

1-1 By: Nichols S.B. No. 1274  
1-2 (In the Senate - Filed March 9, 2021; March 18, 2021, read  
1-3 first time and referred to Committee on Transportation;  
1-4 April 8, 2021, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; April 8, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Nichols	X		
1-9	Seliger	X		
1-10	Alvarado	X		
1-11	Blanco	X		
1-12	Hancock	X		
1-13	Hinojosa	X		
1-14	Kolkhorst	X		
1-15	Perry	X		
1-16	West	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the authority of a district engineer for the Texas  
1-20 Department of Transportation to temporarily lower the speed limit  
1-21 at a highway maintenance activity site.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter H, Chapter 545, Transportation Code,  
1-24 is amended by adding Section 545.3531 to read as follows:

1-25 Sec. 545.3531. AUTHORITY OF DISTRICT ENGINEER TO  
1-26 TEMPORARILY LOWER SPEED LIMIT AT HIGHWAY MAINTENANCE ACTIVITY SITE.

1-27 (a) A district engineer may temporarily lower a prima facie speed  
1-28 limit for a highway or part of a highway in a district if the  
1-29 district engineer determines that the prima facie speed limit for  
1-30 the highway or part of highway is unreasonable or unsafe because of  
1-31 highway maintenance activities at the site.

1-32 (b) A district engineer may temporarily lower a prima facie  
1-33 speed limit under this section without the approval of or  
1-34 permission from the Texas Transportation Commission.

1-35 (c) A temporary speed limit established under this section:

1-36 (1) is a prima facie prudent and reasonable speed  
1-37 limit enforceable in the same manner as other prima facie speed  
1-38 limits established under other provisions of this subchapter; and

1-39 (2) supersedes any other established speed limit that  
1-40 would permit a person to operate a motor vehicle at a higher rate of  
1-41 speed.

1-42 (d) A district engineer who temporarily lowers a speed limit  
1-43 under this section shall:

1-44 (1) place and maintain at the maintenance activity  
1-45 site temporary speed limit signs that conform to the manual and  
1-46 specifications adopted under Section 544.001;

1-47 (2) temporarily conceal all other signs on the highway  
1-48 or part of a highway affected by the maintenance activity that give  
1-49 notice of a speed limit that would permit a person to operate a  
1-50 motor vehicle at a higher rate of speed; and

1-51 (3) remove all temporary speed limit signs placed  
1-52 under Subdivision (1) and concealments of other signs placed under  
1-53 Subdivision (2) when:

1-54 (A) the district engineer determines that the  
1-55 maintenance activity has been completed and all equipment has been  
1-56 removed from the maintenance activity site; or

1-57 (B) the temporary speed limit expires under  
1-58 Subsection (f).

1-59 (e) A temporary speed limit established under this section  
1-60 is effective when the district engineer, as required under  
1-61 Subsection (d), places temporary speed limit signs and conceals

2-1 other signs that would permit a person to operate a motor vehicle at  
2-2 a higher rate of speed.

2-3 (f) A temporary speed limit established under this section:

2-4 (1) is effective until the 30th day after the date the  
2-5 limit becomes effective; and

2-6 (2) may not be extended unless established by the  
2-7 Texas Transportation Commission under Section [545.353](#).

2-8 SECTION 2. This Act takes effect immediately if it receives  
2-9 a vote of two-thirds of all the members elected to each house, as  
2-10 provided by Section 39, Article III, Texas Constitution. If this  
2-11 Act does not receive the vote necessary for immediate effect, this  
2-12 Act takes effect September 1, 2021.

2-13

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