

## **BILL ANALYSIS**

H.B. 2975  
By: Martinez, "Mando"  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that the Texas Transportation Commission is authorized to alter the speed limit on any part of the state highway system under certain circumstances. Concerns have been raised, however, that the process for making the alteration can take a significant amount of time during which motorists may be endangered in the areas subject to a speed limit in question. H.B. 2975 seeks to address this issue by making the alteration process more efficient.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2975 amends the Transportation Code to transfer the authority to alter prima facie speed limits from the Texas Transportation Commission to the Texas Department of Transportation (TxDOT) and to revise and clarify certain related statutory provisions. The bill authorizes the executive director or a deputy director of TxDOT to make written determinations and declarations regarding a reasonable and safe prima facie speed limit and another reasonable and safe speed because of wet or inclement weather if TxDOT determines from the results of an engineering and traffic investigation that a prima facie speed limit is unreasonable or unsafe on a part of the highway system. The bill requires the results of an engineering and traffic investigation to be considered, among the other requisite considerations, for a determination of whether all prima facie speed limits on a part of the highway system are reasonable and safe. The bill requires TxDOT to provide notice of a new prima facie speed limit on the agency's website for at least one year after the date a speed limit is declared but clarifies that the new limit is effective when TxDOT erects signs giving notice of the new limit.

H.B. 2975 requires TxDOT to develop and publish a manual that provides the information and procedures necessary to establish a speed zone or an advisory speed on the state highway system. The bill requires TxDOT to follow the procedures in the manual when conducting an engineering and traffic investigation for purposes of establishing speed limits and authorizes TxDOT to revise the manual to accommodate technological advancements.

H.B. 2975 prohibits TxDOT from establishing, or agreeing to establish, a speed limit for environmental purposes on a part of the highway system. The bill repeals a provision regarding a public hearing for the consideration of prima facie speed limits where certain schools are located and a provision relating to the duty of the Texas Transportation Commission and State Board of

Education to provide assistance and information relevant to consideration of speed limits to commissioners courts, municipal governing bodies, and other interested persons.

H.B. 2975 repeals Sections 545.357 and 545.360, Transportation Code.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.