

AN ACT

relating to the authority of municipalities to alter speed limits.

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

SECTION 1. Section 545.356, Transportation Code, is amended by amending Subsections (b-1) and (b-2) and adding Subsection (d) to read as follows:

(b-1) The ~~[Except as provided by Subsection (b-2), the]~~ governing body of a municipality, for a highway or a part of a highway in ~~[an urban district in]~~ the municipality that is not an officially designated or marked highway or road of the state highway system, ~~[is 35 feet or less in width, and along which vehicular parking is not prohibited on one or both sides of the highway,]~~ may declare a lower speed limit of not less than 25 miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

(b-2) Subsection (b-1) applies only ~~[does not apply]~~ to a two-lane, undivided highway or part of a highway ~~[that has four or more lanes used for vehicular travel]~~.

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

(1) the number of traffic citations issued by peace

1 officers of the municipality and the alleged speed of the vehicles,
2 for speed limit violations on the highway or part of the highway;

3 (2) the number of warning citations issued by peace
4 officers of the municipality on the highway or part of the highway;
5 and

6 (3) the number of vehicular accidents that resulted in
7 injury or death and were attributable to speed limit violations on
8 the highway or part of the highway.

9 SECTION 2. The reporting and publication requirements
10 prescribed by Section 545.356(d), Transportation Code, as added by
11 this Act, apply only to a municipality that alters a speed limit
12 under Section 545.356, Transportation Code, as amended by this Act,
13 on or after the effective date of this Act.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2009.

H.B. No. 2682

President of the Senate

Speaker of the House

I certify that H.B. No. 2682 was passed by the House on May 7, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2682 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2682 on May 31, 2009, by the following vote: Yeas 141, Nays 1, 1 present, not voting.

Chief Clerk of the House

H.B. No. 2682

I certify that H.B. No. 2682 was passed by the Senate, with amendments, on May 27, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2682 on June 1, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor