

1 HB410
2 203470-1
3 By Representatives Faulkner, Jones (M) and Reynolds
4 RFD: Public Safety and Homeland Security
5 First Read: 05-MAR-20

SYNOPSIS: Under existing law, a reduced speed school zone is established for every school in the county outside the corporate limits of a municipality.

Also under existing law, a person who is convicted of a school zone speed violation is assessed a fine double the amount prescribed by law for outside of the school zone.

This bill would expand the reduced speed school zone to include every public and private school in the state.

Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the

1 affected entity; or the Legislature appropriates
2 funds, or provides a local source of revenue, to
3 the entity for the purpose.

4 The purpose or effect of this bill would be
5 to require a new or increased expenditure of local
6 funds within the meaning of the amendment. However,
7 the bill does not require approval of a local
8 governmental entity or enactment by a 2/3 vote to
9 become effective because it comes within one of the
10 specified exceptions contained in the amendment.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT

15
16 Relating to reduced speed school zones; to amend
17 Sections 32-5A-181, 32-5A-182, and 32-5A-183, Code of Alabama
18 1975, to provide that the reduced speed school zone applies to
19 every public and private school in the state; and in
20 connection therewith would have as its purpose or effect the
21 requirement of a new or increased expenditure of local funds
22 within the meaning of Amendment 621 of the Constitution of
23 Alabama of 1901, now appearing as Section 111.05 of the
24 Official Recompilation of the Constitution of Alabama of 1901,
25 as amended.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 32-5A-181, 32-5A-182, and
2 32-5A-183, Code of Alabama 1975, are amended to read as
3 follows:

4 "§32-5A-181.

5 "For the purposes of this article, the following
6 words have the following meanings:

7 "(1) REDUCED SPEED SCHOOL ZONE. A designated length
8 of a road or highway extending between school zone speed limit
9 signs with or without warning lights.

10 "(2) ROAD or HIGHWAY. Any road or highway except an
11 interstate highway.

12 "(3) SCHOOL ZONE. All public or private school
13 property, including school grounds and any road or highway
14 abutting the school grounds and extending 300 feet along the
15 road or highway from the school grounds.

16 "§32-5A-182.

17 "A reduced speed school zone is established for ~~any~~
18 every public or private school in the ~~county outside the~~
19 ~~corporate limits of a municipality~~ state, including schools
20 along state-maintained roads or highways.

21 "(1) At an appropriate distance before reaching a
22 reduced speed school zone, an appropriate sign or signs shall
23 be erected warning of the approaching reduced speed school
24 zone.

25 "(2) A sign or signs at the end of the school zone
26 shall designate where the motor vehicle may resume the regular
27 speed limits.

1 "(3) All signs and signing locations shall be in
2 accordance with the rules contained in the current Manual of
3 Uniform Traffic Control Devices.

4 "§32-5A-183.

5 "(a) Signs on a reduced speed school zone located on
6 a county-maintained road shall be placed and maintained by the
7 county commission.

8 "(b) Signs on a reduced speed school zone located on
9 a municipality-maintained road shall be placed and maintained
10 by the municipality.

11 "~~(b)~~ (c) Signs on a reduced speed school zone
12 located on a state-maintained road or highway within a county
13 shall be placed and maintained by the State Department of
14 Transportation."

15 Section 2. Although this bill would have as its
16 purpose or effect the requirement of a new or increased
17 expenditure of local funds, the bill is excluded from further
18 requirements and application under Amendment 621, now
19 appearing as Section 111.05 of the Official Recompilation of
20 the Constitution of Alabama of 1901, as amended, because the
21 bill defines a new crime or amends the definition of an
22 existing crime.

23 Section 3. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.