86R3003 JAM-F

By:  Seliger S.B. No. 215

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 limits established under other provisions of this subchapter; and

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

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

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

(2)  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

(3)  remove all temporary speed limit signs placed under Subdivision (1) and concealments of other signs placed under Subdivision (2) when:

(A)  the district engineer finds that there is no longer a hazard and all equipment is removed from the hazard site; or

(B)  the temporary speed limit expires under Subsection (g).

(f)  A temporary speed limit established under this section is effective when the district engineer, as required under Subsection (e), 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.

(g)  A temporary speed limit established under this section is effective until the earlier of:

(1)  the 30th day after the date the limit becomes effective; or

(2)  the next meeting of the Texas Transportation Commission.

SECTION 2.  This Act takes effect September 1, 2019.