AGENDA
TOWN OF FLOWER MOUND
TRANSPORTATION COMMISSION MEETING

AUGUST 11, 2020

FLOWER MOUND TOWN HALL
2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS

6:30 P.M.

****

AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE at WWW.FLOWER-MOUND.COM/AGENDACENTER

****

There will be limited seating in Jody Smith Hall to allow for social distancing.

Meeting participants may be asked to wait in the lobby until their name is called.

Comments regarding any item on this agenda can be sent to the Transportation Commission by Emailing: TRC@flower-mound.com or Calling: 972.874.6005

A. CALL REGULAR MEETING TO ORDER – 6:30 PM

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT

To speak to the Commission during public comment, please fill out a comment form.

- Speakers are limited to 3 minutes, however this can be adjusted by the Chair
- Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the Commission on issues that are not the subject on this agenda.

D. TRAFFIC ENGINEER REPORT

- Update status report related to operational issues, capital improvement projects, and TxDOT projects
- Future Transportation Commission meeting dates
  - September 16, 2020
- Future agenda items

E. CONSENT ITEMS

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any Commissioner by making such request prior to a motion and vote.

1. Minutes 3/10- Consider approval of the minutes from a regular meeting of the Transportation Commission held on March 10, 2020.

F. WORK SESSION ITEMS

2. Discussion and presentation on potential study locations deceleration lanes.

3. Discussion and feedback on potential to convert all residential streets to a speed limit of 25 mph.

G. ADJOURNMENT

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: August 7, 2020 at 3:00 PM, at least 72 hours prior to the scheduled time of said meeting.

Delona Verplank, Administrative Assistant

The Flower Mound Town Hall and Council Chambers are wheelchair accessible. Requests for accommodations or interpretive services must be made at least 48 hours prior to this meeting by contacting Delona Verplank at 972-874-6402. Reasonable accommodations will be made to assist your needs.

TRANSPORTATION COMMISSION AGENDA ITEM NO. 1

CONSENT ITEM

DATE: August 11, 2020

FROM: Matthew J. Hotelling, P.E., PTOE, ADAC, Traffic Engineer

ITEM: **Consider approval of the minutes from the regular meeting of the Transportation Commission held on March 10, 2020.**

BACKGROUND INFORMATION: This agenda item is to consider approval of the minutes from the March 10, 2020 regular meeting of the Transportation Commission.

CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Draft minutes from the March 10, 2020 regular meeting of the Transportation Commission.

RECOMMENDATION: Move to approve as presented in the agenda caption.

THE FLOWER MOUND TRANSPORTATION COMMISSION REGULAR MEETING HELD ON THE 10TH DAY OF MARCH, 2020 IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD, IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:30 P.M.

The Transportation Commission met in regular session with the following members present:

Drew Larson	Chair
Chris Reed	Vice Chair
Robert Caput	Commissioner, Place 2
Ron Hogue	Commissioner, Place 3
Mark Roberson	Commissioner, Place 4
Donald Gilmore	Commissioner, Place 5
Justin Thomason	Commissioner, Place 7
Chris Adams	Commissioner, Place 8
Mary Kay Walker	Commissioner, Place 9

(Places 8 and 9 of the Commission do not vote on items unless they sit in place of one of the regular members; Places 1-7.)

With the following members of the Town Staff participating:

Clayton Riggs	Assistant Director of Public Works
Matthew Hotelling	Traffic Engineer
Delona Verplank	Executive Assistant

A. CALL TO ORDER - REGULAR SESSION – 6:30 P.M.

B. PLEDGE OF ALLEGIANCE

C. PUBLIC PARTICIPATION

None

D. TRAFFIC ENGINEER REPORT

- Update status report related to operational issues, capital improvement projects, and TxDOT projects
- Future Transportation Commission meeting dates
    - Wednesday, May 6, 2020
- Future agenda items

DRAFT

E. CONSENT ITEMS

1. Consider approval of minutes from the regular meeting of the Transportation Commission held on February 11, 2020.

Commissioner Gilmore made a motion to approve Consent Item 1 as presented in the agenda caption identified above. Commissioner Hogue seconded the motion.

VOTE ON THE MOTION *Motion passed (4-0)*

AYES: Caput, Hogue, Roberson, Gilmore

NAYS: None

ABSTAIN: Reed, Thomason

F. REGULAR ITEMS

2. Exception request for the streets within the Northlake Highlands Sections 2 and 3 Subdivisions to allow for a permanent speed limit change to 25 mph for areas outside of the 1/4 mile boundary of a school or major construction project.

Staff Presentation
Matthew Hotelling, Traffic Engineer

Spoke In Favor
Linda Jacobs, 1621 Holly Pl.
(All addresses are located in Flower Mound unless otherwise indicated.)

Commission Deliberation

Vice Chair Reed made a motion to recommend approval of Regular Item 1 as presented in the agenda caption identified above. Commissioner Roberson seconded the motion.

