

SENATE AMENDMENTS

2nd Printing

By: White

H.B. No. 61

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of certain lighting equipment on escort flag
3 vehicles.

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

5 SECTION 1. Section 547.305, Transportation Code, is amended
6 by adding Subsection (e-3) and amending Subsection (f) to read as
7 follows:

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

10 (f) In this section:

11 (1) "Escort flag vehicle" means a vehicle that
12 precedes or follows an oversize or overweight vehicle described by
13 Subtitle E for the purpose of facilitating the safe movement of the
14 oversize or overweight vehicle over roads.

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

17 (A) a guard company described by Section
18 1702.108, Occupations Code; or

19 (B) a security officer as defined by Section
20 1702.002, Occupations Code.

21 (3) [~~(2)~~] "Tow truck" means a motor vehicle or
22 mechanical device that is adapted or used to tow, winch, or move a
23 disabled vehicle.

24 SECTION 2. This Act takes effect September 1, 2019.

ADOPTED

APR 17 2019

Debra Spaw
Secretary of the Senate

By: White

H.B. No. 61

Substitute the following for H.B. No. 61 :

By: *White*

C.S. H.B. No. 61

A BILL TO BE ENTITLED

1

AN ACT

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

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

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

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

9 (1) a stationary authorized emergency vehicle using
10 visual signals that meet the requirements of Sections 547.305 and
11 547.702;

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

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

20 (4) a service vehicle used by or for a utility, as
21 defined by Section 203.091, and using visual signals that comply
22 with the standards and specifications adopted under Section
23 547.105; and

24 (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.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 18, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB61 by White (Relating to highway maintenance or construction vehicles, certain service vehicles, and escort flag vehicles, including the use of certain lighting equipment on those vehicles.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: WP, SD, JGAn, SGr, TG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 11, 2019

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB61 by White (relating to highway maintenance or construction vehicles, certain service vehicles, and escort flag vehicles, including the use of certain lighting equipment on those vehicles.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: WP, JGAn, SGr, TG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 4, 2019

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB61 by White (Relating to the use of certain lighting equipment on escort flag vehicles.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: WP, JGAn, SGr, TG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

February 25, 2019

TO: Honorable Terry Canales, Chair, House Committee on Transportation

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB61 by White (Relating to the use of certain lighting equipment on escort flag vehicles.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: WP, JGAn, SGr, TG