

## **BILL ANALYSIS**

Senate Research Center  
82R29915 MTB-D

C.S.H.B. 2596  
By: Garza (Wentworth)  
Transportation & Homeland Security  
5/19/2011  
Committee Report (Substituted)

### **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.

C.S.H.B. 2596 amends current law relating to the authority of certain municipalities to lower speed limits on certain highways.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 2. Amends Section 545.356, Transportation Code, by amending Subsections (b-1), (c), and (d) and adding Subsection (b-3), as follows:

(b-1) Authorizes the governing body of a municipality, except as provided by Subsection (b-3), 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 25 miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

(b-3) Authorizes the governing body of a municipality with a population of 2,000 or less, for a highway or a part of a highway in the municipality that is a one-lane highway used for two-way access and 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 10 miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

(c) Provides that a prima facie speed limit that is altered by the governing body of a municipality under Subsection (b) (providing that the governing body of a municipality has the same authority to alter prima facie speed limits from the results of an engineering and traffic investigation as the Texas Transportation Commission for an officially designated or marked highway of the state highway system, when the highway or part of the highway is under repair, construction, or maintenance), (b-1), or (b-3) is effective when the governing body erects signs giving notice of the new limit and at all times or at other times as determined.

(d) Requires the governing body of a municipality that declares a lower speed limit on a highway or part of a highway under Subsection (b-1) or (b-3), not later than February 1 of each year, to publish on its Internet website and submit to TxDOT a report that compares for each of the two previous calendar years certain information. Sets forth the information to be include in the report.

SECTION 2. Effective date: upon passage or September 1, 2011.