VOTE ON THE MOTION *Motion passed (6-0)*

AYES: Thomason, Reed, Gilmore, Roberson, Hogue, Caput

NAYS: None

G. WORK SESSION ITEMS

3. Capital Improvement Projects Review for Streets, Street Reconstruction and Traffic Signals for FY 20-21.

Staff Presentation
Matthew Hotelling, Traffic Engineer
Clayton Riggs, Assistant Director of Public Works

DRAFT

H. ADJOURNMENT – 7:22 P.M.

TOWN OF FLOWER MOUND
TRANSPORTATION COMMISSION

_____
DREW LARSON, CHAIR

ATTEST:

_____
DELONA VERPLANK, EXECUTIVE ASSISTANT

DRAFT

TRANSPORTATION COMMISSION AGENDA ITEM NO. 2

WORK SESSION ITEM

DATE: August 11, 2020

FROM: Matthew J. Hotelling, P.E., PTOE, ADAC, Traffic Engineer

ITEM: **Discussion and Presentation on Potential Study Locations Deceleration Lanes**

BACKGROUND INFORMATION: During the January 2020, Transportation Commission (TRC) meeting work topics item, the Commissioners were solicited for possible work session items over the upcoming year. One of those requests was to brainstorm about possible locations to study for the addition of deceleration lanes at various locations across Town. This work session will be a discussion of those locations. The commissioners are asked to bring locations in mind for possible study. A brief discussion from our Access Management Policy regarding deceleration lanes will also be discussed. Study locations realistically should not be studied until traffic has returned to pre-COVID-19 levels for an accurate study.

ATTACHMENTS:

None

RECOMMENDATION: The purpose of this item is to provide information to the Transportation Commission. No Formal Action is required.

TRANSPORTATION COMMISSION AGENDA ITEM NO. 3

WORK SESSION ITEM

DATE: August 11, 2020

FROM: Matthew J. Hotelling, P.E., PTOE, ADAC, Traffic Engineer

ITEM: **Discussion and Feedback on Potential to Convert all Residential Streets to a Speed Limit of 25 mph**

BACKGROUND INFORMATION: During the January 2020, Transportation Commission (TRC) meeting work topics item, the Commissioners were solicited for possible work session items over the upcoming year. One of those requests was to discuss the possibility of converting the residential street across Town to a 25 mph speed limit. This item has been brought to the TRC on 3 previous occasions: March 2010, November 2014 and most recently October 2016. With the exception of the March 2010 meeting, the other two previous meeting videos can be viewed on the Town's website under "Watch Meetings" button and then clicking on the "Other Meetings Archive" link. Videos are stored in chronological order on this page. As of August 6th, these meeting were accessible at button 34 and 23 respectively. The March 2010 meeting was not recorded.

If approved, this would require a modification to the Town's existing policy on establishing 25 mph speed limits on residential streets.

For additional background for this item, the agenda item from October 2016, is attached. If a favorable consensus is reached at this meeting to change the Town's speed limit policy, a regular item will be brought back at a future date for recommendation from TRC to Town Council. This change would require a change to the Town's Code of Ordinances as well and therefore would likely skip a meeting before coming back to the Commission.

ATTACHMENTS:

1. Excerpt from October 2016 Transportation Commission packet – Work Session Item 4.

RECOMMENDATION: The purpose of this item is to provide information to the Transportation Commission and solicit feedback. No Formal Action is required.

TRANSPORTATION COMMISSION AGENDA ITEM NO. 4

WORK SESSION ITEM

DATE: October 11, 2016

FROM: Matthew J. Hotelling, P.E., PTOE, Traffic Engineer

ITEM: **Discussion and Feedback Item for the possible modifications to the Flower Mound policy on establishing 25 mph speed limits on residential streets.**

BACKGROUND INFORMATION: During the 79th Texas Legislative Session, House Bill 87 (HB 87), Attachment 1, was signed into law. This new law provided the authority for altering speed limits on residential streets. HB 87 had the following requirements to allow the speed limit to be altered:

- Not officially designated or marked road on the state highway system
- Street must be less than 35 feet in width
- Parking is allowed on both sides of the street
- Speed limit cannot be set less than 25 mph
- Governing body must determine that the prima facie speed limit is unreasonable or unsafe

During the December 4, 2006, Town Council meeting, a resolution establishing a policy for implementation of 25 mph speed limits on certain streets was approved. Under the policy, a street must:

- Meet HB 87
- Not be classified as a Collector or Arterial on the Master Thoroughfare Plan
- Contain a section within one-quarter (1/4) mile of a school or within one-quarter (1/4) mile of a major street construction project

The current policy, Attachment 2, was taken before the Town Council for review and approved on June 7, 2010. This action provided for an exception process to the 1/4 mile boundaries. To further define this exception process as requested by the Transportation Commission, an affirmative support of 67% for a request to change the speed limit in the exception areas was defined.

In November of 2014, the Transportation Commission (TRC) reviewed this policy. The video from that meeting can be viewed at: http://flowermoundtx.swagit.com/play/11112014-707 item F2. The feedback of the TRC was to leave the policy as it is currently written.

