

January 30, 1998

SENATE BILL No. 408

DIGEST OF SB 408 (Updated January 28, 1998 6:41 pm - DI 76)

Citations Affected: IC 9-13; IC 9-21; IC 33-19.

Synopsis: Merging for road construction zone. Amends definition of "worksite" to include certain lanes of a highway leading up to an area upon which construction or maintenance activity is being performed on the highway. Provides that after being directed by a sign to merge into another lane because of a worksite, a person who drives a vehicle may not pass another vehicle within the posted no passing zone established by the Indiana department of transportation. Provides that a violation is a Class C infraction and may be subject to an additional fee.

Effective: July 1, 1998.

Craycraft, Meeks

January 12, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
January 29, 1998, amended, reported favorably — Do Pass.

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January 30, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

SENATE BILL No. 408

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-200 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 200. "Worksite" means
3 a location or area upon which:

4 (1) a public purpose construction or maintenance activity; or
5 (2) a private purpose construction or maintenance activity that is
6 authorized by a governmental agency;
7 is being performed on a highway. **The term includes the lanes of a**
8 **highway leading up to the area upon which an activity described in**
9 **subdivision (1) or (2) is being performed, beginning at the point**
10 **where appropriate signs directing vehicles to merge from one (1)**
11 **lane into another lane are posted.**

12 SECTION 2. IC 9-21-8-7.5 IS ADDED TO THE INDIANA CODE
13 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 1998]: Sec. 7.5. (a) **This section applies to a worksite:**

15 (1) **upon a highway divided into two (2) or more marked lanes**
16 **for traffic moving in the same direction; and**
17 (2) **for which vehicles are instructed to merge from one (1)**

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1 **lane into another lane by an appropriate sign.**
2 **(b) A person who drives a vehicle may not pass another vehicle**
3 **that is in the lane into which traffic is directed to merge within the**
4 **posted no passing zone established by the Indiana department of**
5 **transportation.**

6 SECTION 3. IC 33-19-6-14 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 14. (a) This section
8 applies to criminal and infraction actions that are traffic offenses (as
9 defined in IC 9-30-3-5).

10 (b) The clerk shall collect a highway work zone fee of fifty cents
11 (\$0.50). However, if the criminal action or infraction is exceeding a
12 worksite speed limit (as provided in IC 9-21-5-11) **or failure to merge**
13 **(as provided in IC 9-21-8-7.5)** and the judge orders the clerk to collect
14 the fee for exceeding a worksite speed limit **or failure to merge**, the
15 clerk shall collect a highway work zone fee of twenty-five dollars and
16 fifty cents (\$25.50).

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SENATE MOTION

Mr. President: I move that Senator Meeks be added as second author
of Senate Bill 408.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred Senate Bill 408, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 2 through 4.

Page 2, line 5, delete "(c)" and insert "(b)".

Page 2, line 6, delete "one" and insert "**the posted no passing zone established by the Indiana department of transportation.**".

Page 2, delete lines 7 through 8.

and when so amended that said bill do pass.

(Reference is to Senate Bill 408 as introduced.)

MEEKS, Chairperson

Committee Vote: Yeas 8, Nays 1.

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