

BILL ANALYSIS

Senate Research Center
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S.B. 1715
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Infrastructure Development and Security
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As Filed

DIGEST AND PURPOSE

Currently, 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. As proposed, 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

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 547.323, Transportation Code, by amending Subsection (c), renumbering the subsequent Subsections, and adding Subsection (h).

Sec. 547.323. STOPLAMPS REQUIRED. (a) No changes to this subsection.

(b) No changes to this subsection.

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

(d) Creates this subsection from existing text. Specifies stoplamps, plural, rather than stoplamp singular.

(e) Redesignates this subsection from Subsection (d). Requires stoplamps to emit a red or amber light, or a color between those colors, that illuminates only upon application of the service brakes and illuminates continuously as long as the service brakes are applied. Makes conforming changes.

(f) Redesignates this subsection from Subsection (e) and makes a conforming change.

(g) Redesignates this subsection from Subsection (f) and makes a conforming change.

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

SECTION 3. Amends Chapter 548E, Transportation Code, by adding Section 547.336, as follows:

Sec. 547.336. PROHIBITION OF DECORATIVE AND ANCILLARY LIGHTING.

[Proposed text not capitalized.] (a) Provides that a person commits a misdemeanor offense if that person operates or moves a vehicle displaying a lamp, lighting, reflective devices, and/or associated equipment not authorized or required by this subtitle or a federal lighting standard, if any, at the time the vehicle was manufactured.

(b) Provides that it is a defense to prosecution under this section that the certain pieces of equipment prohibited by Subsection (a) were not illuminated while operating on a public highway, or if illuminated, the lamp or light source is not directly visible on the exterior of the vehicle.

SECTION 4. Section 548.602(a), Transportation Code, to specify that an inspection certificate be valid and appropriate, in addition to current.

SECTION 5. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective.