

- SUBJECT:** Removing restrictions on the operation of emergency vehicles
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 12 ayes — Morrison, Martinez, Burkett, Y. Davis, Goldman, Israel, Minjarez, Phillips, Pickett, Simmons, E. Thompson, Wray
- 0 nays
- 1 absent — S. Thompson
- WITNESSES:** For — Mike Gomez, Texas Municipal Police Association; (*Registered, but did not testify*: TJ Patterson, City of Fort Worth; Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Ky Ash, Department of Public Safety Officers Association)
- Against — None
- On — (*Registered, but did not testify*: Justin Chrane, Texas Department of Public Safety)
- BACKGROUND:** Under Transportation Code, sec. 545.156, on the immediate approach of an authorized emergency vehicle using audible and visual signals or of a police vehicle lawfully using only an audible signal, a vehicle operator must yield the right-of-way and pull to a stop as close as possible to the right-hand side of the road until the emergency or police vehicle has passed.
- Sec. 546.002 allows operators of emergency vehicles to park or stand, proceed past a stop signal, exceed the speed limit, or disregard certain other traffic laws when:
- responding to an emergency call;
 - pursuing an actual or suspected violator of the law;
 - responding to but not returning from a fire alarm;

- directing or diverting traffic for public safety; or
- conducting a police escort.

Observers note that police officers are required only to use a siren when requiring other drivers to yield but suggest that law enforcement should have discretion about whether to flash their lights or use their siren in these situations. Concerns also have been raised that emergency vehicles may be restricted from illegally parking except under specific conditions, which may prevent operators from parking in the safest location.

DIGEST:

HB 1223 would require a vehicle operator to yield the right-of-way to an approaching police vehicle using an audible or visual signal. The bill also would specify that an authorized emergency vehicle operator could park or stand the vehicle regardless of whether the operator was engaged in an activity outlined in Transportation Code, sec. 546.002.

The bill would take effect September 1, 2017.