

City of Houston Ordinance No. 2023- 998

AN ORDINANCE ALTERING AND ESTABLISHING PRIMA FACIE SPEED LIMITS IN CERTAIN ZONES IN THE CITY OF HOUSTON; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING A REPEALER; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL AND PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.

* * * *

WHEREAS, on January 26, 2022, City Council passed Ordinance No. 2022-73 establishing the maximum and minimum speed limits on certain City of Houston ("City") streets; and

WHEREAS, upon the basis of an engineering and traffic investigation, the City Council has determined that speed limits established on certain City streets by Ordinance No. 2022-73 should be changed; and

WHEREAS, upon the basis of an engineering and traffic investigation, the City Council has determined that the maximum and minimum speed limits set forth hereinafter in the zones indicated are reasonable and safe; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

Section 2. That the maximum prima facie speed limits in the zones set out in **Exhibit A**, attached, are hereby altered, and the speeds set out opposite each such zone are hereby established as maximum prima facie speed limits. Any speed in excess of such maximum speed limits upon the streets, highways and other thoroughfares so designated and within such respective zones shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful. No person shall drive a vehicle at a speed in excess of that which is reasonable and prudent under the circumstances then existing.

Section 3. That the minimum prima facie speed limit in the zone set out in **Exhibit A** and the speed set out opposite such zone is hereby established as the minimum prima facie speed limit. Any speed less than such speed limit upon the

designated street, highway or other thoroughfare so designated and within such respective zone shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful. No person shall drive a vehicle at a speed less than that which is reasonable and prudent under the circumstances then existing.

Section 4. That **Exhibit A**, attached, is hereby incorporated by reference into this Ordinance for all purposes. The speed limit established by this Ordinance for any street, highway or other thoroughfare in any specified zone, and in the direction(s) indicated in the near right-hand column immediately opposite such zone and headed by the term "DIR", shall be that which appears opposite such zone in the far right-hand column headed by the term "MPH".

Section 5. That the foregoing speed limits shall be effective in the said respective zones and for the designated directions when appropriate signs giving notice thereof shall have been erected by Houston Public Works, the Texas Department of Transportation, or another governmental agency acting under authority of law.

Section 6. That every person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Dollar (\$1.00) nor more than Two Hundred Dollars (\$200.00).

Section 7. That Ordinance No. 2022-73 is hereby repealed to the extent that it conflicts with this Ordinance, except as provided in Section 8, below.

Section 8. That this Ordinance is subject to the operation of Section 1-5 of the Code of Ordinances, Houston, Texas, and the provisions of Ordinance No. 2022-73 that are in conflict with this Ordinance are expressly saved from repeal for the limited purpose of the trial and punishment of all offenses arising thereunder prior to the repeal of those provisions by this Ordinance.

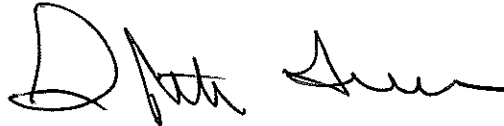
Section 9. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this

Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 10. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 15th day of November, 2023.

APPROVED this 15th day of November, 2023.



Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

DocuSigned by:
Lizet Lolos

Prepared by Legal Dept. _____
LI/kro 10/30/2023 49310E8DAB544E9...
Assistant City Attorney
Requested by Carol E. Haddock, P.E., Director, Houston Public Works
L.D. G.C. Number 0000000225

**TABLE 2
CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
TRAFFIC OPERATIONS DIVISION
REGULAR SPEED ZONES**

<u>STREET:</u>	<u>ZONE LIMITS:</u>	<u>DIR:</u>	<u>SPEED:</u>
NORTH PARK DR.	FROM THE CENTERLINE OF W. LAKE HOUSTON PKWY TO THE CENTERLINE OF MILLS BRANCH DR	E&W	40
NORTH SAM HOUSTON PKWY EAST, NORTH SERVICE RD	FROM A POINT 1100 FEET EAST OF VICKERY DR TO THE CENTERLINE OF ALDINE WESTFIELD	W	50
NORTH SAM HOUSTON PKWY EAST, NORTH SERVICE RD	FROM A POINT 1716 FEET WEST OF MESA DRIVE TO THE CENTERLINE OF LEE ROAD	W	50
NORTH SAM HOUSTON PKWY EAST, NORTH SERVICE RD	FROM A POINT 280 FT EAST OF W. HARDY TO THE CENTERLINE OF THE NORTH FWY	W	50
NORTH SAM HOUSTON PKWY EAST, SOUTH SERVICE RD	FROM THE CENTERLINE OF ALDINE WESTFIELD TO A POINT 1100 FEET EAST OF VICKERY DR	E	50
NORTH SAM HOUSTON PKWY EAST, SOUTH SERVICE RD	FROM THE CENTERLINE OF LEE ROAD TO A POINT 1716 FEET WEST OF MESA DRIVE	E	50
NORTH SAM HOUSTON PKWY EAST, SOUTH SERVICE RD	FROM THE CENTERLINE OF THE NORTH FWY TO A POINT 280 FT EAST OF W. HARDY	E	50
NORTH SAM HOUSTON PKWY WEST, NORTH SERVICE RD	FROM THE CENTERLINE OF THE NORTH FWY TO A POINT 600 FT WEST OF ELLA BLVD	W	50
NORTH SAM HOUSTON PKWY WEST, SOUTH SERVICE RD	FROM THE CENTERLINE OF THE NORTH FWY TO A POINT 600 FT WEST OF ELLA BLVD	E	50
NORTH STADIUM DR	FROM THE CENTERLINE OF S. BRAESWOOD TO THE NORTH PROPERTY LINE OF THE DOMED STADIUM	N&S	35

TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

MINUTE ORDER

Page 1 of 1

VARIOUS Districts

Transportation Code, §545.352 establishes prima facie reasonable and prudent speed limits for various categories of public roads, streets and highways.

Transportation Code, §545.353 empowers the Texas Transportation Commission (commission) to alter those prima facie limits on any part of the state highway system as determined from the results of an engineering and traffic investigation conducted according to the procedures adopted by the commission.

The Texas Department of Transportation (department) has conducted the prescribed engineering and traffic investigations to determine reasonable and safe prima facie maximum speed limits for those segments of the state highway system shown in Exhibits A and B.

Exhibit A lists construction speed zones in effect when signs are displayed within construction projects. The completion and/or acceptance of each project shall cancel the provision of this minute order applying to said project and any remaining construction speed zone signs shall be removed.

Exhibit B lists speed zones for sections of highways where engineering and traffic investigations justify the need to alter the speeds.

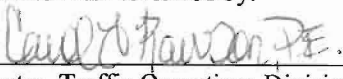
It has also been determined that speed limits on various segments of the state highway system, previously established by the commission by minute order and listed in Exhibit C, are no longer necessary or have been incorporated by cities which have the authority to set speed limits on these sections of highways.

The department, in consultation with the Texas Commission on Environmental Quality, has also determined that the environmental speed limit on the segment of FARM TO MARKET ROAD 1463 established by Minute Order 109064, dated October 31, 2002, and listed in Exhibit D, is no longer necessary.

IT IS THEREFORE ORDERED by the commission that the reasonable and safe prima facie maximum speed limits determined in accordance with the department's "Procedures for Establishing Speed Zones" and shown on the attached Exhibits A and B are declared as tabulated in those exhibits. The executive director is directed to implement this order for control and enforcement purposes by the erection of appropriate signs showing the prima facie maximum speed limits.

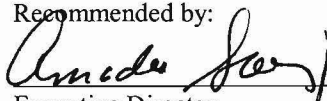
IT IS FURTHER ORDERED that a provision of any prior order by the commission which is in conflict with a provision of this order is superseded to the extent of that conflict, and that the portions of minute orders establishing speed zones shown on the attached Exhibits C and D are canceled.

Submitted and reviewed by:



Director, Traffic Operations Division

Recommended by:



Executive Director

111239 JAN 31 08

Minute Number Date Passed

REGULAR SPEED ZONES

County (City)	Highway Control Section	Limits		Length (Miles)	Speed (Miles Per Hour)
		BEGIN MP-Milepoint	END		
<i>Dallas District</i>					
Ellis (Cedar Hill)	US 67 FR 261-1	MP 0.500	MP 1.388	0.888	55
<i>Fort Worth District</i>					
Hood	FM 51 313-8	MP 1.000	MP 5.250	4.250	65
Hood	FM 51 313-8	MP 5.250	MP 6.829	1.579	60
<i>Houston District</i>					
Brazoria	FM 865 976-2	MP 0.026	MP 0.445	0.419	45
Fort Bend	FM 1463 188-10	MP 2.350	MP 5.950	3.600	50
Fort Bend	FM 1463 188-10	MP 5.950	MP 8.349	2.399	60
Harris	FM 865 976-1	MP 6.418	MP 8.307	1.889	45
Harris	SL 8 FR 3256-2	MP 0.025	MP 4.800	4.775	50

REGULAR SPEED ZONES

County (City)	Highway Control Section	Limits		Length (Miles)	Speed (Miles Per Hour)
		BEGIN MP-Milepoint	END		
Houston District					
Harris	SL 8 FR 3256-2	MP 8.023	MP 9.588	1.565	50
Harris	SL 8 FR 3256-2	MP 12.155	MP 12.745	0.590	45
Harris	SL 8 3256-2	MP 14.550	MP 17.860	3.310	60
Harris	SL 8 3256-3	MP 0.000	MP 8.548	8.548	60
Harris	SL 8 3256-3	MP 8.559	MP 8.850	0.291	60
Harris	SL 8 EFR 3256-3	MP 8.850	MP 12.615	3.765	50
Harris	SL 8 3256-3	MP 8.850	MP 12.615	3.765	65
Harris	SL 8 WFR 3256-3	MP 9.000	MP 12.615	3.615	50
Harris	SL 8 WFR 3256-3	MP 11.330	MP 11.680	0.350	35 (School Zone)