

BILL ANALYSIS

C.S.H.B. 3282
By: Canales
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Transportation Commission has the authority to lower speed limits for work zones in future state highway construction projects. However, current law does not provide the authority and flexibility necessary to quickly lower speed limits in state highway maintenance work zones daily or on a job-by-job basis. C.S.H.B. 3282 seeks to ensure the safety of highway maintenance workers, contractors, and the traveling public by authorizing a district engineer of the Texas Department of Transportation to temporarily lower a prima facie speed limit under certain circumstances.

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

C.S.H.B. 3282 amends the Transportation Code to authorize a district engineer for the Texas Department of Transportation (TxDOT) to temporarily lower a prima facie speed limit for a highway or part of a highway in a TxDOT district, without approval or permission from the Texas Transportation Commission, if the district engineer determines that the speed limit is unreasonable or unsafe because of highway maintenance activities at the site. The bill provides for the following with regard to the temporary speed limit:

- the enforceability and primacy of the temporary speed limit;
- requirements for the placement, maintenance, and removal of temporary speed limit signs and the concealment of other speed limit signs; and
- the period during which the temporary speed limit is effective and the conditions under which it may be extended.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3282 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a specification that the district engineer authorized to temporarily lower a speed limit at a highway maintenance activity site is a district engineer of TxDOT.

The substitute revises the requirements for the placement, maintenance, and removal of temporary speed limit signs and for the concealment of other speed limit signs by clarifying that TxDOT is required to satisfy those requirements after a district engineer temporarily lowers a speed limit.

The substitute changes the date on which a temporary speed limit expires from the 30th day after the date the limit becomes effective to the earlier of the 45th day after the date the limit becomes effective or the date on which the district engineer determines that the maintenance activity has been completed and all equipment has been removed from the maintenance activity site.