

By: Canales

H.B. No. 2837

A BILL TO BE ENTITLED

AN ACT

relating to the operation of and equipment for vehicles.

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

SECTION 1. Section 522.004(a), Transportation Code, is amended to read as follows:

(a) This chapter does not apply to:

(1) a vehicle that is controlled and operated by a farmer and:

(A) used to transport agricultural products, farm machinery, or farm supplies to or from a farm;

(B) used within 150 miles of the person's farm; and

(C) not used in the operations of a common or contract motor carrier;

(2) a fire-fighting or emergency vehicle necessary to the preservation of life or property or the execution of emergency governmental functions, whether operated by an employee of a political subdivision or by a volunteer fire fighter;

(3) a military vehicle or a commercial motor vehicle, when operated for military purposes by military personnel, including:

(A) active duty military personnel, including personnel serving in the United States Coast Guard; and

(B) members of the reserves and national guard on

1 active duty, including personnel on full-time national guard duty,
2 personnel engaged in part-time training, and national guard
3 military technicians;

4 (4) a recreational vehicle that is driven for personal
5 use;

6 (5) a vehicle that is owned, leased, or controlled by
7 an air carrier, as defined by Section 21.155, and that is driven or
8 operated exclusively by an employee of the air carrier only on the
9 premises of an airport, as defined by Section 22.001, on service
10 roads to which the public does not have access; ~~or~~

11 (6) a vehicle used exclusively to transport seed
12 cotton modules or cotton burrs;

13 (7) a vehicle, including a vehicle described by
14 Section 504.502(i), that is:

15 (A) operated intrastate; and

16 (B) driven by an individual not for compensation
17 and not in the furtherance of a commercial enterprise; or

18 (8) a covered farm vehicle as defined by 49 C.F.R.
19 Section 390.5.

20 SECTION 2. Section 545.058(c), Transportation Code, is
21 amended to read as follows:

22 (c) A limitation in this section on driving on an improved
23 shoulder does not apply to:

24 (1) an authorized emergency vehicle responding to a
25 call;

26 (2) a police patrol; ~~or~~

27 (3) a bicycle; or

1 (4) a slow-moving vehicle, as defined by Section
2 547.001.

3 SECTION 3. Section 545.156(a), Transportation Code, is
4 amended to read as follows:

5 (a) On the immediate approach of an authorized emergency
6 vehicle using audible and visual signals that meet the requirements
7 of Sections 547.305 and 547.702, or of a police vehicle lawfully
8 using only an audible or visual signal, an operator, unless
9 otherwise directed by a police officer, shall:

- 10 (1) yield the right-of-way;
- 11 (2) immediately drive to a position parallel to and as
12 close as possible to the right-hand edge or curb of the roadway
13 clear of any intersection; and
- 14 (3) stop and remain standing until the authorized
15 emergency vehicle has passed.

16 SECTION 4. Section 546.002(b), Transportation Code, is
17 amended to read as follows:

18 (b) Sections 546.001(2), (3), and (4) apply [~~Section~~
19 ~~546.001 applies~~] only when the operator is:

- 20 (1) responding to an emergency call;
- 21 (2) pursuing an actual or suspected violator of the
22 law;
- 23 (3) responding to but not returning from a fire alarm;
- 24 (4) directing or diverting traffic for public safety
25 purposes; or
- 26 (5) conducting a police escort.

27 SECTION 5. Section 547.405(d), Transportation Code, is

1 amended to read as follows:

2 (d) A trailer, semitrailer, or pole trailer that is equipped
3 with air or vacuum brakes or that has a gross weight heavier than
4 4,500 [~~3,000~~] pounds shall be equipped with brakes that:

5 (1) operate on all wheels required to have brakes
6 under Section 547.402; and

7 (2) are promptly applied automatically and remain
8 applied for at least 15 minutes in case of a breakaway from the
9 towing vehicle.

10 SECTION 6. Section 504.947, Transportation Code, is
11 repealed.

12 SECTION 7. The change in law made by this Act applies only
13 to an offense committed on or after the effective date of this Act.
14 An offense committed before the effective date of this Act is
15 governed by the law in effect on the date the offense was committed,
16 and the former law is continued in effect for that purpose. For
17 purposes of this section, an offense was committed before the
18 effective date of this Act if any element of the offense occurred
19 before that date.

20 SECTION 8. This Act takes effect September 1, 2019.