

SENATE No. 2569

The Commonwealth of Massachusetts

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

SENATE, Thursday, June 21, 2018

The committee on Ways and Means to whom was referred the Senate Bill promoting construction zone safety (Senate, No. 2217),-- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2569).

For the committee,
Karen E. Spilka

The Commonwealth of Massachusetts

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

3 Section 17½. (a) For purposes of this section, the term “active construction zone” shall
4 mean an 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, a utility company or a private
6 contractor under contract with the department.

7 (b) Notwithstanding section 18, the department may establish a speed limit in an active
8 construction zone without conducting an engineering study. A rate of speed in excess of a speed
9 limit posted under this section shall be prima facie evidence that the speed is not reasonable and
10 proper. The operation of a motor vehicle traveling at a rate of speed in excess of a speed limit
11 established under this section shall be subject to a fine of 2 times the amount otherwise in effect
12 for the violation issued. The speed limit shall be effective when signs giving notice of that speed
13 limit are prominently displayed and construction, repair, maintenance or survey work is being
14 performed. The signs may carry either a fixed speed limit or electronic message that displays

15 adjusted speed limits when work is being performed. The signs shall notify motorists that a rate
16 of speed in excess of the posted limit is subject to a fine of 2 times the amount otherwise in effect
17 for the violation issued.