

By: Canales

H.B. No. 1639

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Transportation Commission to establish variable speed limits.

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

SECTION 1. Section 545.353, Transportation Code, is amended by adding Subsection (k) to read as follows:

(k) The commission by rule may establish a variable speed limit program to allow the temporary lowering of a prima facie speed limit to address inclement weather, congestion, road construction, or any other condition that affects the safe and orderly movement of traffic on a roadway for which the commission has the authority to establish a speed limit. Notice of a speed limit established under the program may be displayed using a stationary or portable changeable message sign, as defined by Section 544.013. A speed limit that is established under the program:

(1) must be based on an engineering and traffic investigation;

(2) may be effective for all or a designated portion of the highway and may be effective for any period of the day or night, as the department determines necessary; and

(3) is effective only when the speed limit is posted and only if a sign notifying motorists of the change in speed limit is posted not less than 500 feet but not more than 1,600 feet before the point at which the speed limit begins.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2023.