

By: Senator(s) Dearing

To: Highways and
Transportation

SENATE BILL NO. 2109

1 AN ACT TO AMEND SECTION 63-3-516, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE PENALTY IMPOSED FOR OPERATING A MOTOR VEHICLE WITHIN
3 A HIGHWAY WORK ZONE IN EXCESS OF THE MAXIMUM SPEED LIMIT
4 SPECIFICALLY ESTABLISHED FOR THAT ZONE; TO REQUIRE THAT SIGNS BE
5 POSTED IN HIGHWAY WORK ZONES INDICATING THAT THE FINE FOR SPEEDING
6 IN SUCH WORK ZONES MAY BE PUNISHED BY A FINE OF DOUBLE THE MAXIMUM
7 AMOUNT OTHERWISE AUTHORIZED BY LAW; AND FOR RELATED PURPOSES.

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

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

11 63-3-516. (1) It shall be unlawful for any person to
12 operate a motor vehicle within a highway work zone at a speed in
13 excess of the maximum speed limit specifically established for the
14 zone whenever workers are present and whenever the zone is
15 indicated by appropriately placed signs displaying the reduced
16 maximum speed limit. Any person violating the provisions of this
17 section shall be punished, upon conviction, by a fine of not more
18 than double the maximum amount of the fine authorized to be
19 imposed under Section 63-9-11.

20 (2) For the purposes of this section, the term "highway work
21 zone" means a construction or maintenance area that is located on
22 or along any public highway, road or street within this state that
23 is marked:

24 (a) By appropriate warning signs or other traffic
25 control devices indicating that work is in progress; and

26 (b) By signs of a design approved by the Department of
27 Transportation indicating that any person who operates a motor
28 vehicle within a highway work zone at a speed in excess of the

29 reduced maximum speed limit may be punished by a fine of double
30 the maximum amount otherwise authorized by law.

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

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