Alternatives or Options:

The following paragraphs are options that staff would like for the Transportation Commission to consider as part of this work session. However, the following items cannot be altered based on state law: speed limit cannot be change on official state highways; street width of 35 feet or less; parking restrictions; speed limit less than 25 mph. Therefore, the only portion that can be altered is the definition unreasonable and unsafe.

Alternative 1. Do nothing

The first alternative is to leave the existing policy as written. The existing policy was written with the goal of addressing the concerns associated with traffic near schools and to also address construction-related cut-through traffic. With the increase in pedestrian activity within 1/4 mile of schools and the added vehicular traffic associated around the school and the adjacent neighborhoods, the lowering of the speed limit in these areas was considered a buffer to the already established school zones, while the construction zone buffer was an alternative to other methods that have been employed in the past to discourage the use of

residential streets to avoid construction delays. The existing policy also established that the conversion of 15 to 20 streets annually could be accomplished with existing resources. The existing policy has an exception process for all areas outside of the 1/4 mile boundaries.

Alternative 2. Modify buffer

The second alternative includes increasing the buffer around existing areas of concern. Attachment 4 shows the existing 1/4-mile buffer as well as a 1/3-mile buffer and 1/2-mile buffer around school sites only. Increasing the eligibility buffer could dilute the resources available for the areas closest to school properties. It is important to note that the Town typically begins each fiscal year with a list of eligible streets ready for approval. This proposal would keep the exception process for any parcel outside of the particular boundary.

Alternative 3. All residential streets to 25 mph

Alternative 3 would have the Town Council declare that 30 mph is either unsafe or unreasonable for all residential streets that meet the statutory requirements for conversion to 25 mph. Converting all streets to 25 mph carries a potentially significant enforcement burden for the Police Department. On the other hand, this alternative would eliminate any confusion regarding whether a particular street is a 30 mph or 25 mph street. In discussions with the Police Department, it was believed that these two factors would essentially balance out with little net effect on their activities.

According to the Texas Transportation Code Chapter 545 Section 545.352, the governing body must erect signs giving notice of the new speed limit. Chapter 545 Section 545.352 from the Transportation Code is provided in Attachment 5. Therefore, streets converted to a speed limit other than the prima facie speed limit would be required to be signed in accordance with state law. If Alternative 3 were adopted, staff would propose that the signing plan only include the entrances to neighborhoods, with supplemental signing considered on a case-by-case basis. Staff has estimated the cost of this plan to be approximately $50,000. Under the current program, each street is signed as required by the state law. If the courts decided that each street would be required that they are signed with the new speed limit, this would increase installation and maintenance costs to approximately $200,000 or more. Current practice of signing at the entrances to subdivisions would be supplemented with a Neighborhood plaque to identify that all streets are 25 mph. This policy has been endorsed by the Police Department.

Alternative 4. Existing policy with a modified exception process

Alternative 4 is to keep the existing policy of 1/4-mile within a school boundary or major construction project with a modified exception process. This alternative would establish a modified exception process to consider reducing the speed limit on streets outside of the 1/4-mile buffer. This process would continue to include a review by the Transportation Commission prior to consideration by the Town Council. In addition, the process would include an engineering study to determine the appropriate prima facie speed limit, which would provide some basis for making a recommendation or decision. The exception process would include a recommendation by the Transportation Commission, which would then proceed to the Town Council for final action. The modification could include items such as lowering the required percentage needed to proceed or other items could be included that the Transportation Commission would deem appropriate.

Attachment:

1. 79th Texas Legislative Session, House Bill 87
2. Current Resolution and Speed Limit Reduction Policy
3. Current Eligibility Map with 1/4 mile boundaries
4. Expanded Map with 1/4, 1/3, and 1/2 mile boundaries
5. Texas Transportation Code 545 regarding speed limits

RECOMMENDATION: The purpose of this item is for discussion and information only. No Formal Action is required.

H.B. No. 87

AN ACT

relating to the authority of a municipality to alter speed limits in an urban district within the municipality.

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

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

(b-1) 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) does not apply to a highway or part of a highway that has four or more lanes used for vehicular travel.

(c) 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. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 87 was passed by the House on March 31, 2005, by the following vote: Yeas 147, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 87 on May 13, 2005, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 87 was passed by the Senate, with amendments, on May 9, 2005, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

_____

Governor

TOWN OF FLOWER MOUND, TEXAS

RESOLUTION NO. 12-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING RESOLUTION 35-06 BY REPEALING THE POLICY ON IMPLEMENTING REDUCED SPEED LIMITS ON CERTAIN RESIDENTIAL STREETS AND ADOPTING A NEW POLICY IMPLEMENTING REDUCED SPEED LIMITS ON CERTAIN RESIDENTIAL STREETS IN CERTAIN NEIGHBORHOODS IN THE TOWN OF FLOWER MOUND.

