

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 2103
By: Garcia
Transportation
5/3/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The likelihood of pedestrians being involved in a traffic accident increases in neighborhoods, many of the pedestrians being children.

Neighborhood streets are restricted in design to fit state law speed limits, which are currently set as 30 miles per hour. For instance, planned communities that are designed for walkability are able to incorporate wider sidewalks, on-street parking, protected bike lanes, larger medians, etc., which all help to protect residents and children when they are out in front of their homes. All of these design components influence lower speeds, but, without the ability to lower the speed limit, it is not enough to truly prevent accidents.

Section 545.356(b-1), Transportation Code, allows a municipality to declare a speed limit no lower than 25 miles per hour, if it is determined by the governing body that the prima facie speed limit on the highway is unreasonable or safe. If struck by a vehicle going 23 miles per hour, a pedestrian is still subject to averages of a 25 percent risk of severe injury and a 10 percent risk of death, which would be more significant if the pedestrian is a child. Those risks are still too high, especially for neighborhoods that are made to encourage walkability and outdoor activity.

S.B. 2103 allows for neighborhoods that express safety concerns due to the speed limit to launch a pilot study in their area to assess if the speed should be lowered from the prima facie to 20 miles per hour. This legislation simply changes one number in statute to allow for safer speeds in our neighborhoods. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 2103 amends current law relating to the authority of certain municipalities to alter prima facie speed limits.

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 Sections 545.356(b-1) and (b-2), Transportation Code, as follows:

(b-1) Authorizes the governing body of a municipality, except as provided by Subsection (b-3) (relating to authorizing the governing body of certain municipalities to declare a lower speed limit of not less than 10 miles per hour for certain highways or parts of highways), for a street or a part of a street in the municipality, rather than for a highway or part of a highway in the municipality, that is not an officially designated or marked street or road of the state highway system, to declare a lower speed limit of not less than 20, rather than 25, miles per hour, if the governing body determines that the prima facie speed limit on the street is unreasonable or unsafe. Makes conforming changes.

(b-2) Provides that Subsection (b-1) applies only to a two-lane, undivided street or part of a street, rather than a two-lane, undivided highway or part of a highway.

SECTION 2. Effective date: September 1, 2017.