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HOUSE BILL NO. 2186

House Amendments in [] — January 27, 1997

A BILL to amend and reenact § 46.2-873 of the Code of Virginia, relating to maximum speed limits at school crossings; penalty.

Patrons—Mims, Abbitt, Clement, Councill, Cox, Crittenden, Darner, Dickinson, Drake, Grayson, Guest, Jones, D.C., Katzen, Lovelace, May, McDonnell, Moore, Nelms, Puller, Reid, Robinson, Rollison, Ruff, Sherwood, Spruill, Stump, Tate and Wardrup; Senators: Barry, Marsh, Miller, K.G., Quayle, Saslaw, Stolle, Ticer, Trumbo, Waddell and Whipple

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-873 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-873. Maximum speed limits at school crossings; penalty.

A. The maximum speed limit shall be twenty-five miles per hour between portable signs, tilt-over signs, or fixed blinking signs placed in or along any highway and bearing the word "school" or "school crossing." Any signs erected under this section shall be placed not more than 600 feet from the limits of the school property or crossing in the vicinity of the school. However, "school crossing" signs may be placed in any location if the Department of Transportation or the council of the city or town or the board of supervisors of a county maintaining its own system of secondary roads approves the crossing for such signs. If the portion of the highway to be posted is within the limits of a city or town, such portable signs shall be furnished and delivered by such city or town. If the portion of highway to be posted is outside the limits of a city or town, such portable signs shall be furnished and delivered by the Department of Transportation. The principal or chief administrative officer of each school or a school board designee, preferably not a classroom teacher, shall place such portable signs in the highway at a point not more than 600 feet from the limits of the school property and remove such signs when their presence is no longer required by this section. Such portable signs, tilt-over signs, or fixed blinking signs shall be placed in a position plainly visible to vehicular traffic approaching from either direction, but shall not be placed so as to obstruct the roadway.

B. Such portable signs, tilt-over signs, or blinking signs shall be in a position, or be turned on, for thirty minutes preceding regular school hours, for thirty minutes thereafter, and during such other times as the presence of children on such school property or going to and from school reasonably requires a special warning to motorists. The governing body of any county, city, or town may, however, decrease the period of time preceding and following regular school hours during which such portable signs, tilt-over signs, or blinking signs shall be in position or lit if it determines that no children will be going to or from school during the period of time that it subtracts from the thirty-minute period.

C. The governing body of any city or town may, if the portion of the highway to be posted is within the limits of such city or town, increase or decrease the speed limit provided in this section only after justification for such increase or decrease has been shown by an engineering and traffic investigation, and no such increase or decrease in speed limit shall be effective unless such increased or decreased speed limit is conspicuously posted on the portable signs, tilt-over signs, or fixed blinking signs required by this section.

D. Any city having a population of 390,000 or more may establish school zones as provided in this section and mark such zones with flashing warning lights as provided in this section on and along all highways adjacent to Route 58.

E. Any person operating any motor vehicle in excess of a maximum speed limit established specifically for a school crossing zone, when such school crossing zone is (i) indicated by appropriately placed signs displaying the maximum speed limit and (ii) in operation pursuant to subsection B of this section shall be guilty of a traffic infraction punishable by a fine of not more than \$250 [, in addition to other penalties provided by law] .

For the purposes of this section, "school crossing zone" means an area located within the vicinity of a school at or near a highway where the presence of children on such school property or going to and from school reasonably requires a special warning to motorists. Such zones are marked and operated in accordance with the requirements of this section with appropriate warning signs or other traffic control devices indicating that a school crossing is in progress.

[~~Nothing in this subsection shall preclude the prosecution or conviction for reckless driving of any motor vehicle operator whose operation of any motor vehicle in a school crossing zone, apart from speed, demonstrates a reckless disregard for life, limb, or property.~~]

ENGROSSED

HB2186E