Sec. 547.305. RESTRICTIONS ON USE OF LIGHTS.

(a) A motor vehicle lamp or illuminating device, other than a headlamp, spot lamp, auxiliary lamp, turn signal lamp, or emergency vehicle, tow truck, or school bus warning lamp, that projects a beam with an intensity brighter than 300 candlepower shall be directed so that no part of the high-intensity portion of the beam strikes the roadway at a distance of more than 75 feet from the vehicle.

(b) Except as expressly authorized by law, a person may not operate or move equipment or a vehicle, other than a police vehicle, with a lamp or device that displays a red light visible from directly in front of the center of the equipment or vehicle.

(c) A person may not operate a motor vehicle equipped with a red, white, or blue beacon, flashing, or alternating light unless the equipment is:

(1) used as specifically authorized by this chapter; or

(2) a running lamp, headlamp, taillamp, backup lamp, or turn signal lamp that is used as authorized by law.

(d) A vehicle may be equipped with alternately flashing lighting equipment described by Section 547.701 or 547.702 only if the vehicle is:

(1) a school bus;

(2) an authorized emergency vehicle;

(3) a church bus that has the words "church bus" printed on the front and rear of the bus so as to be clearly discernable to other vehicle operators;

(4) a tow truck while under the direction of a law enforcement officer at the scene of an accident or while hooking up to a disabled vehicle on a roadway; or
(5) a tow truck with a mounted light bar which has turn signals and stop lamps in addition to those required by Sections 547.322, 547.323, and 547.324, Transportation Code.

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

(e-1) A security patrol vehicle may only be equipped with green, amber, or white lights.

(e-2) A motor vehicle is equipped with a lamp or illuminating device under this section regardless of whether the lamp or illuminating device is:

(1) attached to the motor vehicle temporarily or permanently; or

(2) activated.

(f) In this section:

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

(A) a guard company described by Section 1702.108, Occupations Code; or

(B) a security officer as defined by Section 1702.002, Occupations Code.

(2) "Tow truck" means a motor vehicle or mechanical device that is adapted or used to tow, winch, or move a disabled vehicle.

Sec. 547.322. TAILLAMPS REQUIRED. (a) Except as provided by Subsection (b), a motor vehicle, trailer, semitrailer, pole trailer, or vehicle that is towed at the end of a combination of vehicles shall be equipped with at least two taillamps.

(b) A passenger car or truck that was manufactured or assembled before the model year 1960 shall be equipped with at least one taillamp.

(c) Taillamps shall be mounted on the rear of the vehicle:
(1) at a height from 15 to 72 inches; and
(2) at the same level and spaced as widely apart as practicable if a vehicle is equipped with more than one lamp.

(d) A taillamp shall emit a red light plainly visible at a distance of 1,000 feet from the rear of the vehicle.

(e) If vehicles are traveling in combination, only the taillamps on the rearmost vehicle are required to emit a light for the distance specified in Subsection (d).

(f) A taillamp or a separate lamp shall be constructed and mounted to emit a white light that:
   (1) illuminates the rear license plate; and
   (2) makes the plate clearly legible at a distance of 50 feet from the rear.

(g) A taillamp, including a separate lamp used to illuminate a rear license plate, must emit a light when a headlamp or auxiliary driving lamp is lighted.

Sec. 547.323. STOPLAMPS REQUIRED. (a) Except as provided by Subsection (b), a motor vehicle, trailer, semitrailer, or pole trailer shall be equipped with at least two stop lamps.

(b) A passenger car manufactured or assembled before the model year 1960 shall be equipped with at least one stop lamp.

(c) A stop lamp shall be mounted on the rear of the vehicle.

(d) A stop lamp shall emit a red or amber light, or a color between red and amber, that is:
   (1) visible in normal sunlight at a distance of at least 300 feet from the rear of the vehicle; and
   (2) displayed when the vehicle service brake is applied.

(e) If vehicles are traveling in combination, only the stop lamps on the rearmost vehicle are required to emit a light for the distance specified in Subsection (d).

(f) A stop lamp may be included as a part of another rear lamp.
Sec. 547.324. TURN SIGNAL LAMPS REQUIRED. (a) Except as provided by Subsection (b), a motor vehicle, trailer, semitrailer, or pole trailer shall be equipped with electric turn signal lamps that indicate the operator's intent to turn by displaying flashing lights to the front and rear of a vehicle or combination of vehicles and on that side of the vehicle or combination toward which the turn is to be made.

