

AN ACT

relating to the authority of certain municipalities to lower speed limits on certain highways.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

(b-1) Except as provided by Subsection (b-3), the ~~[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, may 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) 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, may 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) A prima facie speed limit that is altered by the governing body of a municipality under Subsection (b) ~~], [or]~~ (b-1) ~~],~~

1 or (b-3) is effective when the governing body erects signs giving
2 notice of the new limit and at all times or at other times as
3 determined.

4 (d) The governing body of a municipality that declares a
5 lower speed limit on a highway or part of a highway under Subsection
6 (b-1) or (b-3), not later than February 1 of each year, shall
7 publish on its Internet website and submit to the department a
8 report that compares for each of the two previous calendar years:

9 (1) the number of traffic citations issued by peace
10 officers of the municipality and the alleged speed of the vehicles,
11 for speed limit violations on the highway or part of the highway;

12 (2) the number of warning citations issued by peace
13 officers of the municipality on the highway or part of the highway;
14 and

15 (3) the number of vehicular accidents that resulted in
16 injury or death and were attributable to speed limit violations on
17 the highway or part of the highway.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 2596 was passed by the House on May 10, 2011, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2596 on May 27, 2011, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2596 was passed by the Senate, with amendments, on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor