

BILL ANALYSIS

Senate Research Center

H.B. 2596
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Transportation & Homeland Security
5/17/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Dangerous conditions may exist on one-lane public roads in Texas that are used for two-way traffic. Interested parties observe that current law allows a municipality to lower the speed limit on certain roads to 25 miles per hour but does not include one-lane roads. To promote public safety, H.B. 2596 seeks to grant municipalities and counties the authority to lower the speed limit to 20 miles per hour on certain roads, including certain one-lane roads.

H.B. 2596 amends current law relating to the authority of local governments to set speed limits on certain roadways.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 542, Transportation Code, by adding Section 542.0075, as follows:

Sec. 542.0075. TRAFFIC REGULATIONS: LOWERING OF SPEED LIMITS IN PRIVATE SUBDIVISION. Authorizes a commissioners court of a county in which the road is located, on the request of all of the property owners adjacent to a privately maintained road located in a subdivision, to set and enforce a speed limit of not less than 20 miles per hour on the road in the same manner as provided by Section 542.007 (Traffic Regulations: Private Subdivision in Certain Counties).

SECTION 2. Amends Sections 545.356(b-1) and (b-2), Transportation Code, as follows:

(b-1) Authorizes the governing body of a municipality, for a highway or a part of a highway in the municipality that is not an officially designated or marked highway or road of the state highway system, to declare a lower speed limit of not less than 20 miles per hour, rather than 25 miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

(b-2) Provides that Subsection (b-1) applies only to a one-lane or two-lane, undivided highway or part of a highway.

SECTION 3. Effective date: upon passage or September 1, 2011.