WHEREAS, the 79th Texas Legislature adopted House Bill 87 amending Section 545.356 of the Texas Transportation Code to allow municipalities to reduce the speed limit on certain types of streets to no less than twenty-five (25) miles per hour if the governing body determines that the prima facie speed limit on the road is unreasonable or unsafe; and

WHEREAS, the Town previously approved Resolution 35-06 which adopted a policy pertaining to establishing 25 mph speed limits on residential streets; and

WHEREAS, the Town desires to establish revised parameters or criteria that may be relied upon by the Town's residents and Town staff to identify the types of roads that may be eligible for a reduction in the prima facie speed limit; and

WHEREAS, the decision regarding whether the prima facie speed limit on a particular road or road segment is either unsafe or unreasonable and should be reduced to no less than twenty-five (25) miles per hour shall fall within the sound discretion of the Town Council, only, and shall be performed on an individual case by case analysis.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

All of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2

Resolution 35-06 and the Town's Policy for Implementing Reduced Speed Limits in Certain Residential Neighborhoods is hereby amended by repealing the existing Policy for Implementing Reduced Residential Speed Limits and a new Policy

Town of Flower Mound
TOWN SECRETARY'S OFFICE
OFFICIAL FILE COPY

for Implementing Reduced Residential Speed Limits (the "Policy"), which Policy is attached hereto as Exhibit A and incorporated herein by reference for all purposes allowed by law, is hereby adopted as the Town's official statement regarding the eligibility criteria for consideration and the process through which neighborhoods may present certain roads to the Town Council for determination whether the thirty (30) mile per hour prima facie speed limit on a certain road is unreasonable or unsafe and declare a lower speed limit of not less than twenty-five (25) miles per hour.

SECTION 3

This Resolution shall take effect immediately from and after its adoption and is accordingly so resolved.

PASSED, APPROVED AND ADOPTED THIS THE 7TH DAY OF JUNE, 2010.

APPROVED:

Melissa D. Northern

Melissa D. Northern, MAYOR

ATTEST:

Paula A. Paschal

Paula Paschal, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, TOWN ATTORNEY

TOWN SECRETARY

EXHIBIT A

Policy for Implementing Reduced Residential Speed Limits

Purpose and Need
This policy sets forth the process and eligibility criteria for the implementation of reduced speed limits on certain residential streets. This process focuses these implementations on areas near schools and major roadway construction zones. The policy also establishes an exception process should a particular street not conform to the eligibility criteria.

Introduction and Background
During the 79th Texas Legislature, House Bill 87 was signed into legislation providing authority to municipalities to alter speed limits on residential streets. This law allows municipalities to reduce the speed limit on streets with a width of 35' or less and where parking is not prohibited on one or both sides of the roadway. Further, a municipality would need to declare that the prima facie speed limit on that road is either unsafe or unreasonable. This law does not lower the basic prima facie speed limit which is currently 30 mph.

Responsibility
This policy will be implemented by the Town Manager or designee. Exception requests will be considered by the Transportation Commission for recommendation to the Town Council. Exception requests recommended by the Transportation Commission will be accompanied by an engineering study completed by the Town at the Town's cost. All reductions of neighborhood speed limits will require the approval of the Town Council.

Eligibility
For a street to be eligible for a reduction in speed limit to 25 mph, the street must be less than 35 feet in width, cannot have vehicle parking restrictions on either side of the street, and must meet one of the following location criteria:

- Located within one-quarter mile of a school site as depicted in the attached graphic
- Located within one-quarter mile of a construction zone associated with a major or minor arterial as defined on the Town of Flower Mound Thoroughfare Plan

Exceptions
Streets that do not meet the eligibility criteria can be considered on a case by case basis through the exception process. The request for an exception will include an engineering study to be completed by the Town, will be considered for recommendation by the Transportation Commission, and will be considered for adoption by the Town Council.

Implementation
Requests for reduced speed limits will be reviewed by Town staff for eligibility, or considered for an exception as described above. If the application is determined to meet the requirements, or an exception is recommended by the Transportation Commission, funding availability will be evaluated to determine if the speed limit signs can be installed during the current fiscal year. If funding is available, the request will be presented to the Town Council for consideration. If funding is not available, the neighborhood can choose to fund the cost of the sign materials and hardware or street(s) will be placed on a list of eligible streets to be included in a budget decision package during the next budget process.

Sign Design and Placement
All speed limit signs will meet the requirements contained in the Texas Manual on Uniform Traffic Control Devices. The placement of the speed limit signs will be reviewed determined by staff and coordinated with neighborhood representatives. Typical installations will only include one sign at each end of the neighborhood street, but mid-block signs will be considered on a case-by-case basis.

Town of Flower Mound
TOWN SECRETARY'S OFFICE
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Process

The following provides a summary of the Process for Implementing Reduced Residential Speed Limits. The process is intended to be collaborative in nature, with the neighborhood representatives being stakeholders in the project.

