

By: Carona

S.B. No. 1165

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of certain vehicles for law enforcement
3 purposes.

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

5 SECTION 1. Subdivisions (1) and (13-a), Section 541.201,
6 Transportation Code, are amended to read as follows:

7 (1) "Authorized emergency vehicle" means:

8 (A) a fire department or police vehicle;

9 (B) a public or private ambulance operated by a
10 person who has been issued a license by the Texas Department of
11 Health;

12 (C) a municipal department or public service
13 corporation emergency vehicle that has been designated or
14 authorized by the governing body of a municipality;

15 (D) a private vehicle of a volunteer firefighter
16 or a certified emergency medical services employee or volunteer
17 when responding to a fire alarm or medical emergency;

18 (E) an industrial emergency response vehicle,
19 including an industrial ambulance, when responding to an emergency,
20 but only if the vehicle is operated in compliance with criteria in
21 effect September 1, 1989, and established by the predecessor of the
22 Texas Industrial Emergency Services Board of the State Firemen's
23 and Fire Marshals' Association of Texas; ~~or~~

24 (F) a vehicle of a blood bank or tissue bank,

1 accredited or approved under the laws of this state or the United
2 States, when making emergency deliveries of blood, drugs,
3 medicines, or organs; or

4 (G) a vehicle used for law enforcement purposes
5 that is owned or leased by a federal governmental entity.

6 (13-a) "Police vehicle" means a vehicle [~~of a~~
7 ~~governmental entity primarily~~] used by a peace officer, as defined
8 by Article 2.12, Code of Criminal Procedure, for law enforcement
9 purposes that:

10 (A) is owned or leased by a governmental entity;

11 (B) is owned or leased by the police department
12 of a private institution of higher education that commissions peace
13 officers under Section 51.212, Education Code; or

14 (C) is:

15 (i) a private vehicle owned or leased by the
16 peace officer; and

17 (ii) approved for use for law enforcement
18 purposes by the head of the law enforcement agency that employs the
19 peace officer, or by that person's designee.

20 SECTION 2. Subsection (b), Section 545.421, Transportation
21 Code, is amended to read as follows:

22 (b) A signal under this section that is given by a police
23 officer pursuing a vehicle may be by hand, voice, emergency light,
24 or siren. The officer giving the signal must be in uniform and
25 prominently display the officer's badge of office. The officer's
26 vehicle must bear the insignia of a law enforcement agency,
27 regardless of whether the vehicle displays an emergency light [~~be~~

1 ~~appropriately marked as an official police vehicle]~~.

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