

Amend CSSB 1420 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) The heading to Section 545.157, Transportation Code, is amended to read as follows:

Sec. 545.157. PASSING AUTHORIZED EMERGENCY VEHICLE OR DEPARTMENT VEHICLE.

(b) Section 545.157, Transportation Code, is amended by amending Subsections (a) and (b) 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 department vehicle that is using visual signals described by Section 547.305 and is not separated from the roadway by a traffic control channelizing device, an operator, unless otherwise directed by a police officer, shall:

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

(b) A violation of this section is:

(1) a misdemeanor punishable under Section 542.401;

(2) a misdemeanor punishable by a fine of \$500 if the violation results in property damage; ~~or~~

(3) a Class B misdemeanor if the violation results in bodily injury; or

(4) a felony of the third degree if the violation results in serious bodily injury or death.

(d) In this section:

(1) "Department vehicle" means a vehicle owned or operated by the Texas Department of Transportation.

(2) "Traffic control channelizing device" means

equipment used to warn and alert an operator of conditions created by work activities in or near the traveled part of a highway, to protect workers in a temporary traffic control zone, or to safely guide operators and pedestrians. The term includes a traffic cone, tubular marker, vertical panel, drum, barricade, temporary raised island, concrete or cable barrier, or guardrail.

(c) The changes in law made by Section 545.157, Transportation Code, as amended by this section, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.