

BILL ANALYSIS

S.B. 461
By: Staples
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the operator of an emergency vehicle can function contrary to some traffic laws, including exceeding the speed limit, failing to stop at a red traffic signal, and standing or parking in a prohibited manner when responding to an emergency call for service, pursuing an actual or suspected violator of the law, or responding to a fire alarm. However, the operator of an emergency vehicle cannot function contrary to traffic laws when directing traffic or functioning as a police escort. Senate Bill 461 expands the list of situations where conduct contrary to certain traffic laws is allowed to include a police escort by a full-time peace officer for public safety purposes and directing or diverting traffic.

RULEMAKING AUTHORITY

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

ANALYSIS

Senate Bill 461 amends Section 546.002 of the Transportation Code by defining 'police escort' as facilitating the movement of a funeral, oversized or hazardous load, or other traffic disruption for public safety purposes by a full-time peace officer described by Articles 2.12(1)-(4) of the Code of Criminal Procedure. The bill adds directing or diverting traffic for public safety purposes and conducting a police escort as occasions where operators of authorized emergency vehicles can engage in permissible conduct that is specified under section 546.001 of the Transportation Code.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.