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H.B. No. 937

A BILL TO BE ENTITLED

AN ACT

relating to the definition of certain authorized emergency vehicles
and to an exemption from the payment of a toll for those vehicles.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 228.054(a), Transportation Code, is
amended to read as follows:

(a) Except as provided by Subsection (e), the operator of a
vehicle, other than an authorized emergency vehicle, as defined by
Section 541.201, that is driven or towed through a toll collection
facility shall pay the proper toll. The exemption from payment of a
toll for an authorized emergency vehicle applies regardless of
whether the vehicle is:

- (1) responding to an emergency;
- (2) displaying a flashing light; or
- (3) marked as an emergency vehicle.

SECTION 2. Section 284.070, Transportation Code, is amended
by adding Subsection (e) to read as follows:

(e) An authorized emergency vehicle, as defined by Section
541.201, is exempt from payment of a toll imposed under this chapter
regardless of whether the vehicle is:

- (1) responding to an emergency;
- (2) displaying a flashing light; or
- (3) marked as an emergency vehicle.

SECTION 3. Section 366.178(a), Transportation Code, is

1 amended to read as follows:

2 (a) A motor vehicle other than an authorized emergency
3 vehicle, as defined by Section 541.201, [~~a police or emergency~~
4 vehicle] that passes through a toll collection facility, whether
5 driven or towed, shall pay the proper toll. The exemption from
6 payment of a toll for an authorized emergency vehicle applies
7 regardless of whether the vehicle is:

- 8 (1) responding to an emergency;
9 (2) displaying a flashing light; or
10 (3) marked as a police or emergency vehicle.

11 SECTION 4. Section 370.177(a), Transportation Code, is
12 amended to read as follows:

13 (a) Except as provided by Subsection (a-1), the operator of
14 a vehicle, other than an authorized emergency vehicle as defined by
15 Section 541.201, that is driven or towed through a toll collection
16 facility of a turnpike project shall pay the proper toll. The
17 operator of a vehicle who drives or tows a vehicle through a toll
18 collection facility and does not pay the proper toll commits an
19 offense. An offense under this subsection is a misdemeanor
20 punishable by a fine not to exceed \$250. The exemption from payment
21 of a toll for an authorized emergency vehicle applies regardless of
22 whether the vehicle is:

- 23 (1) responding to an emergency;
24 (2) displaying a flashing light; or
25 (3) marked as an emergency vehicle.

26 SECTION 5. Section 541.201, Transportation Code, is amended
27 by adding Subdivision (13-a) to read as follows:

1 (13-a) "Police vehicle" means a vehicle of a
2 governmental entity primarily used by a peace officer, as defined
3 by Article 2.12, Code of Criminal Procedure, for law enforcement
4 purposes.

5 SECTION 6. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2007.