

BILL ANALYSIS

C.S.H.B. 2837
By: Canales
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the applicability and practicality of requirements relating to the operation and equipment of certain vehicles, such as covered farm vehicles, slow-moving vehicles, authorized emergency vehicles, and certain trailers. C.S.H.B. 2837 seeks to address these concerns by revising certain requirements relating to the operation and equipment of these vehicles.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2837 amends the Transportation Code to exempt a vehicle that is operated intrastate and driven by an individual not for compensation and not in the furtherance of a commercial enterprise and certain covered farm vehicles from statutory provisions relating to commercial driver's licenses. The bill exempts certain slow-moving vehicles from the limitation on driving on an improved shoulder to the right of the main traveled portion of a roadway or to the left of the main traveled portion of a divided or limited-access or controlled-access highway. The bill requires an operator of a vehicle, on the immediate approach of a police vehicle lawfully using a visual signal, unless otherwise directed by a police officer, to:

- yield the right-of-way;
- immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection; and
- stop and remain standing until the authorized emergency vehicle has passed.

C.S.H.B. 2837 removes certain limitations on the authorization for an operator to park or stand while operating an authorized emergency vehicle. The bill excepts a trailer, semitrailer, or pole trailer with a gross vehicle weight under 4,500 pounds from the requirement to be equipped with emergency brakes that operate on all wheels of the vehicle by increasing the minimum weight threshold determining whether such a requirement applies. The bill repeals a provision creating a Class C misdemeanor offense for a person who with criminal negligence uses, purchases, possesses, manufactures, sells, offers to sell, or otherwise distributes a license plate flipper.

C.S.H.B. 2837 repeals Section 504.947, Transportation Code.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2837 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include an exemption for a vehicle that is used for the purpose of participating in equine activities or attending livestock shows from statutory provisions relating to commercial driver's licenses, but the substitute includes an exemption from those provisions for a vehicle operated intrastate and driven by an individual not for compensation and not in the furtherance of a commercial enterprise.