

SENATE No. 2217

Senate, November 22, 2017 -- Message from His Excellency the Governor recommending legislation relative to promoting construction zone safety

The Commonwealth of Massachusetts



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KARYN POLITO
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November 21, 2017

To the Honorable Senate and House of Representatives,

I am submitting for your consideration “An Act Promoting Construction Zone Safety.” This legislation makes explicit the authority of MassDOT to set a reduced speed limit for any construction zone or other area where a special hazard exists. It also provides that the fines for speeding in a construction zone will be doubled.

Speeding is the primary contributing factor in work zone crashes. While MassDOT has in the past suggested a reduction in speed for work zones, under current law this speed limit is only a warning condition and does not carry the weight of a regulatory limit. Nor does current law allow for any applicable fines to be doubled in the work zone.

Augmenting existing safety protections by granting MassDOT the authority to implement reduced speed limits for construction projects is essential to improve safety for workers and drivers.

I urge your prompt enactment of this legislation.

Respectfully submitted,
Charles D. Baker,
Governor

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In the One Hundred and Ninetieth General Court
(2017-2018)

An Act promoting construction zone safety.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after
2 section 17 the following section:-

3 Section 17½. (a) For purposes of this section, the term “construction zone” shall mean an
4 area on a public highway or on the adjacent right of way where construction, repair,
5 maintenance, or survey work is being performed by the department, utility company, or private
6 contractor under contract with the department.

7 (b) Notwithstanding section 18 or any other general or special law to the contrary, the
8 department may, in the interest of public safety and without further authority, establish speed
9 limits in a construction zone or in an area where a special hazard exists, without conducting an
10 engineering study. The speed limit shall be effective when the signs giving notice thereof are
11 erected. Such signs may carry either a fixed speed limit legend or changeable message that
12 displays different speed limits at various times of the day or night.

13 (c) Any rate of speed in excess of such posted limits shall be prima facie evidence that
14 the speed is not reasonable and proper. The operation of a motor vehicle at a rate of speed in
15 excess of a speed limit established under this section shall be a violation of this section 17½ and
16 shall be subject to a fine of 2 times the amount currently in effect for the violation issued.