

## **BILL ANALYSIS**

C.S.H.B. 1249  
By: Goldman  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been reported regarding the operation of vehicles purchased from an authorized emergency medical services (EMS) provider when the useful life of the vehicle has expired without the removal of the easily recognized identifying insignia, such as the star of life emblem and emergency lights, which can mislead a reasonable person as to the vehicle's purpose. C.S.H.B. 1249 seeks to prevent any confusion that may arise from the operation of these non-licensed EMS vehicles and to require the removal of certain identifying features before such a vehicle can be driven in public.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1249 amends the Health and Safety Code to prohibit a person from operating a motor vehicle in Texas that resembles an emergency medical services vehicle unless the person uses the motor vehicle as an emergency medical services vehicle under the Emergency Health Care Act or for other legitimate governmental functions, including police or firefighting services. The bill establishes that a motor vehicle resembles an emergency medical services vehicle if the vehicle's exterior has any of the following markings or features: the word "ambulance" or a derivation of that word; a star of life as trademarked by the National Highway Traffic Safety Administration; a Maltese cross commonly used by fire departments; forward-facing flashing red, white, or blue lights; a siren; the words "critical care transport," "emergency," "emergency medical services," or "mobile intensive care unit;" or the acronym "EMS" or "MICU." The bill creates a Class C misdemeanor offense for a person who violates these provisions. The bill exempts from its provisions a motor vehicle bearing a license plate issued or approved under statutory provisions relating to certain exhibition vehicles and to classic motor vehicles and travel trailers, custom vehicles, and street rods.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1249 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Subchapter A, Chapter 773, Health and Safety Code, is amended by adding Section 773.017 to read as follows:

Sec. 773.017. USE OF CERTAIN EXTERNAL MOTOR VEHICLE MARKINGS OR FEATURES PROHIBITED; CRIMINAL OFFENSE. (a) A person may not operate a motor vehicle in this state that resembles an emergency medical services vehicle unless the person uses the motor vehicle:

(1) as an emergency medical services vehicle under this chapter; or  
(2) for other legitimate governmental functions, including police or firefighting services.

(b) A motor vehicle resembles an emergency medical services vehicle if the motor vehicle has on the exterior of the motor vehicle any of the following markings or features:

(1) the word "ambulance" or a derivation of that word;

(2) a star of life as trademarked by the National Highway Traffic Safety Administration;

(3) a Maltese cross commonly used by fire departments;

(4) forward-facing flashing red, white, or blue lights;

(5) a siren;

(6) the words "critical care transport," "emergency," "emergency medical services," or "mobile intensive care unit"; or  
(7) the acronym "EMS" or "MICU".

(c) A person commits an offense if the person violates this section. An offense under this subsection is a Class C misdemeanor.

SECTION 2. This Act takes effect September 1, 2017.

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 773, Health and Safety Code, is amended by adding Section 773.017 to read as follows:

Sec. 773.017. USE OF CERTAIN EXTERNAL MOTOR VEHICLE MARKINGS OR FEATURES PROHIBITED; CRIMINAL OFFENSE. (a) A person may not operate a motor vehicle in this state that resembles an emergency medical services vehicle unless the person uses the motor vehicle:

(1) as an emergency medical services vehicle under this chapter; or  
(2) for other legitimate governmental functions, including police or firefighting services.

(b) A motor vehicle resembles an emergency medical services vehicle if the motor vehicle has on the exterior of the motor vehicle any of the following markings or features:

(1) the word "ambulance" or a derivation of that word;

(2) a star of life as trademarked by the National Highway Traffic Safety Administration;

(3) a Maltese cross commonly used by fire departments;

(4) forward-facing flashing red, white, or blue lights;

(5) a siren;

(6) the words "critical care transport," "emergency," "emergency medical services," or "mobile intensive care unit"; or  
(7) the acronym "EMS" or "MICU".

(c) A person commits an offense if the person violates this section. An offense under this subsection is a Class C misdemeanor.

(d) This section does not apply to a motor vehicle bearing a license plate issued or approved under Section 504.501 or 504.502, Transportation Code.

SECTION 2. Same as introduced version.