

House Bill 2596
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter A, Chapter 542, Transportation Code, is amended by adding Section 542.0075 to read as follows:

Sec. 542.0075. TRAFFIC REGULATIONS: LOWERING OF SPEED LIMITS IN PRIVATE SUBDIVISION. On the request of all of the property owners adjacent to a privately maintained road located in a subdivision, a commissioners court of a county in which the road is located may 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.

SECTION 2. Sections 545.356(b-1) and (b-2), Transportation Code, are amended to read as follows:

(b-1) 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 20 ~~25~~ miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

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

SENATE VERSION (CS)

No equivalent provision.

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.

CONFERENCE

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SENATE VERSION (CS)

CONFERENCE

(c) A prima facie speed limit that is altered by the governing body of a municipality under Subsection (b), ~~or (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) 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, shall publish on its Internet website and submit to the department a report that compares for each of the two previous calendar years:

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

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

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

SECTION 2. Same as House version.