(b) Subsection (a) does not apply to a passenger car or truck less than 80 inches wide manufactured or assembled before the model year 1960.

(c) Turn signal lamps:
   (1) shall be mounted at the same level and spaced as widely apart as practicable on the front and on the rear of the vehicle; and
   (2) may be included as a part of another lamp on the vehicle.

(d) A turn signal lamp shall emit:
   (1) a white or amber light, or a color between white and amber, if the lamp is mounted on the front of the vehicle; or
   (2) a red or amber light, or a color between red and amber, if the lamp is mounted on the rear of the vehicle.

(e) A turn signal lamp must be visible in normal sunlight at a distance of:
   (1) at least 500 feet from the front and rear of the vehicle if the vehicle is at least 80 inches wide; and
   (2) at least 300 feet from the front and rear of the vehicle if the vehicle is less than 80 inches wide.

Sec. 545.157. PASSING CERTAIN VEHICLES. (a) This section applies only to the following vehicles:
   (1) a stationary authorized emergency vehicle using visual signals that meet the requirements of Sections 547.305 and 547.702;
(2) a stationary tow truck using equipment authorized by Section 547.305(d); and

(3) a Texas Department of Transportation vehicle not separated from the roadway by a traffic control channelizing device and using visual signals that comply with the standards and specifications adopted under Section 547.105.

(b) On approaching a vehicle described by Subsection (a), an operator, unless otherwise directed by a police officer, shall:

(1) vacate the lane closest to the vehicle when driving on a highway with two or more lanes traveling in the direction of the vehicle; or

(2) slow to a speed not to exceed:

(A) 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or more; or

(B) five miles per hour when the posted speed limit is less than 25 miles per hour.

(c) A violation of this section is:

(1) a misdemeanor punishable under Section 542.401;

(2) a misdemeanor punishable by a fine of $500 if the violation results in property damage; or

(3) a Class B misdemeanor if the violation results in bodily injury.

(d) If conduct constituting an offense under this section also constitutes an offense under another section of this code or the Penal Code, the actor may be prosecuted under either section or under both sections.

(e) In this section:

(1) "Tow truck" means a vehicle that:

(A) has been issued a permit under Subchapter C, Chapter 2308, Occupations Code; and

(B) is operated by a person licensed under Subchapter D, Chapter 2308, Occupations Code.
(2) "Traffic control channelizing device" means equipment used to warn and alert drivers of conditions created by work activities in or near the traveled way, to protect workers in a temporary traffic control zone, and to guide drivers and pedestrians safely. The term includes a traffic cone, tubular marker, vertical panel, drum, barricade, temporary raised island, concrete or cable barrier, guardrail or channelizer.

**HB 61 of the 86th Legislative Session **

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

(2) a stationary tow truck using equipment authorized by Section 547.305(d); [and]

(3) a Texas Department of Transportation vehicle or a highway maintenance or construction vehicle operated pursuant to a contract awarded under Subchapter A, Chapter 223, not separated from the roadway by a traffic control channelizing device and using visual signals that comply with the standards and specifications adopted under Section 547.105;
(4) a service vehicle used by or for a utility, as defined by Section 203.091, and using visual signals that comply with the standards and specifications adopted under Section 547.105; and

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

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

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

(A) road maintenance or construction, including:

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

(ii) aerial platform lift machines; and

(iii) road profiler machines; and

(B) road construction or off-road use, including motor graders, road rollers, excavators, pneumatic tire equipment, movers, and tractors.

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

Sec. 547.105. [MAINTENANCE AND SERVICE VEHICLE] LIGHTING STANDARDS FOR CERTAIN VEHICLES.
SECTION 4. Sections 547.105(a) and (b), Transportation Code, are amended to read as follows:

(a) The Texas Department of Transportation shall adopt standards and specifications that:

(1) apply to lamps on highway maintenance or construction vehicles and service vehicles;

and

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

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

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

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

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

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

(f) In this section:

(1) "Escort flag vehicle" means a vehicle that precedes or follows an oversize or overweight vehicle described by Subtitle E for the purpose of facilitating the safe movement of the oversize or overweight vehicle over roads.
(2) "Security patrol vehicle" means a motor vehicle being used for the purpose of providing security services by:

(A) a guard company described by Section 1702.108, Occupations Code; or

(B) a security officer as defined by Section 1702.002, Occupations Code.

(3) "Tow truck" means a motor vehicle or mechanical device that is adapted or used to tow, winch, or move a disabled vehicle.

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

SECTION 7. This Act takes effect September 1, 2019.