

By: Canales

H.B. No. 2837

Substitute the following for H.B. No. 2837:

By: Landgraf

C.S.H.B. No. 2837

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the operation of and equipment for vehicles.

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

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

6 (a) This chapter does not apply to:

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

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

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

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

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

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

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

24 (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 that is:

14 (A) operated intrastate; and

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

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

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

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

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

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

26 (3) a bicycle; or

27 (4) a slow-moving vehicle, as defined by Section

1 [547.001](#).

2 SECTION 3. Section [545.156](#)(a), Transportation Code, is  
3 amended to read as follows:

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

9 (1) yield the right-of-way;

10 (2) immediately drive to a position parallel to and as  
11 close as possible to the right-hand edge or curb of the roadway  
12 clear of any intersection; and

13 (3) stop and remain standing until the authorized  
14 emergency vehicle has passed.

15 SECTION 4. Section [546.002](#)(b), Transportation Code, is  
16 amended to read as follows:

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

19 (1) responding to an emergency call;

20 (2) pursuing an actual or suspected violator of the  
21 law;

22 (3) responding to but not returning from a fire alarm;

23 (4) directing or diverting traffic for public safety  
24 purposes; or

25 (5) conducting a police escort.

26 SECTION 5. Section [547.405](#)(d), Transportation Code, is  
27 amended to read as follows:

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

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

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

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

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

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