1. Neighborhood contacts staff to request 25 mph speed limits
2. Staff establishes a point of contact for the request and project
3. Staff reviews the request and determines eligibility or directs request through exception process upon request
4. Staff reviews funding eligibility
    a. If funding available, request is presented to Town Council
    b. If funding not available:
        i. Neighborhood funds cost of signs and hardware and request is presented to Town Council
        ii. Staff submits request as a decision package during next budget process
5. Staff collects speed data prior to installation
6. Staff presents the request to the Town Council for required determination and action
7. If the Town Council declares a lower speed limit of not less than 25 mph for the roadway in question, Staff installs signs posting the speed limit at 25 mph
8. Staff collects speed data on a regular basis to determine effectiveness

Town of Howard, Kansas
TOWN SECRETARY'S OFFICE
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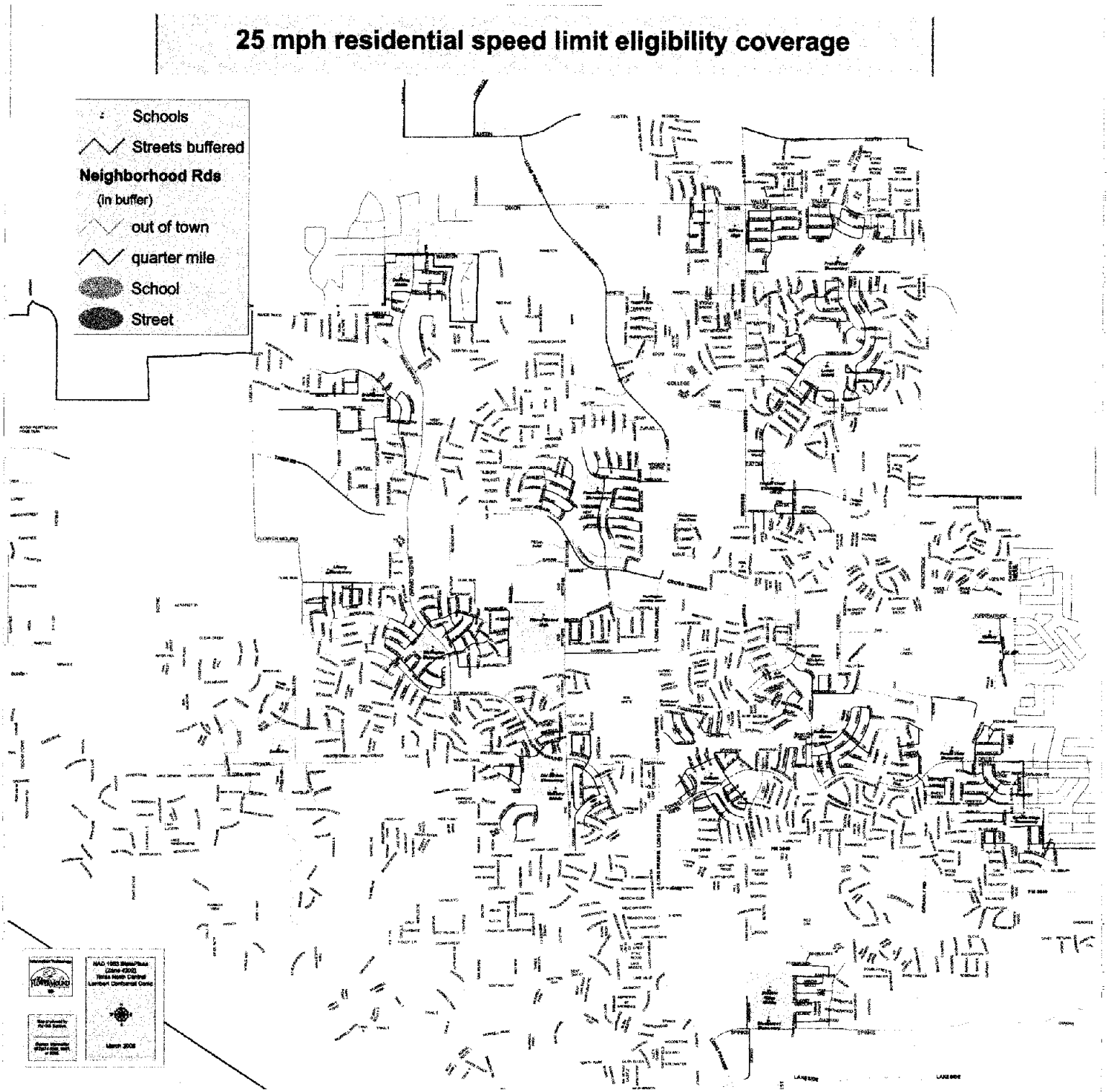
25 mph residential speed limit eligibility coverage



