

By: Seliger

S.B. No. 1327

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower speed limits.

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

SECTION 1. Subchapter H, Chapter 545, Transportation Code, is amended by adding Section 545.3531 to read as follows:

Sec. 545.3531. AUTHORITY OF DISTRICT ENGINEERS TO TEMPORARILY LOWER SPEED LIMITS. (a) In this section, "hazard" means:

(1) wet or inclement weather, as defined by Section 545.353;

(2) construction or maintenance activity; or

(3) any other hazardous condition.

(b) A district engineer may temporarily lower a prima facie speed limit for a highway or part of a highway in a district 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.

(c) A district engineer may temporarily lower a prima facie speed limit under this section without the approval of or permission from the Texas Transportation Commission.

(d) A temporary speed limit established under this section:

(1) is a prima facie prudent and reasonable speed limit enforceable in the same manner as other prima facie speed

1 limits established under other provisions of this subchapter; and

2 (2) supersedes any other established speed limit that
3 would permit a person to operate a motor vehicle at a higher rate of
4 speed.

5 (e) A district engineer who temporarily lowers a speed limit
6 shall:

7 (1) place and maintain at the hazard site temporary
8 speed limit signs that conform to the manual and specifications
9 adopted under Section 544.001;

10 (2) temporarily conceal all other signs on the highway
11 or part of a highway affected by the hazard that give notice of a
12 speed limit that would permit a person to operate a motor vehicle at
13 a higher rate of speed; and

14 (3) remove all temporary speed limit signs placed
15 under Subdivision (1) and concealments of other signs placed under
16 Subdivision (2) when the district engineer finds that there is no
17 longer a hazard and all equipment is removed from the hazard site.

18 (f) A temporary speed limit established under this section
19 is effective when the district engineer, as required under
20 Subsection (e), places temporary speed limit signs and conceals
21 other signs that would permit a person to operate a motor vehicle at
22 a higher rate of speed.

23 (g) A temporary speed limit established under this section
24 is effective until the district engineer:

25 (1) finds that there is no longer a hazard; and

26 (2) removes all temporary signs, concealments, and
27 equipment used at the hazard site.

1 SECTION 2. This Act takes effect September 1, 2017.