

SUBJECT: Raising highway speed limits to 75 miles per hour in certain areas

COMMITTEE: Transportation — committee substitute recommended

VOTE: 6 ayes — Alexander, Y. Davis, Edwards, Hamric, Pickett, Swinford
0 nays
3 absent — Hawley, Hill, Noriega

WITNESSES: For — None
Against — None
On — *Registered but did not testify*: Carlos A. Lopez, Texas Department of Transportation

BACKGROUND: Transportation Code, sec. 545.353 authorizes the Texas Transportation Commission (TTC) to set and change speed limits on public roads and highways. The current maximum speed limit on Texas highways is 70 miles per hour.

DIGEST: CSHB 299 would allow the TTC to set 75-mile-per-hour speed limits on portions of highways located in counties with population densities less than 10 people per square mile. The TTC would have to determine that a 75-mile-per-hour speed limit was safe and reasonable for that section of highway.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001.

SUPPORTERS SAY: Many motorists who routinely drive several hours per day are concerned with saving travel time. CSHB 299 would enable them to shorten considerably the time they spend traveling long distances, thereby reducing driver fatigue, which often contributes to accidents. The bill would not raise the highway speed limit statewide. From 2000 census data, the Texas

Department of Transportation (TxDOT) has determined that the bill would allow higher speed limits in only 86 counties, mostly in the Panhandle and in West and South Texas.

The bill would apply to all vehicles except those whose speed is restricted individually by law (for example, school buses and large commercial trucks). It is intended to apply only to daytime driving but would apply to any road on the highway system. The bill would not change existing law restricting semi-tractor-trailers to 60 miles per hour in daytime (55 miles per hour at night) on non-urban farm- and ranch-to-market roads. The TTC should be able to raise the speed limits on those roads for other vehicles, however, because they often provide key travel routes for rural residents as well as for travelers.

Raising the rural highway speed limit in many parts of the state, especially in sparsely populated rural areas, would not compromise safety. TxDOT would not initiate higher speed limits unilaterally but would respond only to requests to do so. TxDOT first would conduct traffic and engineering investigations (“speed studies”) and would provide the findings to the TTC before the commission voted on each request.

Several other western states, including Oklahoma, Arizona, and New Mexico, have adopted the 75-mile-per-hour rural highway speed limit. Their population densities are similar to those in western Texas. Residents in those states strongly support the higher speed limit, and no increase in traffic accidents, injuries, or fatalities has been reported.

**OPPONENTS
SAY:**

If CSHB 299 is approved, Texas will have raised speed limits 20 miles per hour in only five years. Another increase could lead to more accidents, injuries, and fatalities on Texas highways.

In 1996, traffic deaths rose after Texas raised the highway speed limit to 70 miles per hour. In 1999, fatality rates declined to 1.6 per 100 million miles driven, according to the Department of Public Safety, but the number has leveled off at around 3,500 per year. Saving a few minutes or even hours of drive time is not worth risking the loss of any more lives.

The bill’s ambiguous language might allow raising some nighttime speed

limits as well. If so, this conceivably could lead to increases in nighttime speed limits of 10 miles per hour, from 65 to 75, for most vehicles in some rural areas. Semi-tractor-trailer daytime speed limits on many farm- and ranch-to-market roads could go up by 15 miles per hour, from 60 to 75, and at night by 20 miles per hour, from 55 to 75. Given the level of truck traffic in Texas, which is increasing because of ongoing implementation of the North American Free Trade Agreement, increasing the margin that much all at once would be unsafe and unacceptable, even in sparsely populated counties.

Because the higher speed limits would be based on population, in some areas the bill potentially would blend 70-mile-per-hour counties with 75-mile-per-hour counties. This could cause confusion and frustration for drivers as they passed through varying speed-limit zones from one county to the next. It also could create enforcement problems.

Allowing speeds of 75 miles per hour on rural highways could encourage unsafe driving on highways unaffected by the increase. Speed is one of the top two factors contributing to highway deaths. Faster vehicles are harder to control and cause greater damage when accidents occur. State law allows motorists cited for speeding up to 24 miles per hour above the posted speed limit to clear their records by completing defensive driving courses. Raising speed limits to 75 miles per hour would mean that speeders who were driving up to 99 miles per hour could have their tickets dismissed. This would send the wrong message to motorists, especially young ones.

Raising the speed limit also could lead to greater fuel consumption, given that automobile fuel efficiency decreases at higher speeds, at a time when the state should be encouraging motorists to conserve energy.

OTHER
OPPONENTS
SAY:

Higher speed limits should be limited specifically to operation of passenger vehicles. The bill should maintain current speed limits for trucks and should restrict higher limits to interstate and major state highways. Including farm- and ranch-to-market roads would blend high-speed long-haul traffic with local residential traffic. This could create a dangerous combination of motorists, some of which would represent through traffic, traveling at vastly different speeds on the same roads.

NOTES:

HB 299 as filed would have raised daytime speed limits from 70 to 75 miles per hour on highways not in urban areas, including farm-to-market and ranch-to-market roads. It did not contain the population density provision and would have given approval authority to TxDOT rather than to the TTC.

A similar bill in the 76th Legislature, HB 3328 by Gallego, died in a House-Senate conference committee. It would have increased daytime maximum speed limits to 75 miles per hour on state and federal highways outside urban areas and to 80 miles per hour on east-west interstate highways in counties with populations below 25,000. HB 676 by Isett, allowing commercial trucks to travel at the same daytime maximum speed as passenger cars on certain highways, took effect September 1, 1999.