

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. Sections 541.201(1) and (13-a), Transportation  
6 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 or

12 (B) is:

13 (i) a private vehicle owned or leased by the  
14 peace officer; and

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

18 SECTION 2. Section 545.421(b), Transportation Code, is  
19 amended to read as follows:

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

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