

House Bill 378
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 using equipment authorized by Section 547.305(d), 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 tow truck; 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

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

SECTION 2. Section 545.301(b), Transportation Code, is amended to read as follows:

(b) This section does not apply to an operator of:

(1) a vehicle that is disabled while on the paved or main traveled part of a highway if it is impossible to avoid stopping and temporarily leaving the vehicle on the highway; ~~or~~

(2) a vehicle used exclusively to transport solid, semisolid, or liquid waste operated at the time in connection with the

SENATE VERSION (CS)

SECTION 1. Same as House version.

CONFERENCE

SECTION 2. Section 545.301(b), Transportation Code, is amended to read as follows:

(b) This section does not apply to an operator of:

(1) a vehicle that is disabled while on the paved or main traveled part of a highway if it is impossible to avoid stopping and temporarily leaving the vehicle on the highway; ~~or~~

(2) a vehicle used exclusively to transport solid, semisolid, or liquid waste operated at the time in connection with the

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HOUSE VERSION

removal or transportation of solid, semisolid, or liquid waste from a location adjacent to the highway; or
(3) a tow truck, as defined by Section 545.157(d).

SECTION 3. Section 547.305(a), Transportation Code, is amended to read as follows:

(a) A motor vehicle lamp or illuminating device, other than a headlamp, spotlamp, auxiliary lamp, turn signal lamp, or emergency vehicle, tow truck, or school bus warning lamp, that projects a beam with an intensity brighter than 300 candlepower shall be directed so that no part of the high-intensity portion of the beam strikes the roadway at a distance of more than 75 feet from the vehicle.

SECTION 4. This Act takes effect September 1, 2011.

SENATE VERSION (CS)

removal or transportation of solid, semisolid, or liquid waste from a location adjacent to the highway; or
(3) a tow truck, as defined by Section 545.157(d), that is performing towing duties under Chapter 2308, Occupations Code.

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE