

## **BILL ANALYSIS**

C.S.H.B. 805  
By: Quintanilla  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The 80th Legislature, Regular Session, 2007, enacted S.B. 11 to strengthen the state's ability to manage certain crises or threats. Section 4.06 of the bill amended the Transportation Code by adding language to clearly define an authorized police vehicle. As enacted, the amended definition does not grant a county the option to allow law enforcement personnel to use their personal vehicles as authorized police vehicles. Certain counties had implemented a policy to reimburse law enforcement personnel who used their personal vehicle for law enforcement duties and found this policy an efficient alternative to purchasing vehicles for the purpose of providing law enforcement in the county. These counties contend that this policy enhanced the counties' ability to address threats and emergencies.

C.S.H.B. 805 authorizes a county to allow the use of personal vehicles for law enforcement purposes upon approval from the appropriate authority and compliance with applicable commissioners court rule.

### **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**

C.S.H.B. 805 amends the Transportation Code to specify that the term "police vehicle" means a vehicle primarily used by a peace officer for law enforcement purposes that is owned or leased by a governmental entity or is a private vehicle used by the peace officer that is approved for use for law enforcement purposes by the head of the law enforcement agency that employs the peace officer, or by that person's designee, and, if applicable, complies with any rules adopted by the commissioners court of a county under the authority to regulate the use of a privately owned motor vehicle for the performance of county business or law enforcement duties. The bill makes nonsubstantive changes relating to the definition of "authorized emergency vehicle" for the purpose of certain traffic laws.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 805 adds a provision not in the original to establish that a police vehicle complies with any applicable rule adopted by the commissioners court of a county. The substitute adds provisions not in the original to make nonsubstantive changes relating to the definition of "authorized emergency vehicle" for the purpose of certain traffic laws. The substitute differs from the original in nonsubstantive ways by using language reflective of certain bill drafting conventions.