

## **BILL ANALYSIS**

C.S.H.B. 2682  
By: Alvarado  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law allows municipalities to lower residential speed limits within an urban district under the *prima facie* limit of 30 mph when the roadway is 35 feet or less in width and does not prohibit parking on one or both sides.

The current design codes of many municipalities require new urban district roadways to be a minimum of 42 feet. As other municipalities adopt these standards, no new roadways within a municipality would be permitted to lower the *prima facie* limit to less than 30 mph. Additionally, many older roadways found within a city that would meet the maximum size standard of the legislation would likewise be disqualified based upon parking restrictions.

C.S.H.B. 2682 removes restrictions on municipalities to lower speed limits on certain roadways in urban districts to a minimum of 25 mph in such circumstances where a municipality determines that the *prima facie* speed limit of the roadway is unreasonable or unsafe.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2682 amends the Transportation Code to remove, in relation to a municipality's authority to declare a speed limit of not less than 25 miles per hour, the condition that a highway or part of a highway in an urban district in the municipality be 35 feet or less in width and along which vehicular parking is not prohibited on one or both sides of the highway. The bill applies this authorization only to a two-lane undivided highway or part of a highway that is abutted solely by residential property, rather than exempts from this authorization a highway or part of a highway that has four or more lanes used for vehicular travel.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2682 adds a provision not in the original applying a municipality's authority to declare a speed limit of not less than 25 miles per hour only to a two-lane undivided highway or part of a highway that is abutted solely by residential property. The substitute removes a provision exempting from this authorization a highway or part of a highway that has four or more lanes used for vehicular travel.