

By: Israel, Oliverson, Lopez, Morales Shaw,
et al.

H.B. No. 442

Substitute the following for H.B. No. 442:

By: Ortega

C.S.H.B. No. 442

A BILL TO BE ENTITLED

AN ACT

relating to the prima facie speed limit in residence districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 545.356(b-1), (c), and (d),
Transportation Code, are amended to read as follows:

(b-1) Except as provided by Subsection (b-3), the governing
body of a municipality, for a highway or a part of a highway in the
municipality that is not an officially designated or marked highway
or road of the state highway system, may declare a lower speed limit
of not less than 25 miles per hour, if the governing body determines
that the prima facie speed limit on the highway is unreasonable or
unsafe. A municipality is not required to perform an engineering or
traffic investigation to declare a lower speed limit under this
subsection if the street is located in a residence district.

(c) A prima facie speed limit that is altered by the
governing body of a municipality under Subsection (b) [~~(b-1)~~] or
(b-3) is effective when the governing body erects signs giving
notice of the new limit and at all times or at other times as
determined.

(d) The governing body of a municipality that declares a
lower speed limit on a highway or part of a highway under Subsection
[~~(b-1) or~~] (b-3), not later than February 1 of each year, shall
publish on its Internet website and submit to the department a
report that compares for each of the two previous calendar years:

1 (1) the number of traffic citations issued by peace
2 officers of the municipality and the alleged speed of the vehicles,
3 for speed limit violations on the highway or part of the highway;

4 (2) the number of warning citations issued by peace
5 officers of the municipality on the highway or part of the highway;
6 and

7 (3) the number of vehicular accidents that resulted in
8 injury or death and were attributable to speed limit violations on
9 the highway or part of the highway.

10 SECTION 2. This Act takes effect September 1, 2021.