

BILL ANALYSIS

S.B. 1327
By: Seliger
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the current process through which a speed limit may be altered does not adequately provide for a speed limit to be temporarily altered should a road hazard occur. S.B. 1327 seeks to address this issue by authorizing a Texas Department of Transportation district engineer to temporarily alter a speed limit on the determination that a highway or part of a highway is under hazardous conditions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1327 amends the Transportation Code to authorize a Texas Department of Transportation (TxDOT) district engineer to temporarily lower a prima facie speed limit for a highway or part of a highway in a TxDOT district without the approval of or permission from the Texas Transportation Commission if the district engineer determines that the prima facie speed limit for the highway or part of highway is unreasonable or unsafe because of a hazard. The bill specifies that a temporary speed limit established under the bill's provisions is a prima facie prudent and reasonable speed limit enforceable in the same manner as other established prima facie speed limits and supersedes any other established speed limit that would permit a person to operate a motor vehicle at a higher rate of speed.

S.B. 1327 requires a district engineer who temporarily lowers a speed limit to do the following: place and maintain at the hazard site temporary speed limit signs that conform to the manual and specifications for a uniform system of traffic-control devices adopted under state law; temporarily conceal all other signs on the highway or part of a highway affected by the hazard that give notice of a speed limit that would permit a person to operate a motor vehicle at a higher rate of speed; and remove all such temporary speed limit signs and concealments when the district engineer finds that there is no longer a hazard and all equipment is removed from the hazard site or the temporary speed limit expires. The bill establishes that a temporary speed limit established under the bill's provisions is effective when the district engineer places temporary speed limit signs and conceals other signs that would permit a person to operate a motor vehicle at a higher rate of speed. The bill establishes that a temporary speed limit established under the bill's provisions is effective until the earlier of the 30th day after the date the limit becomes effective or the next meeting of the Texas Transportation Commission.

EFFECTIVE DATE

September 1, 2017.