

CHAPTER 344

H.B. No. 556

AN ACT

relating to the operation of an authorized emergency vehicle.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 24(d) and (d-1), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), are amended to read as follows:

(d) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use, *at the discretion of the driver of the vehicle, in accordance with policies of the Department or the local government*, of audible or ~~and~~ visual signals meeting the requirements of Section 124 of this Act, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle. The driver of an authorized emergency vehicle that is used for law enforcement purposes may operate without using the emergency warning devices required by this subsection only when the driver is responding to an emergency call or when he or she is in pursuit of a suspected violator of the law and he or she has probable cause to believe that:

(1) knowledge of his or her presence will cause the suspect to destroy or lose evidence of a suspected felony;

(2) knowledge of his or her presence will cause the suspect to cease a suspected continuing felony before the driver has acquired sufficient evidence to establish grounds for arrest;

(3) knowledge of his or her presence will cause the suspect to evade apprehension or identification of the suspect or his or her vehicle; or

(4) traffic conditions on a multilaned roadway are such that movements of motorists in response to the emergency warning devices may increase the potential for a collision or may unreasonably extend the duration of the pursuit.

(d-1) The driver of an authorized emergency vehicle that is used for law enforcement purposes may not operate without using the emergency warning devices as provided above unless he or she *complies with regulations relating to the use of emergency warning devices adopted by the Department or the local government* ~~[has first notified a designated office of his or her intention to operate without such devices. The designated office to which such notification is made shall keep an accurate record of the exact time notification is received].~~

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The prosecution of a person who operated an authorized emergency vehicle in violation of Section 24(d) or (d-1), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), before the effective date of this Act, is covered by the law in effect when the violation occurred, and the former law is continued in effect for that purpose.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 7, 1987, by a non-record vote. Passed by the Senate on May 23, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 11, 1987.

Effective Sept. 1, 1987.