

BILL ANALYSIS

Senate Research Center

S.B. 1327
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires any speed limit changes to be approved by the Texas Transportation Commission (TTC), no matter the circumstances. S.B. 1327 gives a Texas Department of Transportation district engineer the authority to temporarily alter the speed limit on roadways within the engineer's jurisdiction without TTC approval. The speed limit can only be altered upon the determination that the roadways are under hazardous conditions such as inclement weather or construction activities.

As proposed, S.B. 1327 amends current law relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower speed limits.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter H, Chapter 545, Transportation Code, by adding Section 545.3531, as follows:

Sec. 545.3531. AUTHORITY OF DISTRICT ENGINEERS TO TEMPORARILY LOWER SPEED LIMITS. (a) Defines "hazard."

(b) Authorizes a district engineer to temporarily lower a prima facie speed limit for a highway or part of a highway in a district if the district engineer determines that the prima facie speed limit for the highway or part of highway is unreasonable or unsafe because of a hazard.

(c) Authorizes a district engineer to temporarily lower a prima facie speed limit without the approval of or permission from the Texas Transportation Commission (TTC).

(d) Provides that an established temporary speed limit:

(1) is a prima facie prudent and reasonable speed limit enforceable in the same manner as other prima facie speed limits established under other provisions of this subchapter; and

(2) supersedes any other established speed limit that would permit a person to operate a motor vehicle at a higher rate of speed.

(e) Requires a district engineer who temporarily lowers a speed limit to:

(1) place and maintain at the hazard site temporary speed limit signs that conform to the manual and specifications adopted under Section 544.001 (Adoption of Sign Manual for State Highways);

(2) temporarily conceal all other signs on the highway or part of a highway affected by the hazard that give notice of a speed limit that would permit a person to operate a motor vehicle at a higher rate of speed; and

(3) remove all temporary speed limit signs placed under Subdivision (1) and concealments of other signs placed under Subdivision (2) when the district engineer finds that there is no longer a hazard and all equipment is removed from the hazard site.

(f) Provides that a temporary speed limit is effective when the district engineer, as required under Subsection (e), places temporary speed limit signs and conceals other signs that would permit a person to operate a motor vehicle at a higher rate of speed.

(g) Provides that a temporary speed limit is effective until the district engineer finds that there is no longer a hazard and removes all temporary signs, concealments, and equipment used at the hazard site.

SECTION 2. Effective date: September 1, 2017.