

House Bill 2837
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

[~~Ø~~]

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

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SECTION 1. Same as House version.

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

(A) operated intrastate; and

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

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

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

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

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

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

(3) a bicycle; or

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

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

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

(1) yield the right-of-way;

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

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

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SECTION 2. Same as House version.

SECTION 3. Same as House version.

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

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

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

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

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

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

No equivalent provision.

SECTION 4. Same as House version.

SECTION 5. Same as House version.

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

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

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

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

SECTION 7. Same as House version.

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

SECTION 8. Same as House version.

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

SECTION 9. Same as House version.