

1-1 By: Canales (Senate Sponsor - Hinojosa) H.B. No. 2837
 1-2 (In the Senate - Received from the House April 24, 2019;
 1-3 April 29, 2019, read first time and referred to Committee on
 1-4 Transportation; May 9, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-6 May 9, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	Nichols			
1-10	Hancock			
1-11	Alvarado			
1-12	Hinojosa			
1-13	Kolkhorst			
1-14	Perry			
1-15	Rodríguez			
1-16	Schwertner		X	
1-17	West	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2837 By: Hinojosa

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the operation of and equipment for vehicles.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 522.004(a), Transportation Code, is
 1-24 amended to read as follows:
 1-25 (a) This chapter does not apply to:
 1-26 (1) a vehicle that is controlled and operated by a
 1-27 farmer and:
 1-28 (A) used to transport agricultural products,
 1-29 farm machinery, or farm supplies to or from a farm;
 1-30 (B) used within 150 miles of the person's farm;
 1-31 and
 1-32 (C) not used in the operations of a common or
 1-33 contract motor carrier;
 1-34 (2) a fire-fighting or emergency vehicle necessary to
 1-35 the preservation of life or property or the execution of emergency
 1-36 governmental functions, whether operated by an employee of a
 1-37 political subdivision or by a volunteer fire fighter;
 1-38 (3) a military vehicle or a commercial motor vehicle,
 1-39 when operated for military purposes by military personnel,
 1-40 including:
 1-41 (A) active duty military personnel, including
 1-42 personnel serving in the United States Coast Guard; and
 1-43 (B) members of the reserves and national guard on
 1-44 active duty, including personnel on full-time national guard duty,
 1-45 personnel engaged in part-time training, and national guard
 1-46 military technicians;
 1-47 (4) a recreational vehicle that is driven for personal
 1-48 use;
 1-49 (5) a vehicle that is owned, leased, or controlled by
 1-50 an air carrier, as defined by Section 21.155, and that is driven or
 1-51 operated exclusively by an employee of the air carrier only on the
 1-52 premises of an airport, as defined by Section 22.001, on service
 1-53 roads to which the public does not have access; ~~or~~
 1-54 (6) a vehicle used exclusively to transport seed
 1-55 cotton modules or cotton burrs;
 1-56 (7) a vehicle, including a vehicle described by
 1-57 Section 504.502(i), that is:
 1-58 (A) operated intrastate; and
 1-59 (B) driven by an individual not for compensation
 1-60 and not in the furtherance of a commercial enterprise; or
 1-61 (8) a covered farm vehicle as defined by 49 C.F.R.

2-1 Section 390.5.

2-2 SECTION 2. Section 545.058(c), Transportation Code, is
2-3 amended to read as follows:

2-4 (c) A limitation in this section on driving on an improved
2-5 shoulder does not apply to:

- 2-6 (1) an authorized emergency vehicle responding to a
2-7 call;
- 2-8 (2) a police patrol; [~~or~~]
- 2-9 (3) a bicycle; or
- 2-10 (4) a slow-moving vehicle, as defined by Section
2-11 547.001.

2-12 SECTION 3. Section 545.156(a), Transportation Code, is
2-13 amended to read as follows:

2-14 (a) On the immediate approach of an authorized emergency
2-15 vehicle using audible and visual signals that meet the requirements
2-16 of Sections 547.305 and 547.702, or of a police vehicle lawfully
2-17 using only an audible or visual signal, an operator, unless
2-18 otherwise directed by a police officer, shall:

- 2-19 (1) yield the right-of-way;
- 2-20 (2) immediately drive to a position parallel to and as
2-21 close as possible to the right-hand edge or curb of the roadway
2-22 clear of any intersection; and
- 2-23 (3) stop and remain standing until the authorized
2-24 emergency vehicle has passed.

2-25 SECTION 4. Section 546.002(b), Transportation Code, is
2-26 amended to read as follows:

2-27 (b) Sections 546.001(2), (3), and (4) apply [~~Section~~
2-28 ~~546.001 applies~~] only when the operator is:

- 2-29 (1) responding to an emergency call;
- 2-30 (2) pursuing an actual or suspected violator of the
2-31 law;
- 2-32 (3) responding to but not returning from a fire alarm;
- 2-33 (4) directing or diverting traffic for public safety
2-34 purposes; or
- 2-35 (5) conducting a police escort.

2-36 SECTION 5. Section 547.405(d), Transportation Code, is
2-37 amended to read as follows:

2-38 (d) A trailer, semitrailer, or pole trailer that is equipped
2-39 with air or vacuum brakes or that has a gross weight heavier than
2-40 4,500 [~~3,000~~] pounds shall be equipped with brakes that:

- 2-41 (1) operate on all wheels required to have brakes
2-42 under Section 547.402; and
- 2-43 (2) are promptly applied automatically and remain
2-44 applied for at least 15 minutes in case of a breakaway from the
2-45 towing vehicle.

2-46 SECTION 6. Section 547.703(a), Transportation Code, is
2-47 amended to read as follows:

2-48 (a) Except as provided by Subsection (b), a slow-moving
2-49 vehicle shall display a slow-moving-vehicle emblem that:

- 2-50 (1) has a reflective surface designed to be clearly
2-51 visible in daylight or at night from the light of standard
2-52 automobile headlamps at a distance of at least 500 feet;
- 2-53 (2) is mounted base down on the rear of the vehicle and
2-54 at a height that does not impair the visibility of the emblem [~~from~~
2-55 ~~three to five feet above the road surface~~]; and
- 2-56 (3) is maintained in a clean, reflective condition.

2-57 SECTION 7. Section 504.947, Transportation Code, is
2-58 repealed.

2-59 SECTION 8. The change in law made by this Act applies only
2-60 to an offense committed on or after the effective date of this Act.
2-61 An offense committed before the effective date of this Act is
2-62 governed by the law in effect on the date the offense was committed,
2-63 and the former law is continued in effect for that purpose. For
2-64 purposes of this section, an offense was committed before the
2-65 effective date of this Act if any element of the offense occurred
2-66 before that date.

2-67 SECTION 9. This Act takes effect September 1, 2019.