

BILL ANALYSIS

S.B. 1715
By: Wentworth
Transportation
Committee Report (Amended)

BACKGROUND AND PURPOSE

Texas law regarding vehicle lighting has remained virtually unchanged since 1971. The statutes, in general, state what lighting is required and permitted, but do not address current problems. S.B. 1715 establishes stoplamp and turn signal lamp requirements, and prohibits certain lamps or light sources from being visible on the exterior of a vehicle.

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. Amends Section 547.323, Transportation Code, by amending Subsection (d) and adding Subsections (b-1) and (g), as follows:

(b-1) Requires certain vehicles to be equipped with a centrally located high-mounted stoplamp.

(d) Requires a stoplamp to emit a red or amber light, or a color between red and amber, that is displayed only on application of the vehicle service brake and is continuously displayed as long as, rather than when, the vehicle service brake is applied.

(g) Prohibits the observable illuminated area of a stoplamp from being less than required under a rule adopted by the Department of Public Safety (DPS), acting directly or through its authorized officers and agents, or an federal standard.

SECTION 2. Amends Section 547.324, Transportation Code, by adding Subsection (f) to prohibit the observable illuminated area of a turn signal lamp from being less than required under a rule adopted by DPS, acting directly or through its authorized officers and agents, or an applicable federal standard.

SECTION 3. Amends Subchapter E, Chapter 547, Transportation Code, by adding Section 547.336, as follows:

Sec. 547.336. PROHIBITION OF DECORATIVE AND ANCILLARY LIGHTING. (a) Prohibits a person from operating or moving a vehicle displaying a lamp, reflective device, or other lighting equipment not required or permitted by this subtitle or an applicable federal standard, at the time the vehicle was manufactured or assembled.

(b) Provides that it is an affirmative defense to prosecution under this section that the certain items prohibited by Subsection (a) were not emitting light visible on the exterior of the vehicle while the person operated or moved the vehicle on a public highway.

(c) Exempts from this section taxicabs, or other mass transit vehicle equipped as authorized by a municipal authority, and a vehicle participating in a parade.

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SECTION 4. Effective date: September 1, 2003.

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EXPLANATION OF AMENDMENTS

Committee Amendment #1 strikes Section 3 of the bill regarding the prohibition of decorative and ancillary lighting.

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