

## **BILL ANALYSIS**

Senate Research Center  
86R12261 AAF-F

S.B. 1363  
By: Nichols  
Transportation  
3/16/2019  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 193 was passed by the 78th Legislature and went into effect on September 1, 2003. That legislation is referred to as the "move over/slow down" law. It requires drivers nearing a stopped authorized emergency vehicle with lights activated to either slow down or change lanes. "Authorized emergency vehicle" includes police, emergency medical service, and fire vehicles.

In 2011, H.B. 378 added language to Section 545.157 of the Transportation Code to include tow trucks in this law. During the 83rd Legislature, S.B. 510 amended Section 545.157 (Passing Authorized Emergency Vehicle), Transportation Code, to specifically include TxDoT vehicles.

Even though TxDoT vehicles were added to Section 545.157, Transportation Code, the law does not specify any other highway maintenance vehicles contracted by TxDoT. This poses a risk to those contracted workers working on Texas roads. S.B. 1363 amends Section 545.157 of the Transportation Code by adding vehicles contracted by TxDoT, giving them the same protection already given to emergency vehicles, tow trucks, and TxDoT vehicles.

In addition to protecting highway maintenance vehicles contracted through TxDoT, S.B. 1363 also adds service vehicles used in the maintenance of an electrical power line to the "move over/slow down" law.

As proposed, S.B. 1363 amends current law relating to highway maintenance vehicles and certain service vehicles.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 545.157(a), Transportation Code, as follows:

(a) Provides that this section applies only to the following vehicles:

- (1) makes no changes to this subdivision;
- (2) makes a nonsubstantive change to this subdivision;
- (3) a Texas Department of Transportation Vehicle (TxDOT) or a highway maintenance vehicle operated pursuant to a contract awarded under Subchapter A (Competitive Bids), Chapter 223 (Bids and Contracts for Highway Projects), not separated from the roadway by a traffic control channelizing device and using visual signals that comply with the standards and specifications adopted Section 547.105 (Maintenance and Service Vehicle Lighting Standards); and
- (4) a service vehicle used in the maintenance of an electrical power line and using visual signals that comply with the standards and specifications adopted under Section 547.105.

SECTION 2. Amends Section 547.001(2-b), Transportation Code, as follows:

(2-b) Provides that "highway maintenance vehicle" includes equipment for:

(A) road maintenance, including:

(i) equipment for snow removal, line striping, skid resistance testing, sweeping, spraying, guard rail repair, sign maintenance, and temporary traffic control device placement or removal;

(ii)-(iii) makes no changes to these subparagraphs; and

(B) makes no changes to this paragraph.

SECTION 3. Effective date: September 1, 2019.