



COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

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TO: Chief District Engineers
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FROM: Jeff Wolfe, P.E. *R. Jeff Wolfe*
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DATE: January 2, 2020

SUBJECT: Double Fines in Work Zones

As you may know, the 2019 General Assembly passed HB 244 that resulted in modifications to a variety of work zone related statutes and the creation of KRS 189.2327. This bill resulted in the following modifications: (1) clarifies that double fines apply to a variety of moving violations, (2) establishes that double fines apply when a bona fide worker is present and both work zone and double fine signs are posted, and (3) modifies the definition of highway work zone to include maintenance and inspection activities.

The purpose of this memorandum is to advise staff of these changes and to encourage use of double fine signing if its use would likely enhance the safety of maintenance and inspection activities. Work that involves high-speed approaches to encroachments within or near travel lanes is an example where such signing could be beneficial.

At the present time, the Cabinet's Standard Drawings are being modified to reflect the changes in the statutes. In addition, staff is working on modifying the Administrative Regulation associated with safety in work zones. These modifications will address double fines on future roadway projects.

For work performed by the Kentucky Transportation Cabinet staff, the Manual on Uniform Traffic Control Devices (MUTCD) remains the minimum standard for signing of double fines. Based on statutes and the MUTCD, KYTC maintenance and inspection crews are advised of the following standards and guidance:

Double Fine Zones

- To include double fines, a work zone shall include at least one (1) work zone sign acknowledging the existence of the work zone.
- To include double fines, a work zone shall include at least one (1) bona fide worker.
- To acknowledge the application of double fines, a BEGIN HIGHER FINES ZONE (R2-10) sign shall be installed in advance or within the work zone.
- An END HIGHER FINES ZONE (R2-11) sign should be installed at the downstream end of the reduced speed limit zone as deemed necessary.
- The minimum sizes for BEGIN/END HIGHER FINES ZONE signs shall be 48" x 60" for freeways (fully controlled access), 36" x 48" for expressways (partially controlled access), and 24" x 30" for other roadways.
- Engineering judgment should be used when selecting the limits of double fine zones. For short duration projects, where work will occur throughout the project limits, the BEGIN HIGHER FINES ZONE sign should be installed between the last advance warning sign and the beginning of the activity area. Such situations are less likely to require an END HIGHER FINES ZONE sign, as it should be clear when the driver leaves the work zone that double fines no longer apply. For longer duration projects, where work will not occur throughout the project limits, consider placing a BEGIN HIGHER FINES ZONE only in areas with active workers. Such situations are more likely to justify use of an END HIGHER FINES ZONE sign as it might not be clear to drivers when double fines no longer apply.
- Double fines now apply to more than just speed limit violations. As a result, double fine signs should not be placed within 200 feet of speed limit signs, as not to suggest to motorists that speed limits are their only concern when it comes to double fines.

If you have any questions regarding this information, please contact the Division of Traffic Operations.

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