TOWN OF HOLLY SPRINGS
TOWN SECRETARY'S OFFICE
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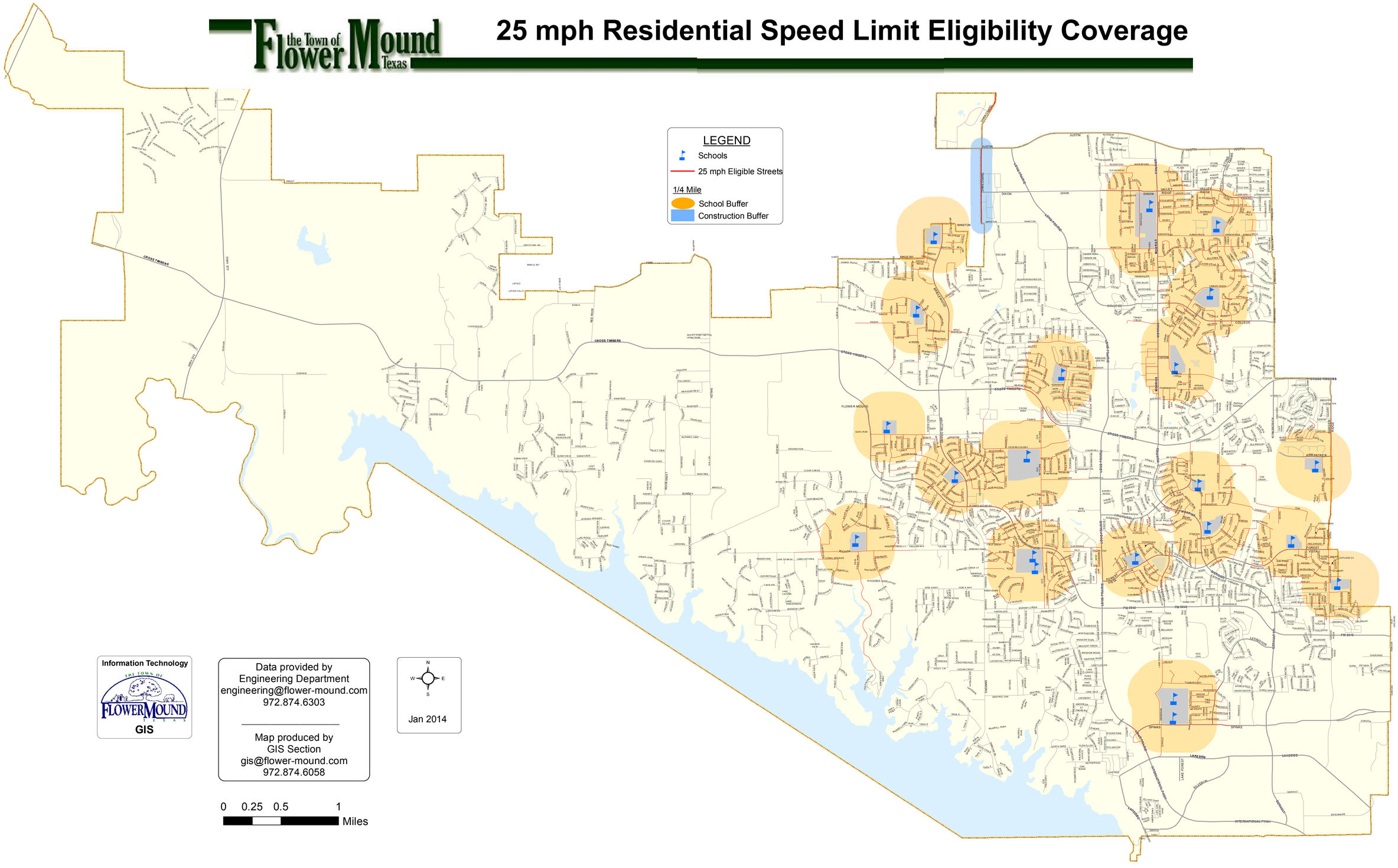
25 mph Residential Speed Limit Eligibility Coverage

the Town of Flower Mound Texas



Information Technology
GIS

Data provided by
Engineering Department
engineering@flower-mound.com
972.874.6303

