

**Testimony of Robert Latham  
Executive Vice President  
Associated Pennsylvania Constructors  
Joint House/Senate Transportation Committee  
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Mr. Chairman, thank you for the opportunity to provide testimony today regarding Senate Bill 840, which would allow automated enforcement of speed limits in work zones. I am Bob Latham, executive vice president of Associated Pennsylvania Constructors. APC is a trade association with more than 400 members, including contractors, consulting engineers, material suppliers, manufacturers, and others with an interest in Pennsylvania’s road and bridge construction industry. The association has been serving the industry for more than 80 years and represents the majority of active highway contractors in the state.

APC and its members strongly support the concept of automated enforcement of speed limits in work zones. Any highway construction worker who has been on the job for just a few hours has seen and felt first-hand the potential danger that exists when road construction takes place while traffic is maintained. Because the vast majority of our work these days involves existing infrastructure, the vast majority of projects remain open to traffic, and the number of projects has increased thanks to the passage of Act 89 of 2013. The following table shows the number of projects PennDOT has put out for bid during the last six construction seasons:

<b>Year</b>	<b>Projects</b>
2010	885
2011	737
2012	744
2013	563
2014	826
2015	468*

\*To date

In nearly every case, road construction requires the closing of shoulders and/or one or more lanes. Many people refer to these narrower zones as “cattle chutes.” Narrowing the traffic flow makes it more challenging to maneuver. Drivers have less time to react and less space to do so. That’s why PennDOT and the Turnpike Commission lower speed limits in work zones. Drivers who are distracted and vehicles that are traveling faster than the reduced speed limit present an elevated threat to the safety of construction workers, as well as themselves.

According to PennDOT, 24 people were killed in work-zone crashes in 2014, eight more than in 2013. Additionally, there were 1,841 crashes in work zones last year, a slight decrease from the 1,851 crashes in 2013. Over the five-year period, there were 10,586 work-zone crashes and 128 fatalities in those crashes. While traffic fatalities and serious injuries are dropping in Pennsylvania and nationally, we can do much, much better in work zones.

Given the nature of APC and its membership, my focus has been on construction workers. But this issue is not only about their safety. According to the Federal Highway Administration, 85 percent of the victims of work zone fatalities are travelers – NOT construction workers.

Several years ago, the state of Maryland implemented an automated enforcement system, and Senate Bill 840 has drawn heavily on Maryland’s approach. Maryland’s experience with the program clearly shows that automated enforcement works.

When Maryland's program began five years ago, studies showed that 7 percent of the vehicles were traveling through work zones at least 12 miles per hour above the posted speed limit. Today, that number has been reduced to only 1 percent. Maryland reports that its LIDAR automated enforcement system has been extremely accurate and reliable.

Maryland has been very transparent in its effort to curb speeding in work zones. Signs alerting motorists to automated speed enforcement are placed well in front of work zones. The Maryland State Highway Administration website also identifies where automated speed enforcement vans are located, the posted speed limit and the number of citations issued from that location.

APC believes there is one aspect of Senate Bill 840 that can and should be strengthened. The bill as written specifies that automated enforcement would occur only when workers are present. We believe automated enforcement should occur regardless of whether workers are present, for two reasons. First, as I mentioned earlier, 85 percent of work zone fatalities involve travelers, not construction workers, and those accidents occur whether workers are present or not. Second, workers are not always immediately visible to drivers. Why make it the driver's responsibility to make the determination?

There are those who suggest that using cameras for automated speed limit enforcement is an intrusion into peoples' right to privacy. To that assertion, I respond with two points. First, those who do not want the government keeping photos of their license plates need only to obey the speed limit in work zones. Second, as it relates to rights, I submit that members of the public and construction workers have a right to travel and work safely in work zones.

APC's focus regarding this issue, first and foremost, is safety. However, automated speed enforcement also would enable the Commonwealth to utilize its resources more efficiently. As Maryland's experience demonstrates, automated enforcement can achieve a positive change in drivers' behavior without a significant increase in manpower.

Finally, I have heard some cynically suggest that automated enforcement is simply a mechanism to reach into the public's pocket and generate revenue. The Maryland experience lays that to rest. Citations in Maryland have dropped significantly as the motoring public has adapted to automated enforcement, and as you've heard today, Maryland remains quite happy with its program. As for APC's members, we would be pleased if no citations were issued, because that would mean that drivers are complying with the law and that work zones are safer.

If Senate Bill 840 can achieve the same level of success that Maryland has had, Pennsylvania's work zones will be significantly safer – for the driving public and construction workers alike. APC and its 400-plus members strongly support Senate Bill 840, and we appreciate Senator Argall's efforts to make work zones safer. Thank you for your time, and I'll be happy to answer any questions you have.