

## **BILL ANALYSIS**

H.B. 37  
By: Luna  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current state law, the Texas Transportation Commission, the commissioners court of a county, or a municipality may only alter prima facie speed limits after conducting an engineering and traffic investigation.

School-related activities held at off-campus locations are often in areas where speed limits on surrounding roads are too high to adequately protect the safety of participating students. HB 37 broadens the authority of cities and counties in regard to school related speed limits by allowing a governmental entity to declare lower speed limits, without an engineering or traffic investigation on portions of the state highway system, for off-campus areas where school-related activities take place. The governing entity is given the option to make the lowered prima facie speed limit effective at all times or at other times as determined.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

HB 37 amends Subchapter H, Chapter 545, Transportation Code by adding Section 545.3571. The bill permits the governing body of a municipality, the commissioners court of a county, or the Texas Transportation Commission to lower the prima facie speed limit for a highway or part of a highway without an engineering and traffic investigation if the governmental entity determines that the highway or part of the highway affected is near a facility at which public or private elementary or secondary school student or students of an institution of higher education participate in or attend a school-related activity; the prima facie speed limit is, at all times or at other times determined, unreasonable; and a lower prima facie speed limit is necessary, at all times or at other times determined, for the safety of the persons attending or participating in a school-related activity.

### **EFFECTIVE DATE**

September 1, 2003, or immediately if it receives a vote of two-thirds of all the members elected to each house.