

AN ACT

relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower the speed limit at a highway maintenance activity site.

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

SECTION 1. Subchapter H, Chapter 545, Transportation Code, is amended by adding Section 545.3531 to read as follows:

Sec. 545.3531. AUTHORITY OF DISTRICT ENGINEER TO TEMPORARILY LOWER SPEED LIMIT AT HIGHWAY MAINTENANCE ACTIVITY SITE.

(a) A district engineer of the Texas Department of Transportation may 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 highway maintenance activities at the site.

(b) A district engineer may temporarily lower a prima facie speed limit under this section without the approval of or permission from the Texas Transportation Commission.

(c) A temporary speed limit established under this section:

(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

1 speed.

2 (d) After a district engineer temporarily lowers a speed  
3 limit under this section, the Texas Department of Transportation  
4 shall:

5 (1) place and maintain at the maintenance activity  
6 site temporary speed limit signs that conform to the manual and  
7 specifications adopted under Section 544.001;

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

12 (3) remove all temporary speed limit signs placed  
13 under Subdivision (1) and concealments of other signs placed under  
14 Subdivision (2) when the temporary speed limit expires under  
15 Subsection (f).

16 (e) A temporary speed limit established under this section  
17 is effective when the Texas Department of Transportation, as  
18 required under Subsection (d), places temporary speed limit signs  
19 and conceals other signs that would permit a person to operate a  
20 motor vehicle at a higher rate of speed.

21 (f) A temporary speed limit established under this section:

22 (1) is effective until the earlier of:

23 (A) the 45th day after the date the limit becomes  
24 effective; or

25 (B) the date on which the district engineer  
26 determines that the maintenance activity has been completed and all  
27 equipment has been removed from the maintenance activity site; and

1           (2) may not be extended unless established by the  
2 Texas Transportation Commission under Section [545.353](#).

3           SECTION 2. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section [39](#), Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3282 was passed by the House on April 16, 2021, by the following vote: Yeas 136, Nays 6, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3282 on May 24, 2021, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3282 on May 28, 2021, by the following vote: Yeas 145, Nays 2, 1 present, not voting.

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Chief Clerk of the House

H.B. No. 3282

I certify that H.B. No. 3282 was passed by the Senate, with amendments, on May 19, 2021, by the following vote: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3282 on May 29, 2021, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor