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June 29, 2021

To: All District Engineers

From: William L. Hale, P.E.
Chief Engineer

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William L. Hale
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Subject: New Texas Law - District Engineer Authority to Temporarily Lower Speed Limits at Maintenance Activity Sites

House Bill 3282 (87th Regular Session, 2021) established Section 545.3531, Texas Transportation Code, which allows TxDOT District Engineers (DEs) the authority to temporarily lower the speed limit for a highway or part of a highway because of maintenance activities at the site under certain conditions. The law became effective June 15, 2021.

HB 3282 gives a TxDOT DE the authority to temporarily lower a speed limit for the highway or part of highway if the DE determines the prima facie speed limit is unreasonable or unsafe because of highway maintenance activities at the site without the approval from the Texas Transportation Commission (Commission). The authority to temporarily lower the speed limit cannot be delegated. The temporary speed limit is effective for no longer than 45 days and may not be extended unless approved by the Commission.

The speed limit is enforceable in the same manner as other speed limits established through the Commission or local ordinances. The effective date begins when the temporary speed limit signs are placed as described below and other speed limit signs that would permit a person to operate a motor vehicle at a higher rate of speed are concealed. After a DE makes a determination to temporarily lower a speed limit, TxDOT shall:

- place and maintain temporary speed limit signs at the maintenance activity site in accordance with the TMUTCD and the Procedures for Establishing Speed Zones Manual.
- temporarily conceal all other speed limit signs within the maintenance activity site that would permit a person to operate a motor vehicle at a higher rate of speed.
- provide TRF a record of temporary speed limits including but not limited to type of work, effective dates, location, permanent speed limit, and temporary speed limit.

TxDOT shall remove these temporary speed limit signs and concealments of other speed limit signs:

- when the DE determines that the maintenance activity has been completed and all equipment has been removed from the site; or
- by the end of the 45th day after the date the speed limit became effective unless the Commission extended the speed limit.

For speed limits that will need longer than the 45-day time period, the regular process for construction speed limits is required. If the DE believes more than 45 days will be necessary, the district should submit the request to TRF in advance of the 45-day time period to ensure there is not a lapse in coverage of the temporary speed limit.

I appreciate your assistance in ensuring that the state highway system continues to operate in the safest and most efficient manner possible. If you have any questions, contact Traffic Safety Division Director Michael Chacon at 512-416-3200.

CC: C. Michael Lee, P.E., ADM
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