

By: Giddings

H.B. No. 473

Substitute the following for H.B. No. 473:

By: Phillips

C.S.H.B. No. 473

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition on the sale or transfer of certain law
3 enforcement vehicles before removal of certain equipment and
4 insignia.

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

6 SECTION 1. Subchapter Z, Chapter 2175, Government Code, is
7 amended by adding Section 2175.908 to read as follows:

8 Sec. 2175.908. SALE OR TRANSFER OF LAW ENFORCEMENT VEHICLE.

9 (a) Except as provided by Subsection (b), the commission or another
10 state agency, including an agency delegated the authority to
11 dispose of surplus or salvage property under Section 2175.065, may
12 not sell or transfer a marked patrol car or other law enforcement
13 motor vehicle to the public unless the state agency first removes
14 any equipment or insignia that could mislead a reasonable person to
15 believe that the vehicle is a law enforcement motor vehicle,
16 including any police light, siren, amber warning light, spotlight,
17 grill light, antenna, emblem, outline of an emblem, and emergency
18 vehicle equipment.

19 (b) The commission or another state agency, including an
20 agency delegated the authority to dispose of surplus or salvage
21 property under Section 2175.065, may not sell or transfer a marked
22 patrol car or other law enforcement motor vehicle to a security
23 services contractor who is regulated by the Department of Public
24 Safety and licensed under Chapter 1702, Occupations Code, unless

1 each emblem or insignia that identifies the vehicle as a law
2 enforcement motor vehicle is removed before the sale or transfer.

3 SECTION 2. Subchapter Z, Chapter 341, Local Government
4 Code, is amended by adding Section 341.9045 to read as follows:

5 Sec. 341.9045. SALE OR TRANSFER OF LAW ENFORCEMENT VEHICLE.

6 (a) Except as provided by Subsection (b), a municipality may not
7 sell or transfer a marked patrol car or other municipal law
8 enforcement motor vehicle to the public unless the municipality
9 first removes any equipment or insignia that could mislead a
10 reasonable person to believe that the vehicle is a law enforcement
11 motor vehicle, including any police light, siren, amber warning
12 light, spotlight, grill light, antenna, emblem, outline of an
13 emblem, and emergency vehicle equipment.

14 (b) A municipality may not sell or transfer a marked patrol
15 car or other municipal law enforcement motor vehicle to a security
16 services contractor who is regulated by the Department of Public
17 Safety and licensed under Chapter 1702, Occupations Code, unless
18 each emblem or insignia that identifies the vehicle as a law
19 enforcement motor vehicle is removed before the sale or transfer.

20 SECTION 3. Subchapter Z, Chapter 351, Local Government
21 Code, is amended by adding Section 351.905 to read as follows:

22 Sec. 351.905. SALE OR TRANSFER OF LAW ENFORCEMENT VEHICLE.

23 (a) Except as provided by Subsection (b), a county may not sell or
24 transfer a marked patrol car or other county law enforcement motor
25 vehicle to the public unless the county first removes any equipment
26 or insignia that could mislead a reasonable person to believe that
27 the vehicle is a law enforcement motor vehicle, including any

1 police light, siren, amber warning light, spotlight, grill light,
2 antenna, emblem, outline of an emblem, and emergency vehicle
3 equipment.

4 (b) A county may not sell or transfer a marked patrol car or
5 other county law enforcement motor vehicle to a security services
6 contractor who is regulated by the Department of Public Safety and
7 licensed under Chapter 1702, Occupations Code, unless each emblem
8 or insignia that identifies the vehicle as a law enforcement motor
9 vehicle is removed before the sale or transfer.

10 SECTION 4. This Act takes effect September 1, 2015.