

House Bill 3282
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 ENGINEER TO TEMPORARILY LOWER SPEED LIMIT AT HIGHWAY MAINTENANCE ACTIVITY SITE. (a) A district engineer of the Texas Department of Transportation may temporarily lower a prima facie speed limit for a highway or part of a highway currently under construction 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 highway maintenance activities at the site.

(b) 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.

(c) 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.

(d) After a district engineer temporarily lowers a speed limit under this section, the Texas Department of Transportation shall:

(1) place and maintain at the maintenance activity 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 maintenance activity that give notice of a speed limit that would permit a person to operate a

SENATE VERSION (CS)

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 ENGINEER TO TEMPORARILY LOWER SPEED LIMIT AT HIGHWAY MAINTENANCE ACTIVITY SITE. (a) 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 highway maintenance activities at the site.

(b) 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.

(c) 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.

(d) A district engineer who temporarily lowers a speed limit under this section shall:

(1) place and maintain at the maintenance activity 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 maintenance activity that give notice of a speed limit that would permit a person to operate a

CONFERENCE

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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

the temporary speed limit expires under Subsection (f).
(e) A temporary speed limit established under this section is
effective when the Texas Department of Transportation, as
required under Subsection (d), 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.
(f) A temporary speed limit established under this section:
(1) is effective until the earlier of:
(A) the 45th day after the date the limit becomes effective; or
(B) 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;

(2) may not be extended unless established by the Texas
Transportation Commission under Section 545.353; and
(3) may not be used as a speed trap by local or state law
enforcement.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

SENATE VERSION (CS)

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 determines that the maintenance
activity has been completed and all equipment has been
removed from the maintenance activity site; or
(B) the temporary speed limit expires under Subsection (f).
(e) A temporary speed limit established under this section is
effective when the district engineer, as
required under Subsection (d), 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.
(f) A temporary speed limit established under this section:

(1) is effective until the 30th day after the date the limit
becomes effective; and
(2) may not be extended unless established by the Texas
Transportation Commission under Section 545.353.

SECTION 2. Same as House version.

CONFERENCE