

## Speed Limits

Speed limits on Texas roads (including city streets) are generally set by statute. TEX. TRANSP. CODE § 545.352. The statute includes the following speed limits:

Street in Urban District	30 mph
Alley in Urban District	15 mph
Highway Numbered by State Outside Urban District	70 mph 65 mph-night
Other Highway Outside Urban District	60 mph 55 mph-night

The speed limit on most city streets is 30 miles per hour because an “urban district” is land adjacent to and including a highway, if the land has structures that are used for business, industry, or residences and the buildings are located at intervals of less than 100 feet for a distance of at least one quarter mile on each side of the highway. *Id.* (Note: the term “highway” in the statute means any road. Compare to the term “state highway,” which refers to state-owned and operated highways.)

The governing body of a city, for a street in the city, including a state highway, has the same authority to alter the above speed limits as the Texas Transportation Commission has for an officially designated or marked highway of the state highway system. However, the governing body of a city may not establish a speed limit of more than 60 miles per hour. *Id.* § 545.356.

A city may lower the state-mandated speed limit by performing an engineering and traffic investigation and determining that the prima facie speed limit is unreasonable or unsafe for that road. *Id.* § 545.353. If requested by the school, the city must hold a public hearing at least once each calendar year to consider prima facie speed limits on a highway in the city, including a state highway, near the school or institution of higher education. *Id.* § 545.357.

Before lowering the speed limit, the city must follow the “Procedures for Establishing Speed Zones,” which can be found at the Texas Department of Transportation’s Web site at <http://www.dot.state.tx.us/publications/traffic/szn.pdf>, and consider width and condition of the pavement, the usual traffic at the affected area, and other circumstances. *Id.* The only instance in which a city may lower a speed limit without a traffic study, to as low as 25 miles per hour, is if the road is in an urban district, is less than four lanes, and is not a state highway. A city should contact the Texas Department of Transportation before conducting a study or attempting to alter the speed limits on state highways within the city limits. A Texas Transportation Commission order declaring a speed limit on a part of a designated or marked route of the state highway system supersedes any conflicting designated speed established by a city. *Id.* § 545.359.

A speed limit that is altered by a city is effective when the governing body erects signs giving notice of the new limit. *Id.* § 545.357. Cities do not have the authority to alter speed limits outside of city boundaries.

The Texas Manual on Uniform Traffic Control Devices provides some guidelines for installing speed limit signs. Section 2B.18 states that speed limit signs should be placed: (1) where the speed limit changes; and (2) beyond major intersections and at other locations where it is necessary to remind road users of the correct speed limit.

More information on altering speed limits is available at the Texas Department of Transportation's Web site at [www.dot.state.tx.us](http://www.dot.state.tx.us).