

BILL ANALYSIS

H.B. 2616
By: Vasut
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Medical examiners and justices of the peace may be called upon to travel to the scenes of motor vehicle accidents and other incident scenes to perform the duty of a coroner. These individuals may experience delays in traveling to the scene if they are unable to utilize emergency lights to identify their vehicles and safely navigate around traffic. When a medical examiner or justice of the peace is delayed arriving to a scene, public safety may be further impaired as first responders are tied up on scene, unable to respond to other incidents and unable to clear a motor vehicle accident from the public roadways. H.B. 2616 seeks to allow medical examiners and justices of the peace to utilize emergency lights on their vehicles while executing their duties as a coroner in order to efficiently and safely respond to the scene of a fatality.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2616 amends the Transportation Code to provide that a medical examiner vehicle owned or leased by a governmental entity for use by a medical examiner or an employee of a medical examiner in the course of official duties and a vehicle operated by a justice of the peace in the course and scope of the justice's duties as a coroner may be equipped with either mounted signal lamps that comply with the requirements for authorized emergency vehicles or a signal lamp that is temporarily attached to the vehicle roof and flashes red and blue lights visible at a distance of at least 500 feet in normal sunlight. The bill limits the use of such lighting equipment by the operator of a medical examiner vehicle or a justice of the peace to when, as follows:

- necessary to warn other vehicle operators or pedestrians of the approach of the medical examiner vehicle or vehicle operated by a justice of the peace, as applicable; and
- operating the vehicle in the course and scope of the operator's or justice's duties relating to an inquest upon a dead body.

The bill expressly does not exempt the operator of an authorized emergency vehicle using the applicable signals from the duty to drive with due regard for the safety of all persons using the highway and makes applicable to the operator of a vehicle approached by these vehicles the right-of-way provisions currently applicable to the operator of a vehicle approached by an authorized emergency vehicle using both audible and visual signals.

EFFECTIVE DATE

September 1, 2023.