

## **BILL ANALYSIS**

Senate Research Center

H.B. 87  
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Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, a city is allowed to adjust the speed limit within its city limits only after performing an engineering and traffic investigation. A study of this sort can be costly, as well as take significant time and effort to prove the necessity of lowering the speed limit.

Studies have shown that car-pedestrian fatalities may be drastically reduced when drivers slow down, particularly in residential areas. It is not necessarily the speed at which a driver is driving that normally ends in tragedy, but it is the time it takes the driver to stop. H.B. 87 allows a municipality to lower the prima facie speed limit established by the legislature of 30 miles per hour to 25 miles per hour without a traffic and engineering study if the governing body of the municipality determines that the prima facie speed limit is unsafe or unreasonable.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 545.356, Transportation Code, by adding Subsection (b-1) and amending Subsection (c), as follows:

(b-1) Authorizes 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, to 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.

(c) Sets forth that a prima facie speed limit that is altered by the governing body of a municipality under Subsection (b) or (b-1) is effective when the governing body erects signs giving notice of the new limit and at all times or at other times as determined.

SECTION 2. Effective date: upon passage or September 1, 2005.