

1-1 By: Canales (Senate Sponsor - Nichols) H.B. No. 1885
 1-2 (In the Senate - Received from the House May 4, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on
 1-4 Transportation; May 11, 2023, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 11, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nichols	X			
1-8 West	X			
1-9 Alvarado	X			
1-10 Eckhardt			X	
1-11 Hancock	X			
1-12 King	X			
1-13 Miles	X			
1-14 Parker	X			
1-15 Perry	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the authority of the Texas Transportation Commission to
 1-20 establish variable speed limits.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 545.353, Transportation Code, is amended
 1-23 by adding Subsection (k) to read as follows:

1-24 (k) The commission by rule may establish a variable speed
 1-25 limit program to allow the temporary lowering of a prima facie speed
 1-26 limit to address inclement weather, congestion, road construction,
 1-27 or any other condition that affects the safe and orderly movement of
 1-28 traffic on a roadway for which the commission has the authority to
 1-29 establish a speed limit. Notice of a speed limit established under
 1-30 the program may be displayed using a stationary or portable
 1-31 changeable message sign, as defined by Section 544.013. The
 1-32 program may not authorize the lowering of a speed limit to divert
 1-33 traffic to a toll road for the purpose of increasing revenue from
 1-34 toll charges. A speed limit that is established under the program:

1-35 (1) must be based on an engineering and traffic
 1-36 investigation;

1-37 (2) may be effective for all or a designated portion of
 1-38 the highway and may be effective for any period of the day or night,
 1-39 as the Texas Department of Transportation determines necessary;

1-40 (3) may not be less than 10 miles per hour below the
 1-41 prima facie speed limit on the portion of the highway to which it
 1-42 applies; and

1-43 (4) is effective only when the speed limit is posted
 1-44 and only if a sign notifying motorists of the change in speed limit
 1-45 is posted not less than 500 feet but not more than 1,000 feet before
 1-46 the point at which the speed limit begins.

1-47 SECTION 2. This Act takes effect immediately if it receives
 1-48 a vote of two-thirds of all the members elected to each house, as
 1-49 provided by Section 39, Article III, Texas Constitution. If this
 1-50 Act does not receive the vote necessary for immediate effect, this
 1-51 Act takes effect September 1, 2023.

1-52 * * * * *