

1-1 By: Canales (Senate Sponsor - Nichols) H.B. No. 3282
1-2 (In the Senate - Received from the House April 19, 2021;
1-3 May 3, 2021, read first time and referred to Committee on
1-4 Transportation; May 6, 2021, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 6, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Nichols	X		
1-10	Seliger	X		
1-11	Alvarado	X		
1-12	Blanco	X		
1-13	Hancock	X		
1-14	Hinojosa	X		
1-15	Kolkhorst	X		
1-16	Perry	X		
1-17	West		X	

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3282 By: Nichols

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the authority of a district engineer for the Texas
1-22 Department of Transportation to temporarily lower the speed limit
1-23 at a highway maintenance activity site.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter H, Chapter 545, Transportation Code,
1-26 is amended by adding Section 545.3531 to read as follows:

1-27 Sec. 545.3531. AUTHORITY OF DISTRICT ENGINEER TO
1-28 TEMPORARILY LOWER SPEED LIMIT AT HIGHWAY MAINTENANCE ACTIVITY SITE.

1-29 (a) A district engineer may temporarily lower a prima facie speed
1-30 limit for a highway or part of a highway in a district if the
1-31 district engineer determines that the prima facie speed limit for
1-32 the highway or part of highway is unreasonable or unsafe because of
1-33 highway maintenance activities at the site.

1-34 (b) A district engineer may temporarily lower a prima facie
1-35 speed limit under this section without the approval of or
1-36 permission from the Texas Transportation Commission.

1-37 (c) A temporary speed limit established under this section:

1-38 (1) is a prima facie prudent and reasonable speed
1-39 limit enforceable in the same manner as other prima facie speed
1-40 limits established under other provisions of this subchapter; and

1-41 (2) supersedes any other established speed limit that
1-42 would permit a person to operate a motor vehicle at a higher rate of
1-43 speed.

1-44 (d) A district engineer who temporarily lowers a speed limit
1-45 under this section shall:

1-46 (1) place and maintain at the maintenance activity
1-47 site temporary speed limit signs that conform to the manual and
1-48 specifications adopted under Section 544.001;

1-49 (2) temporarily conceal all other signs on the highway
1-50 or part of a highway affected by the maintenance activity that give
1-51 notice of a speed limit that would permit a person to operate a
1-52 motor vehicle at a higher rate of speed; and

1-53 (3) remove all temporary speed limit signs placed
1-54 under Subdivision (1) and concealments of other signs placed under
1-55 Subdivision (2) when:

1-56 (A) the district engineer determines that the
1-57 maintenance activity has been completed and all equipment has been
1-58 removed from the maintenance activity site; or

1-59 (B) the temporary speed limit expires under
1-60 Subsection (f).

2-1 (e) A temporary speed limit established under this section
2-2 is effective when the district engineer, as required under
2-3 Subsection (d), places temporary speed limit signs and conceals
2-4 other signs that would permit a person to operate a motor vehicle at
2-5 a higher rate of speed.

2-6 (f) A temporary speed limit established under this section:
2-7 (1) is effective until the 30th day after the date the
2-8 limit becomes effective; and

2-9 (2) may not be extended unless established by the
2-10 Texas Transportation Commission under Section [545.353](#).

2-11 SECTION 2. This Act takes effect immediately if it receives
2-12 a vote of two-thirds of all the members elected to each house, as
2-13 provided by Section 39, Article III, Texas Constitution. If this
2-14 Act does not receive the vote necessary for immediate effect, this
2-15 Act takes effect September 1, 2021.

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