

By: Jackson

H.B. No. 3702

A BILL TO BE ENTITLED

AN ACT

relating to vehicles passing stationary tow trucks on a highway;
providing a penalty.

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

SECTION 1. Section 545.157, Transportation Code, is amended
by amending Subsection (a) and adding Subsection (d) to read as
follows:

(a) On approaching a stationary authorized emergency
vehicle using visual signals that meet the requirements of Sections
547.305 and 547.702, or a stationary tow truck assisting a stranded
motorist or motor vehicle or otherwise involved in the clearing of
an incident on a highway, an operator, unless otherwise directed by
a police officer, shall:

(1) vacate the lane closest to the emergency vehicle
or tow truck when driving on a highway with two or more lanes
traveling in the direction of the emergency vehicle; or

(2) slow to a speed not to exceed:

(A) 20 miles per hour less than the posted speed
limit when the posted speed limit is 25 miles per hour or more; or

(B) five miles per hour when the posted speed
limit is less than 25 miles per hour.

(d) In this section "tow truck" means a vehicle that:

(1) has been issued a permit under Subchapter C,
Chapter 2308, Occupations Code; and

1 (2) is operated by a person licensed under Subchapter
2 D, Chapter 2308, Occupations Code.

3 SECTION 2. This Act takes effect September 1, 2009.