

BILL ANALYSIS

C.S.H.B. 1226
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Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that state law does not provide certain protections from motorists that are afforded to certain vehicles, including Texas Department of Transportation (TxDOT) vehicles, to highway maintenance vehicles contracted to work on behalf of TxDOT or service vehicles used in the maintenance of an electrical power line. Concerns have been raised that this may play a role in the high number of contract worker fatalities that occur on Texas roadways. C.S.H.B. 1226 seeks to improve the safety of these workers by including these vehicles under these protections.

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. 1226 amends the Transportation Code to include the following vehicles among the vehicles that, if not separated from the roadway by a traffic control channelizing device and using certain compliant visual signs, trigger the requirement that an operator of another vehicle, on approaching, slow to a specified speed or vacate the lane closest to the vehicle when driving on a highway with two or more lanes traveling in the direction of the vehicle:

- a highway maintenance vehicle operated pursuant to a contract for the construction, maintenance, or improvement of a state highway; and
- a service vehicle used in the maintenance of an electrical power line and using visual signals that comply with maintenance vehicle lighting standards and specifications.

The bill expands the definition of "highway maintenance vehicle" as it relates to vehicle equipment to include road maintenance equipment used for guardrail repair, sign maintenance, and temporary traffic control device placement or removal.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B 1226 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions

of the bill.

The substitute includes a service vehicle used in the maintenance of an electrical power line and using compliant visual signals among the vehicles afforded certain vehicle passing protections.