CHAPTER 6

,

<u>S.B. No. 510</u>

HRe (FE

	· • •
1	AN ACT
2	relating to passing certain vehicles on a highway; providing a
3	penalty.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Section 545.157, Transportation Code, is amended
6	to read as follows:
7	Sec. 545.157. PASSING <u>CERTAIN VEHICLES</u> [AUTHORIZED
8	EMERCENCY VEHICLE]. (a) This section applies only to the
9	following vehicles:
10	<u>(1)</u> [On approaching] a stationary authorized
11	emergency vehicle using visual signals that meet the requirements
12	of Sections 547.305 and 547.702 <u>;</u>
13	<u>(2)</u> [, or] a stationary tow truck using equipment
14	authorized by Section 547.305(d); and
15	(3) a Texas Department of Transportation vehicle not
16	separated from the roadway by a traffic control channelizing device
17	and using visual signals that comply with the standards and
18	specifications adopted under Section 547.105.
19	(b) On approaching a vehicle described by Subsection (a), an
20	operator, unless otherwise directed by a police officer, shall:
21	 vacate the lane closest to the [emergency] vehicle
22	[or-tow truck] when driving on a highway with two or more lanes
23	traveling in the direction of the [emergency] vehicle [or tow
24	truck]; or

<u>1</u>

<u>S.B. No. 510</u>

142.0 F

1 (2) slow to a speed not to exceed: 2 (A) 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or more; or 3 4 (B) five miles per hour when the posted speed limit is less than 25 miles per hour. 5 6 (c) [(b)] A violation of this section is: 7 (1)a misdemeanor punishable under Section 542.401; 8 (2) a misdemeanor punishable by a fine of \$500 if the 9 violation results in property damage; or 10 a Class B misdemeanor if the violation results in (3)11 bodily injury. 12 (d) [(c)] If conduct constituting an offense under this 13 section also constitutes an offense under another section of this code or the Penal Code, the actor may be prosecuted under either 14 section or under both sections. 15 16 (e) [(d)] In this section: 17 (1) "Tow[, "tow] truck" means a vehicle that: 18 (A) [(1)] has been issued permit а under Subchapter C, Chapter 2308, Occupations Code; and 19 20 (B) [(2)] is operated by a person licensed under 21 Subchapter D, Chapter 2308, Occupations Code. 22 (2) "Traffic control channelizing device" means 23 equipment used to warn and alert drivers of conditions created by work activities in or near the traveled way, to protect workers in a 24 temporary traffic control zone, and to guide drivers and 25 pedestrians safely. The term includes a traffic cone, tubular 26 marker, vertical panel, drum, barricade, temporary raised island, 27

<u>2</u>

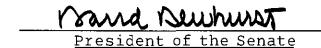
S.B. No. 510

Han In

concrete or cable barrier, guardrail, or channelizer. 1 2 SECTION 2. Subsection (b), Section 545.301, Transportation Code, is amended to read as follows: 3 4 (b) This section does not apply to an operator of: a vehicle that is disabled while on the paved or 5 (1)6 main traveled part of a highway if it is impossible to avoid stopping and temporarily leaving the vehicle on the highway; 7 8 (2) a vehicle used exclusively to transport solid, semisolid, or liquid waste operated at the time in connection with 9 the removal or transportation of solid, semisolid, or liquid waste 10 11 from a location adjacent to the highway; or 12 (3) a tow truck, as defined by Section 545.157(e) 13 [545.157(d)], that is performing towing duties under Chapter 2308, 14 Occupations Code. SECTION 3. This Act takes effect September 1, 2013. 15

<u>3</u>

S.B. No. 510



Speaker of the House

I hereby certify that S.B. No. 510 passed the Senate on March 21, 2013, by the following vote: Yeas 31, Nays 0._

Secretary of the <u>Senate</u>

of

the

I hereby certify that S.B. No. 510 passed the House on April 18, 2013, by the following vote: Yeas 142, Nays 1, two present not voting.____

Chief

Approved:

VA1'/3 Date ·· Pepey

FILED IN THE OFFICE OF THE SECRETARY OF STATE O'CLOCK MAY 02 2013