

BILL ANALYSIS

C.S.H.B. 3087
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Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Informed observers report that there is a need for clarification regarding the types of highway maintenance or service vehicles for which the Texas Department of Transportation adopts lighting specifications and standards. C.S.H.B. 3087 seeks to provide clarity in this regard.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change 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. 3087 amends the Transportation Code to define for purposes of certain provisions governing vehicle equipment "highway maintenance vehicle" as a highway or traffic maintenance vehicle designated by the Texas Department of Transportation (TxDOT), including certain equipment, and "service vehicle" as a highway or traffic maintenance vehicle that is owned and operated on a highway by or for a governmental agency and performs a function requiring the use of a lamp or illuminating device in accordance with adopted standards and specifications or that has a public service function, including public utility vehicles, tow trucks, and any vehicle designated as a service vehicle by TxDOT or as a certain escort flag vehicle. The bill expands from highway maintenance equipment to highway or traffic maintenance vehicles, which include such equipment, and service vehicles the type of equipment for which TxDOT adopts lighting standards and specifications and makes that expansion applicable to the prohibition against operating equipment that is not equipped with lamps or does not display the required lighted lamps.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3087 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. Section 547.001, Transportation Code, is amended by adding Subdivisions (2-b) and (6-a) to read as follows:

(2-b) "Highway maintenance vehicle" means a highway or traffic maintenance vehicle designated by the Texas Department of Transportation. The term includes equipment for:

(A) road maintenance, including:

(i) equipment for snow removal, line striping, skid resistance testing, sweeping, and spraying;

(ii) aerial devices; and

(iii) high-speed profilometers; and

(B) off-road use, including motor graders, road rollers, excavators, pneumatic tire equipment, movers, and tractors.

(6-a) "Service vehicle" means a highway or traffic maintenance vehicle that:

(A) is owned and operated on a highway by or for a governmental agency and performs a function requiring the use of a lamp or illuminating device in accordance with the standards and specifications adopted under Section 547.105; or

(B) has a public service function, including public utility vehicles, tow trucks, and any vehicle designated as a service vehicle by the Texas Department of Transportation or as an escort flag vehicle under Section 623.099.

SECTION 2. The heading to Section 547.105, Transportation Code, is amended.

SECTION 3. Sections 547.105(a) and (b), Transportation Code, are amended.

SECTION 4. Section 547.305(e), Transportation Code, is amended.

SECTION 5. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 547.001, Transportation Code, is amended by adding Subdivisions (2-b) and (6-a) to read as follows:

(2-b) "Highway maintenance vehicle" means a highway or traffic maintenance vehicle designated by the Texas Department of Transportation. The term includes equipment for:

(A) road maintenance, including:

(i) equipment for snow removal, line striping, skid resistance testing, sweeping, and spraying;

(ii) aerial platform lift machines; and

(iii) road profiler machines; and

(B) off-road use, including motor graders, road rollers, excavators, pneumatic tire equipment, movers, and tractors.

(6-a) "Service vehicle" means a highway or traffic maintenance vehicle that:

(A) is owned and operated on a highway by or for a governmental agency and performs a function requiring the use of a lamp or illuminating device in accordance with the standards and specifications adopted under Section 547.105; or

(B) has a public service function, including public utility vehicles, tow trucks, and any vehicle designated as a service vehicle by the Texas Department of Transportation or as an escort flag vehicle under Section 623.099.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.