a fine of not more  
23 than double the maximum amount of the applicable fine prescribed  
24 for second, third or subsequent offenses under Section 63-9-11.

25 (2) For the purposes of this section the term "highway work  
26 zone" means a construction or maintenance area that is located on  
27 or along any public highway, road or street within this state and  
28 that is marked by \* \* \* signs or other traffic control devices of  
29 a design approved by the Mississippi Department of Transportation  
30 warning (a) that work is in progress, and (b) that any person who  
31 operates a motor vehicle within the designated area at a speed in

32 excess of the reduced maximum speed limit, may be punished by a  
33 fine of double the maximum amount otherwise authorized by law.

34 (3) Nothing in this section shall preclude the prosecution  
35 or conviction for reckless driving of any motor vehicle operator  
36 whose operation of a motor vehicle in a highway work zone, apart  
37 from speed, demonstrates a reckless disregard for life, limb or  
38 property.

39 **SECTION 2.** This act shall take effect and be in force from  
40 and after July 1, 2004.