Map produced by
GIS Section
gis@flower-mound.com
972.874.6058

N W E S

Jan 2014

0 0.25 0.5 1 Miles

25 mph Residential Speed Limit Eligibility Coverage

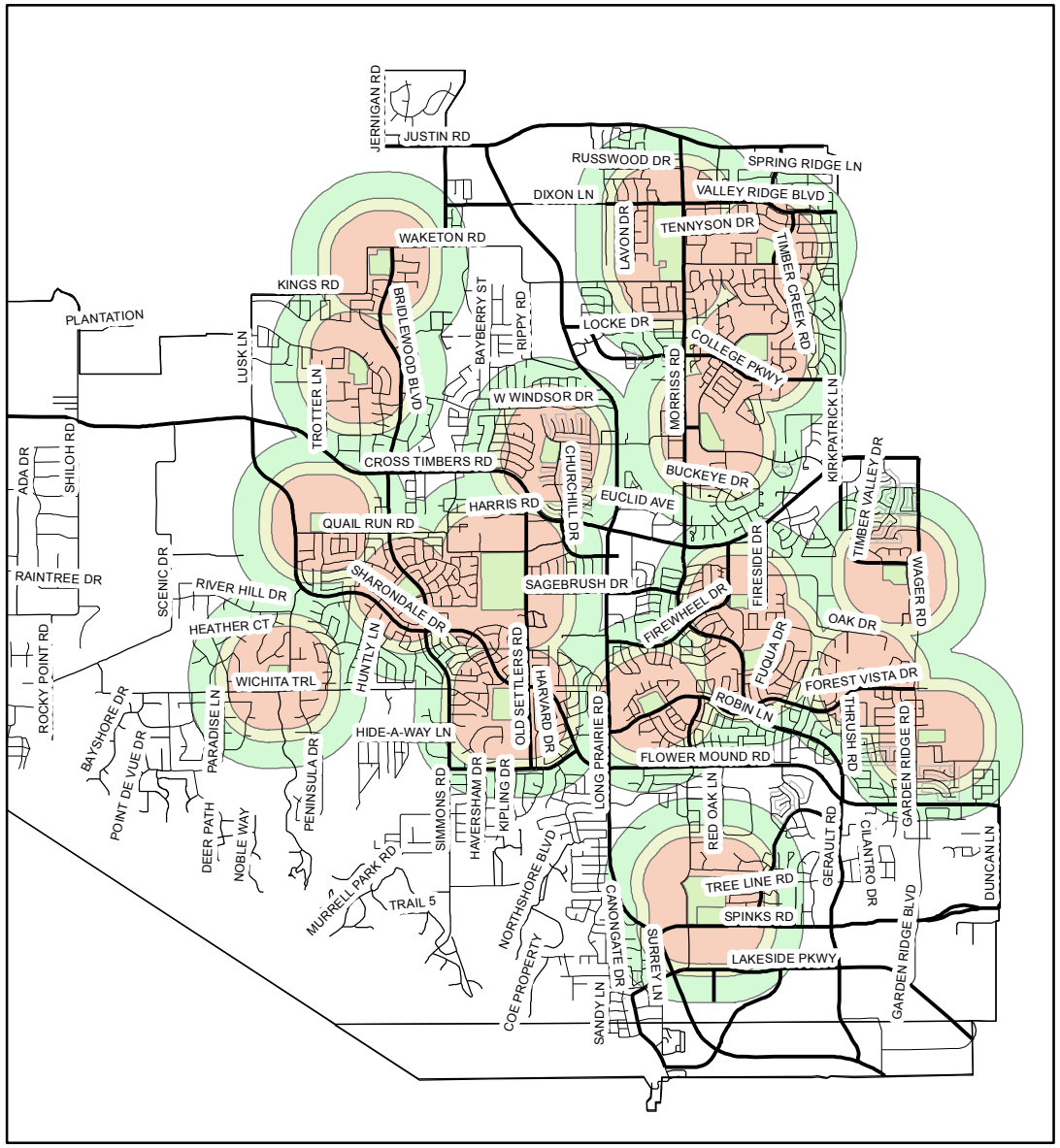
25 mph Residential Speed Limit Eligibility Coverage

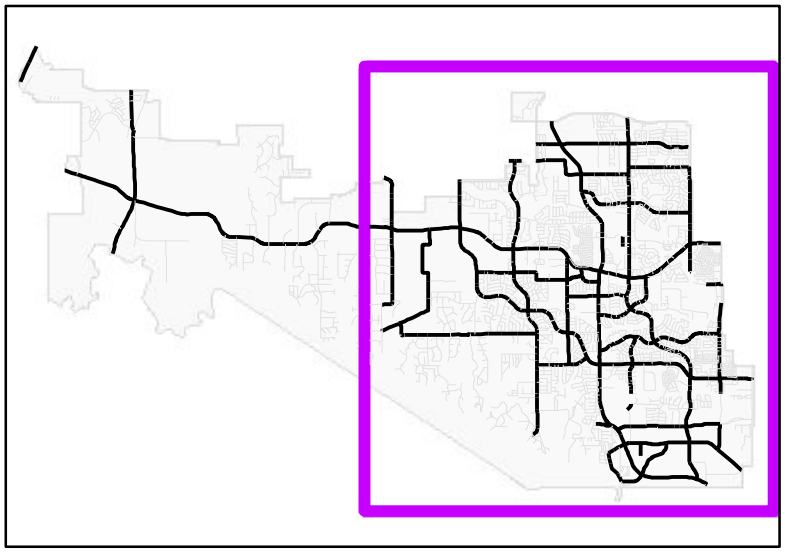
ArcGIS\ArcMapDocuments\Engineering\25 mph map

School Property Buffers - 1/4, 1/3, and 1/2 mile

TRC Attachment 4

NORTH





Vicinity Map

Legend

- SchoolProperties
- School1_4milebuffer
- School1_3milebuffer
- School1_2milebuffer

Sec. 545.352. PRIMA FACIE SPEED LIMITS. (a) A speed in excess of the limits established by Subsection (b) or under another provision of this subchapter is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful.

