

BILL ANALYSIS

Senate Research Center
88R10492 DIO-D

H.B. 2616
By: Vasut (LaMantia)
Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Medical examiners and justices of the peace may be called upon to travel to the scenes of motor vehicle accidents and other incident scenes to perform the duty of a coroner. These individuals may experience delays in traveling to the scene if they are unable to utilize emergency lights to identify their vehicles and safely navigate around traffic. When a medical examiner or justice of the peace is delayed arriving to a scene, public safety may be further impaired as first responders are tied up on scene, unable to respond to other incidents and unable to clear a motor vehicle accident from the public roadways. H.B. 2616 seeks to allow medical examiners and justices of the peace to utilize emergency lights on their vehicles while executing their duties as a coroner in order to efficiently and safely respond to the scene of a fatality.

H.B. 2616 amends current law relating to the operation of and lighting equipment for medical examiner vehicles and vehicles operated by justices of the peace in certain circumstances.

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 545.156, Transportation Code, as follows:

Sec. 545.156. VEHICLE APPROACHED BY AUTHORIZED EMERGENCY VEHICLE. (a) Provides that this section applies only to:

(1) creates this subdivision from existing text. Deletes existing text providing that on the immediate approach of an authorized emergency vehicle using audible and visual signals that meet the requirements of certain sections.

(2) a medical examiner vehicle, as defined by Section 547.751, lawfully using a visual signal in accordance with that section;

(3) a vehicle operated by a justice of the peace for a purpose described by Section 547.752 and lawfully using a visual signal in accordance with that section; and

(4) creates this subdivision from existing text and makes nonsubstantive changes.

(a-1) Requires an operator, on the immediate approach of a vehicle described by Subsection (a), unless otherwise directed by a police officer, to take certain actions.

(b) Provides that this section does not exempt the operator of a vehicle described by Subsection (a), rather than an authorized emergency vehicle, from the duty to drive with due regard for the safety of all persons using the highway.

SECTION 2. Amends Chapter 547, Transportation Code, by adding Subchapter L-1, as follows:

SUBCHAPTER L-1. ADDITIONAL LIGHTING EQUIPMENT AUTHORIZED FOR
MEDICAL EXAMINER VEHICLES AND VEHICLES OPERATED BY JUSTICES OF THE
PEACE IN CERTAIN CIRCUMSTANCES

Sec. 547.751. ADDITIONAL LIGHTING EQUIPMENT AUTHORIZED FOR MEDICAL EXAMINER VEHICLES. (a) Defines "medical examiner vehicle."

(b) Authorizes a medical examiner vehicle to be equipped with either:

(1) mounted signal lamps that comply with the requirements of Section 547.702(c) (relating to the equipment requirements for signal lamps of authorized emergency vehicles); or

(2) a signal lamp that is temporarily attached to the vehicle roof and flashes red and blue lights visible at a distance of at least 500 feet in normal sunlight.

(c) Authorizes the operator of a medical examiner vehicle to use the lighting equipment described by Subsection (b) only when:

(1) necessary to warn other vehicle operators or pedestrians of the approach of the medical examiner vehicle; and

(2) operating the vehicle in the course and scope of the operator's duties relating to an inquest conducted under Subchapter B (Duties Performed by Medical Examiners), Chapter 49, Code of Criminal Procedure.

Sec. 547.752. ADDITIONAL LIGHTING EQUIPMENT AUTHORIZED FOR VEHICLES OPERATED BY JUSTICES OF THE PEACE IN CERTAIN CIRCUMSTANCES. (a) Authorizes a vehicle operated by a justice of the peace in the course and scope of the justice's duties as a coroner under Subchapter A (Duties Performed by Justices of the Peace), Chapter 49, Code of Criminal Procedure, to be equipped with either:

(1) mounted signal lamps that comply with the requirements of Section 547.702(c); or

(2) a signal lamp that is temporarily attached to the vehicle roof and flashes red and blue lights visible at a distance of at least 500 feet in normal sunlight.

(b) Authorizes a justice of the peace to use the lighting equipment described by Subsection (a) only when:

(1) necessary to warn other vehicle operators or pedestrians of the approach of a vehicle operated by a justice of the peace; and

(2) operating the vehicle in the course and scope of the justice's duties relating to an inquest conducted under Subchapter A, Chapter 49, Code of Criminal Procedure.

SECTION 3. Effective date: September 1, 2023.