

1-1 By: Carona S.B. No. 1165  
1-2 (In the Senate - Filed February 26, 2009; March 13, 2009,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 18, 2009, rereferred to Committee on Transportation and  
1-5 Homeland Security; April 8, 2009, reported adversely, with  
1-6 favorable Committee Substitute by the following vote: Yeas 9,  
1-7 Nays 0; April 8, 2009, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR S.B. No. 1165 By: Carona

1-9 A BILL TO BE ENTITLED  
1-10 AN ACT

1-11 relating to the use of certain vehicles for law enforcement  
1-12 purposes.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subdivisions (1) and (13-a), Section 541.201,  
1-15 Transportation Code, are amended to read as follows:

1-16 (1) "Authorized emergency vehicle" means:

1-17 (A) a fire department or police vehicle;

1-18 (B) a public or private ambulance operated by a  
1-19 person who has been issued a license by the Texas Department of  
1-20 Health;

1-21 (C) a municipal department or public service  
1-22 corporation emergency vehicle that has been designated or  
1-23 authorized by the governing body of a municipality;

1-24 (D) a private vehicle of a volunteer firefighter  
1-25 or a certified emergency medical services employee or volunteer  
1-26 when responding to a fire alarm or medical emergency;

1-27 (E) an industrial emergency response vehicle,  
1-28 including an industrial ambulance, when responding to an emergency,  
1-29 but only if the vehicle is operated in compliance with criteria in  
1-30 effect September 1, 1989, and established by the predecessor of the  
1-31 Texas Industrial Emergency Services Board of the State Firemen's  
1-32 and Fire Marshals' Association of Texas; ~~[or]~~

1-33 (F) a vehicle of a blood bank or tissue bank,  
1-34 accredited or approved under the laws of this state or the United  
1-35 States, when making emergency deliveries of blood, drugs,  
1-36 medicines, or organs; or

1-37 (G) a vehicle used for law enforcement purposes  
1-38 that is owned or leased by a federal governmental entity.

1-39 (13-a) "Police vehicle" means a vehicle ~~[of a~~  
1-40 ~~governmental entity primarily]~~ used by a peace officer, as defined  
1-41 by Article 2.12, Code of Criminal Procedure, for law enforcement  
1-42 purposes that:

1-43 (A) is owned or leased by a governmental entity;

1-44 (B) is owned or leased by the police department  
1-45 of a private institution of higher education that commissions peace  
1-46 officers under Section 51.212, Education Code; or

1-47 (C) is:

1-48 (i) a private vehicle owned or leased by the  
1-49 peace officer; and

1-50 (ii) approved for use for law enforcement  
1-51 purposes by the head of the law enforcement agency that employs the  
1-52 peace officer, or by that person's designee.

1-53 SECTION 2. Subsection (b), Section 545.421, Transportation  
1-54 Code, is amended to read as follows:

1-55 (b) A signal under this section that is given by a police  
1-56 officer pursuing a vehicle may be by hand, voice, emergency light,  
1-57 or siren. The officer giving the signal must be in uniform and  
1-58 prominently display the officer's badge of office. The officer's  
1-59 vehicle must bear the insignia of a law enforcement agency,  
1-60 regardless of whether the vehicle displays an emergency light ~~[be~~  
1-61 ~~appropriately marked as an official police vehicle].~~

1-62 SECTION 3. This Act takes effect September 1, 2009.

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