

1-1 By: Garza (Senate Sponsor - Wentworth) H.B. No. 2596  
1-2 (In the Senate - Received from the House May 11, 2011;  
1-3 May 11, 2011, read first time and referred to Committee on  
1-4 Transportation and Homeland Security; May 20, 2011, reported  
1-5 adversely, with favorable Committee Substitute by the following  
1-6 vote: Yeas 8, Nays 0; May 20, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2596 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the authority of certain municipalities to lower speed  
1-11 limits on certain highways.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 545.356, Transportation Code, is amended  
1-14 by amending Subsections (b-1), (c), and (d) and adding Subsection  
1-15 (b-3) to read as follows:

1-16 (b-1) Except as provided by Subsection (b-3), the [The]  
1-17 governing body of a municipality, for a highway or a part of a  
1-18 highway in the municipality that is not an officially designated or  
1-19 marked highway or road of the state highway system, may declare a  
1-20 lower speed limit of not less than 25 miles per hour, if the  
1-21 governing body determines that the prima facie speed limit on the  
1-22 highway is unreasonable or unsafe.

1-23 (b-3) The governing body of a municipality with a population  
1-24 of 2,000 or less, for a highway or a part of a highway in the  
1-25 municipality that is a one-lane highway used for two-way access and  
1-26 that is not an officially designated or marked highway or road of  
1-27 the state highway system, may declare a lower speed limit of not  
1-28 less than 10 miles per hour, if the governing body determines that  
1-29 the prima facie speed limit on the highway is unreasonable or  
1-30 unsafe.

1-31 (c) A prima facie speed limit that is altered by the  
1-32 governing body of a municipality under Subsection (b) , [or] (b-1),  
1-33 or (b-3) is effective when the governing body erects signs giving  
1-34 notice of the new limit and at all times or at other times as  
1-35 determined.

1-36 (d) The governing body of a municipality that declares a  
1-37 lower speed limit on a highway or part of a highway under Subsection  
1-38 (b-1) or (b-3), not later than February 1 of each year, shall  
1-39 publish on its Internet website and submit to the department a  
1-40 report that compares for each of the two previous calendar years:

1-41 (1) the number of traffic citations issued by peace  
1-42 officers of the municipality and the alleged speed of the vehicles,  
1-43 for speed limit violations on the highway or part of the highway;

1-44 (2) the number of warning citations issued by peace  
1-45 officers of the municipality on the highway or part of the highway;  
1-46 and

1-47 (3) the number of vehicular accidents that resulted in  
1-48 injury or death and were attributable to speed limit violations on  
1-49 the highway or part of the highway.

1-50 SECTION 2. This Act takes effect immediately if it receives  
1-51 a vote of two-thirds of all the members elected to each house, as  
1-52 provided by Section 39, Article III, Texas Constitution. If this  
1-53 Act does not receive the vote necessary for immediate effect, this  
1-54 Act takes effect September 1, 2011.

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