

By: Israel

H.B. No. 442

A BILL TO BE ENTITLED

AN ACT

relating to the prima facie speed limit on certain streets and highways.

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

SECTION 1. Section 545.352(b), Transportation Code, is amended to read as follows:

(b) Unless a special hazard exists that requires a slower speed for compliance with Section 545.351(b), the following speeds are lawful:

(1) ~~[30 miles per hour]~~ in an urban district:

(A) on a street other than an alley:

(i) 30 miles per hour; or

(ii) 25 miles per hour if the street is located in a residence district in a municipality and is not officially designated or marked as part of the state highway system; and

(B) 15 miles per hour in an alley;

(2) except as provided by Subdivision (4), 70 miles per hour on a highway numbered by this state or the United States outside an urban district, including a farm-to-market or ranch-to-market road;

(3) except as provided by Subdivision (4), 60 miles per hour on a highway that is outside an urban district and not a highway numbered by this state or the United States;

1 (4) outside an urban district:

2 (A) 60 miles per hour if the vehicle is a school
3 bus that has passed a commercial motor vehicle inspection under
4 Section 548.201 and is on a highway numbered by the United States or
5 this state, including a farm-to-market road; or

6 (B) 50 miles per hour if the vehicle is a school
7 bus that:

8 (i) has not passed a commercial motor
9 vehicle inspection under Section 548.201; or

10 (ii) is traveling on a highway not numbered
11 by the United States or this state;

12 (5) on a beach, 15 miles per hour; or

13 (6) on a county road adjacent to a public beach, 15
14 miles per hour, if declared by the commissioners court of the
15 county.

16 SECTION 2. Section 545.356(d), Transportation Code, is
17 amended to read as follows:

18 (d) The governing body of a municipality that declares a
19 lower speed limit on a highway or part of a highway under Subsection
20 (b-1) or (b-3), not later than February 1 of each year, shall
21 publish on its Internet website and submit to the department a
22 report that compares for each of the two previous calendar years:

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

26 [~~(2) the number of warning citations issued by peace~~
27 ~~officers of the municipality on the highway or part of the highway,~~]

1 and

2 (2) [~~(3)~~] the number of vehicular accidents that
3 resulted in injury or death and were attributable to speed limit
4 violations on the highway or part of the highway.

5 SECTION 3. The change in law made by this Act to Section
6 [545.352\(b\)](#), Transportation Code, applies only to an offense for a
7 violation of that subsection committed on or after the effective
8 date of this Act. An offense for a violation of that subsection
9 committed before the effective date of this Act is governed by the
10 law in effect on the date the offense was committed, and the former
11 law is continued in effect for that purpose. For purposes of this
12 section, an offense was committed before the effective date of this
13 Act if any element of the offense occurred before that date.

14 SECTION 4. This Act takes effect September 1, 2021.