

By: Senator(s) Hewes, Albritton, Butler,
Dearing, Hyde-Smith, Jackson (11th), Jordan,
Williamson

To: Highways and
Transportation

SENATE BILL NO. 2777

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 SPEEDING IN SUCH WORK
6 ZONES IS PUNISHABLE BY A FINE OF DOUBLE THE MAXIMUM AMOUNT
7 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 is unlawful for any person to operate a
12 motor vehicle within a highway work zone at a speed in excess of
13 the maximum speed limit specifically established for the zone
14 whenever workers are present and whenever the zone is indicated by
15 appropriately placed signs displaying the reduced maximum speed
16 limit. Any person violating the provisions of this section shall
17 be punished, upon conviction, for a first offense by a fine of not
18 more than Two Hundred Fifty Dollars (\$250.00); and for second,
19 third and subsequent offenses by a fine of double the maximum fine
20 imposed for second, third or subsequent offenses under Section
21 63-9-11.

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

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

28 (b) By signs of a design approved by the Department of
29 Transportation indicating that any person who operates a motor

30 vehicle within a highway work zone at a speed in excess of the
31 reduced maximum speed limit may be punished by a fine of double
32 the maximum amount otherwise authorized by law.

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

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