

BILL ANALYSIS

H.B. 1353
By: Elkins
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the National Conference for State Legislators, Texas is the only state with different daytime and nighttime speed limits on rural and urban interstate highways. Currently, lawful speed limits are 60 or 70 miles per hour (MPH) in daytime or 55 or 65 MPH in nighttime. Texas is also one of a few states that has mandated a different, lesser speed limit for trucks along rural and urban interstates. Currently, heavy trucks and trailers are required to reduce speeds to 60 MPH in daytime and 55 MPH in nighttime outside an urban district.

Speed limits should be set to safest maximum speed under normal road conditions. A difference in vehicle speeds can contribute to accidents. H.B. 1353 seeks to minimize the number of accidents that can occur when cars and trucks change lanes or pass or tailgate slower-moving vehicles by removing the different, lower speed limit for heavy trucks. The bill also removes lower speed limits for nighttime and raises the speed limit to 75 MPH on state or U.S. highways outside an urban district.

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

H.B. 1353 reenacts and amends Section 545.352(b), Transportation Code, as amended by Chapters 663 (H.B. 385), 739 (H.B. 1075), and 1346 (H.B. 676), Acts of the 76th Legislature, Regular Session, 1999, to change certain of the lawful speeds that are applicable unless a special hazard exists that requires a slower speed for compliance with maximum speed requirements under state law. The bill replaces the 70 miles per hour (MPH) daytime speed limit and the 65 MPH nighttime speed limit for all vehicles on a highway numbered by Texas or the United States outside an urban district, including a farm-to-market or ranch-to-market road, with a 75 MPH speed limit and makes conforming changes. The bill makes an exception for a school bus on such a highway, requiring the school bus to comply with speed limits established for a school bus outside an urban district.

H.B. 1353 removes the lower 55 MPH nighttime speed limit on a highway that is outside an urban district and not a highway numbered by Texas or the United States, such that the 60 MPH speed limit is applicable to all hours. The bill makes an exception for a school bus on such a highway, requiring the school bus to comply with speed limits established for a school bus outside an urban district.

H.B. 1353 removes provisions establishing a speed limit of 60 MPH outside an urban district if a speed limit for the vehicle is not otherwise specified and removes provisions establishing speed limits outside an urban district if the vehicle is a truck, truck tractor, trailer, or semitrailer.

H.B. 1353 makes conforming changes in provisions of law authorizing certain state and local

entities to alter speed limits and requires an entity that establishes or alters a speed limit under those provisions to establish the same speed limit for daytime and nighttime.

H.B. 1353 repeals Sections 545.353(h) and (i), Transportation Code, relating to the authority of the Texas Transportation Commission to establish certain speed limits and to the applicability of certain speed limits to certain vehicles.

EFFECTIVE DATE

September 1, 2011.