

By: Canales

H.B. No. 1885

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Transportation Commission to establish variable speed limits.

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

SECTION 1. Section 545.353, Transportation Code, is amended by adding Subsection (k) to read as follows:

(k) The commission by rule may establish a variable speed limit program to allow the temporary lowering of a prima facie speed limit to address inclement weather, congestion, road construction, or any other condition that affects the safe and orderly movement of traffic on a roadway for which the commission has the authority to establish a speed limit. Notice of a speed limit established under the program may be displayed using a stationary or portable changeable message sign, as defined by Section 544.013. The program may not authorize the lowering of a speed limit to divert traffic to a toll road for the purpose of increasing revenue from toll charges. A speed limit that is established under the program:

(1) must be based on an engineering and traffic investigation;

(2) may be effective for all or a designated portion of the highway and may be effective for any period of the day or night, as the Texas Department of Transportation determines necessary;

(3) may not be less than 10 miles per hour below the prima facie speed limit on the portion of the highway to which it

1 applies; and

2 (4) is effective only when the speed limit is posted
3 and only if a sign notifying motorists of the change in speed limit
4 is posted not less than 500 feet but not more than 1,000 feet before
5 the point at which the speed limit begins.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2023.