

AN ACT

relating to highway maintenance or construction vehicles, certain service vehicles, and escort flag vehicles, including the use of certain lighting equipment on those vehicles.

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

SECTION 1. Section 545.157(a), Transportation Code, is amended to read as follows:

(a) This section applies only to the following vehicles:

(1) a stationary authorized emergency vehicle using visual signals that meet the requirements of Sections 547.305 and 547.702;

(2) a stationary tow truck using equipment authorized by Section 547.305(d); ~~and~~

(3) a Texas Department of Transportation vehicle or a highway maintenance or construction vehicle operated pursuant to a contract awarded under Subchapter A, Chapter 223, not separated from the roadway by a traffic control channelizing device and using visual signals that comply with the standards and specifications adopted under Section 547.105;

(4) a service vehicle used by or for a utility, as defined by Section 203.091, and using visual signals that comply with the standards and specifications adopted under Section 547.105; and

(5) a stationary vehicle used exclusively to transport

1 municipal solid waste, as defined by Section 361.003, Health and  
2 Safety Code, or recyclable material, as defined by Section 361.421,  
3 Health and Safety Code, while being operated in connection with the  
4 removal or transportation of municipal solid waste or recyclable  
5 material from a location adjacent to the highway.

6 SECTION 2. Section 547.001(2-b), Transportation Code, is  
7 amended to read as follows:

8 (2-b) "Highway maintenance or construction vehicle"  
9 means a highway or traffic maintenance or construction vehicle  
10 designated by the Texas Department of Transportation. The term  
11 includes equipment for:

12 (A) road maintenance or construction, including:  
13 (i) equipment for snow removal, line  
14 striping, skid resistance testing, sweeping, ~~and~~ spraying,  
15 guardrail repair, sign maintenance, and temporary traffic-control  
16 device placement or removal;

17 (ii) aerial platform lift machines; and

18 (iii) road profiler machines; and

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

22 SECTION 3. The heading to Section 547.105, Transportation  
23 Code, is amended to read as follows:

24 Sec. 547.105. [~~MAINTENANCE AND SERVICE VEHICLE~~] LIGHTING  
25 STANDARDS FOR CERTAIN VEHICLES.

26 SECTION 4. Sections 547.105(a) and (b), Transportation  
27 Code, are amended to read as follows:

1 (a) The Texas Department of Transportation shall adopt  
2 standards and specifications that:

3 (1) apply to lamps on highway maintenance or  
4 construction vehicles and service vehicles; and

5 (2) correlate with and conform as closely as possible  
6 to standards and specifications approved by the American  
7 Association of State Highway and Transportation Officials.

8 (b) The Texas Department of Transportation may adopt  
9 standards and specifications for lighting that permit the use of  
10 flashing lights for identification purposes on highway maintenance  
11 or construction vehicles and service vehicles.

12 SECTION 5. Section 547.305, Transportation Code, is amended  
13 by amending Subsections (e) and (f) and adding Subsections (e-3)  
14 and (e-4) to read as follows:

15 (e) A person may not operate a highway maintenance or  
16 construction vehicle or service vehicle that is not equipped with  
17 lamps or that does not display lighted lamps as required by the  
18 standards and specifications adopted by the Texas Department of  
19 Transportation.

20 (e-3) An escort flag vehicle may be equipped with  
21 alternating or flashing blue and amber lights.

22 (e-4) A vehicle described by Section 545.157(a) may be  
23 equipped with flashing blue lights.

24 (f) In this section:

25 (1) "Escort flag vehicle" means a vehicle that  
26 precedes or follows an oversize or overweight vehicle described by  
27 Subtitle E for the purpose of facilitating the safe movement of the

1 oversize or overweight vehicle over roads.

2           (2) "Security patrol vehicle" means a motor vehicle  
3 being used for the purpose of providing security services by:

4                   (A) a guard company described by Section  
5 [1702.108](#), Occupations Code; or

6                   (B) a security officer as defined by Section  
7 [1702.002](#), Occupations Code.

8           (3) [~~(2)~~] "Tow truck" means a motor vehicle or  
9 mechanical device that is adapted or used to tow, winch, or move a  
10 disabled vehicle.

11           SECTION 6. As soon as practicable after the effective date  
12 of this Act, the Texas Department of Transportation shall adopt  
13 standards and specifications relating to lamps and lighting on  
14 highway construction vehicles, as required by Section [547.105](#),  
15 Transportation Code, as amended by this Act.

16           SECTION 7. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 61 was passed by the House on March 27, 2019, by the following vote: Yeas 143, Nays 4, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 61 on April 29, 2019, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 61 was passed by the Senate, with amendments, on April 17, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor