

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.