

1-1 By: White (Senate Sponsor - Nichols) H.B. No. 61
 1-2 (In the Senate - Received from the House April 1, 2019;
 1-3 April 2, 2019, read first time and referred to Committee on
 1-4 Transportation; April 11, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 April 11, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 61 By: Nichols

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

1-21 relating to highway maintenance or construction vehicles, certain
 1-22 service vehicles, and escort flag vehicles, including the use of
 1-23 certain lighting equipment on those vehicles.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 545.157(a), Transportation Code, is
 1-26 amended to read as follows:

1-27 (a) This section applies only to the following vehicles:

1-28 (1) a stationary authorized emergency vehicle using
 1-29 visual signals that meet the requirements of Sections 547.305 and
 1-30 547.702;

1-31 (2) a stationary tow truck using equipment authorized
 1-32 by Section 547.305(d); ~~and~~

1-33 (3) a Texas Department of Transportation vehicle or a
 1-34 highway maintenance or construction vehicle operated pursuant to a
 1-35 contract awarded under Subchapter A, Chapter 223, not separated
 1-36 from the roadway by a traffic control channelizing device and using
 1-37 visual signals that comply with the standards and specifications
 1-38 adopted under Section 547.105;

1-39 (4) a service vehicle used by or for a utility, as
 1-40 defined by Section 203.091, and using visual signals that comply
 1-41 with the standards and specifications adopted under Section
 1-42 547.105; and

1-43 (5) a stationary vehicle used exclusively to transport
 1-44 municipal solid waste, as defined by Section 361.003, Health and
 1-45 Safety Code, or recyclable material, as defined by Section 361.421,
 1-46 Health and Safety Code, while being operated in connection with the
 1-47 removal or transportation of municipal solid waste or recyclable
 1-48 material from a location adjacent to the highway.

1-49 SECTION 2. Section 547.001(2-b), Transportation Code, is
 1-50 amended to read as follows:

1-51 (2-b) "Highway maintenance or construction vehicle"
 1-52 means a highway or traffic maintenance or construction vehicle
 1-53 designated by the Texas Department of Transportation. The term
 1-54 includes equipment for:

1-55 (A) road maintenance or construction, including:

1-56 (i) equipment for snow removal, line
 1-57 striping, skid resistance testing, sweeping, ~~and~~ spraying,
 1-58 guardrail repair, sign maintenance, and temporary traffic-control
 1-59 device placement or removal;

1-60 (ii) aerial platform lift machines; and

2-1 (iii) road profiler machines; and
2-2 (B) road construction or off-road use, including
2-3 motor graders, road rollers, excavators, pneumatic tire equipment,
2-4 movers, and tractors.

2-5 SECTION 3. The heading to Section 547.105, Transportation
2-6 Code, is amended to read as follows:

2-7 Sec. 547.105. [~~MAINTENANCE AND SERVICE VEHICLE~~] LIGHTING
2-8 STANDARDS FOR CERTAIN VEHICLES.

2-9 SECTION 4. Sections 547.105(a) and (b), Transportation
2-10 Code, are amended to read as follows:

2-11 (a) The Texas Department of Transportation shall adopt
2-12 standards and specifications that:

2-13 (1) apply to lamps on highway maintenance or
2-14 construction vehicles and service vehicles; and

2-15 (2) correlate with and conform as closely as possible
2-16 to standards and specifications approved by the American
2-17 Association of State Highway and Transportation Officials.

2-18 (b) The Texas Department of Transportation may adopt
2-19 standards and specifications for lighting that permit the use of
2-20 flashing lights for identification purposes on highway maintenance
2-21 or construction vehicles and service vehicles.

2-22 SECTION 5. Section 547.305, Transportation Code, is amended
2-23 by amending Subsections (e) and (f) and adding Subsections (e-3)
2-24 and (e-4) to read as follows:

2-25 (e) A person may not operate a highway maintenance or
2-26 construction vehicle or service vehicle that is not equipped with
2-27 lamps or that does not display lighted lamps as required by the
2-28 standards and specifications adopted by the Texas Department of
2-29 Transportation.

2-30 (e-3) An escort flag vehicle may be equipped with
2-31 alternating or flashing blue and amber lights.

2-32 (e-4) A vehicle described by Section 545.157(a) may be
2-33 equipped with flashing blue lights.

2-34 (f) In this section:

2-35 (1) "Escort flag vehicle" means a vehicle that
2-36 precedes or follows an oversize or overweight vehicle described by
2-37 Subtitle E for the purpose of facilitating the safe movement of the
2-38 oversize or overweight vehicle over roads.

2-39 (2) "Security patrol vehicle" means a motor vehicle
2-40 being used for the purpose of providing security services by:

2-41 (A) a guard company described by Section
2-42 1702.108, Occupations Code; or

2-43 (B) a security officer as defined by Section
2-44 1702.002, Occupations Code.

2-45 (3) [~~(2)~~] "Tow truck" means a motor vehicle or
2-46 mechanical device that is adapted or used to tow, winch, or move a
2-47 disabled vehicle.

2-48 SECTION 6. As soon as practicable after the effective date
2-49 of this Act, the Texas Department of Transportation shall adopt
2-50 standards and specifications relating to lamps and lighting on
2-51 highway construction vehicles, as required by Section 547.105,
2-52 Transportation Code, as amended by this Act.

2-53 SECTION 7. This Act takes effect September 1, 2019.

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