Text of subsec. (b) as amended by Acts 1999, 76th Leg., ch. 663, Sec. 2 and Acts 1999, 76th Leg., ch. 739, Sec. 1

(b) Unless a special hazard exists that requires a slower speed for compliance with Section 545.351(b), the following speeds are lawful:

(1) 30 miles per hour in an urban district on a street other than an alley and 15 miles per hour in an alley;

(2) 70 miles per hour in daytime and 65 miles per hour in nighttime if the vehicle is a passenger car, motorcycle, passenger car or light truck towing a trailer bearing a vessel, as defined by Section 31.003, Parks and Wildlife Code, that is less than 26 feet in length, passenger car or light truck towing a trailer or semitrailer used primarily to transport a motorcycle, or passenger car or light truck towing a trailer or semitrailer designed and used primarily to transport dogs or livestock, on a highway numbered by this state or the United States outside an urban district, including a farm-to-market or ranch-to-market road;

(3) 60 miles per hour in daytime and 55 miles per hour in nighttime if the vehicle is a passenger car or motorcycle on a highway that is outside an urban district and not a highway numbered by this state or the United States;

(4) 60 miles per hour outside an urban district if a speed limit for the vehicle is not otherwise specified by this section; or

(5) outside an urban district:

(A) 60 miles per hour if the vehicle is a school bus that has passed a commercial motor vehicle inspection under Section 548.201 and is on a highway numbered by the United States or this state, including a farm-to-market road;

(B) 50 miles per hour if the vehicle is a school bus that:

(i) has not passed a commercial motor vehicle inspection under Section 548.201; or

(ii) is traveling on a highway not numbered by the United States or this state; or

(C) 60 miles per hour in daytime and 55 miles per hour in nighttime if the vehicle is a truck, other than a light truck, or if the vehicle

is a truck tractor, trailer, or semitrailer, or a vehicle towing a trailer other than a trailer described by Subdivision (2), semitrailer, another motor vehicle or towable recreational vehicle.

Text of subsec. (b) as amended by Acts 1999, 76th Leg., ch. 663, Sec. 2 and Acts 1999, 76th Leg., ch. 1346, Sec. 1

(b) Unless a special hazard exists that requires a slower speed for compliance with Section 545.351(b), the following speeds are lawful:

(1) 30 miles per hour in an urban district on a street other than an alley and 15 miles per hour in an alley;

(2) 70 miles per hour in daytime and 65 miles per hour in nighttime if the vehicle is on a highway numbered by this state or the United States outside an urban district, including a farm-to-market or ranch-to-market road, except as provided by Subdivision (4);

(3) 60 miles per hour in daytime and 55 miles per hour in nighttime if the vehicle is on a highway that is outside an urban district and not a highway numbered by this state or the United States;

(4) outside an urban district:

(A) 60 miles per hour if the vehicle is a school bus that has passed a commercial motor vehicle inspection under Section 548.201 and is on a highway numbered by the United States or this state, including a farm-to-market road;

(B) 50 miles per hour if the vehicle is a school bus that:

(i) has not passed a commercial motor vehicle inspection under Section 548.201; or

(ii) is traveling on a highway not numbered by the United States or this state; or

(C) 60 miles per hour in daytime and 55 miles per hour in nighttime if:

(i) the vehicle is a truck, other than a light truck, or if the vehicle is a truck tractor, trailer, or semitrailer; and

(ii) the vehicle is on a farm-to-market or ranch-to-market road;

(5) on a beach, 15 miles per hour; or

(6) on a county road adjacent to a public beach, 15 miles per hour, if declared by the commissioners court of the county.

(c) The speed limits for a bus or other vehicle engaged in the business of

transporting passengers for compensation or hire, for a commercial vehicle used as a highway post office vehicle for highway post office service in the transportation of United States mail, for a light truck, and for a school activity bus are the same as required for a passenger car at the same time and location.

(d) In this section:

(1) "Interstate highway" means a segment of the national system of interstate and defense highways that is:

(A) located in this state;

(B) officially designated by the Texas Transportation Commission; and

(C) approved under Title 23, United States Code.

(2) "Light truck" means a truck with a manufacturer's rated carrying capacity of not more than 2,000 pounds, including a pick-up truck, panel delivery truck, and carry-all truck.

(3) "Urban district" means the territory adjacent to and including a highway, if the territory is improved with structures that are used for business, industry, or dwelling houses and are located at intervals of less than 100 feet for a distance of at least one-quarter mile on either side of the highway.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.110(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1020, Sec. 2, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 663, Sec. 2, eff. June 18, 1999; Acts 1999, 76th Leg., ch. 739, Sec. 1, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1346, Sec. 1, eff. Sept. 1, 1999.

Sec. 545.356. AUTHORITY OF MUNICIPALITY TO ALTER SPEED LIMITS. (a) The governing body of a municipality, for a highway or part of a highway in the municipality, including a highway of the state highway system, has the same authority to alter by ordinance prima facie speed limits from the results of an engineering and traffic investigation as the Texas Transportation Commission on an officially designated or marked highway of the state highway system. The governing body of a municipality may not modify the rule established by Section 545.351(a) or establish a speed limit of more than 60 miles per hour.

(b) The governing body of a municipality, for a highway or part of a highway in the municipality, including a highway of the state highway system, has the same authority to alter prima facie speed limits from the results of an engineering and traffic investigation as the commission for an officially designated or marked highway of the state highway system, when the highway or part of the highway is under repair, construction, or maintenance. A municipality may not modify the rule established by Section 545.351(a) or establish a speed limit of more than 60 miles per hour.

(b-1) 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) does not apply to a highway or part of a highway that has four or more lanes used for vehicular travel.

(c) 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.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.
Amended by:

Acts 2005, 79th Leg., Ch. 166, Sec. 1, eff. May 27, 2005.