

BILL ANALYSIS

C.S.H.B. 849
By: Talton
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It is standard practice for tow truck manufacturers to install auxiliary stop and tail lamps in and under the factory mounted light bar as permitted by the U.S. Department of Transportation, National Highway Traffic Safety Administration as supplementary lighting equipment with no location or performance requirements. Sections 547.305(d) (4) and (5) of the Texas Transportation Code authorizes the use of both stop and turn signal lamps. Subsection (c) of this section authorizes the use of red, white, and blue beacons on tow trucks. These lights help other vehicles recognize the existence of a tow in progress. Harris County currently requires that all lamps used on a tow truck be amber in color. This is the only Texas county to regulate lamp color. The State of Texas does not currently regulate the color of mounted light bars or auxiliary lamps. Manufacturers install these auxiliary stop and tail lamps for safety purposes, not only for those who may come across a tow truck, but for the safety of tow truck drivers. The purpose of CSHB 849, in the interest of safety, is to allow tow truck drivers to retain auxiliary stop and tail lamps on their vehicles.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Section 1. The Harris County Commissioners Court may not regulate or restrict the use of lighting equipment on a tow truck more than the extent allowed by state or federal law.

Section 2. A political subdivision of this state may not restrict the use of lighting equipment on a tow truck more than what is imposed by Title 7 of the Transportation Code.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 849 modifies the original version of the bill by adding Section 2. The additional section restricts all political subdivisions of the state from restricting lighting equipment on a tow truck more than what is allowed by Title 7 of the Transportation Code.

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