

BILL ANALYSIS

Senate Research Center
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H.B. 3087
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Informed observers report that there is a need for clarification regarding the types of highway maintenance or service vehicles for which the Texas Department of Transportation (TxDOT) adopts lighting specifications and standards. H.B. 3087 seeks to provide clarity in this regard.

H.B. 3087 amends the Transportation Code to define for purposes of certain provisions governing vehicle equipment "highway maintenance vehicle" as a highway or traffic maintenance vehicle designated by TxDOT, including certain equipment, and "service vehicle" as a highway or traffic maintenance vehicle that is owned and operated on a highway by or for a governmental agency and performs a function requiring the use of a lamp or illuminating device in accordance with adopted standards and specifications or that has a public service function, including public utility vehicles, tow trucks, and any vehicle designated as a service vehicle by TxDOT or as a certain escort flag vehicle. The bill expands from highway maintenance equipment to highway or traffic maintenance vehicles, which include such equipment, and service vehicles the type of equipment for which TxDOT adopts lighting standards and specifications and makes that expansion applicable to the prohibition against operating equipment that is not equipped with lamps or does not display the required lighted lamps.

H.B. 3087 amends current law relating to the definitions of highway maintenance and service vehicles for purposes of certain provisions governing vehicle equipment.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 547.001, Transportation Code, by adding Subdivisions (2-b) and (6-a), as follows:

(2-b) Provides that "highway maintenance vehicle" means a highway or traffic maintenance vehicle designated by the Texas Department of Transportation (TxDOT) and provides that the term includes certain equipment for road maintenance and off-road use.

(6-a) Provides that "service vehicle" means a highway or traffic maintenance vehicle that:

(A) is owned and operated on a highway by or for a governmental agency and performs a function requiring the use of a lamp or illuminating device in accordance with the standards and specifications adopted under Section 547.105 (Maintenance and Service Equipment Lighting Standards); or

(B) has a public service function, including certain vehicles designated as service vehicles by TxDOT or as an escort flag vehicle under Section 623.099 (Escort Flag Vehicle).

SECTION 2. Amends the heading to Section 547.105, Transportation Code, to read as follows:

Sec. 547.105. MAINTENANCE AND SERVICE VEHICLE LIGHTING STANDARDS.

SECTION 3. Amends Sections 547.105(a) and (b), Transportation Code, as follows:

(a) Requires TxDOT to adopt standards and specifications that apply to lamps on highway maintenance and service vehicles, rather than adopt standards and specifications that apply to lamps on highway maintenance and service equipment, including snow-removal equipment.

(b) Authorizes TxDOT to adopt standards and specifications for lighting that permit the use of flashing lights for identification purposes on highway maintenance and service vehicles, rather than for identification purposes on highway maintenance and service equipment, including snow-removal equipment.

SECTION 4. Amends Section 547.305(e), Transportation Code, to prohibit a person from operating a highway maintenance or service vehicle that is not equipped with lamps or that does not display lighted lamps as required by standards and specifications adopted by TxDOT, rather than to prohibit a person from operating highway maintenance or service equipment, including snow-removal equipment, that is not equipped with lamps or that does not display lighted lamps as required by standards and specifications adopted by TxDOT.

SECTION 5. Effective date: September 1, 2017.