

Texas Emergency Vehicle Laws

Selected Sections

Texas Transportation Code

Provided by the
Texas Municipal League Intergovernmental Risk Pool
1821 Rutherford Lane, First Floor
Austin, Texas 78754
(512) 491-2300 • (800) 537-6655

www.tmlirp.org



The Texas Municipal League Intergovernmental Risk Pool is an interlocal agency offering workers' compensation, liability, and property coverages to local governments in Texas, including cities, housing authorities, and special districts.

The Pool provides its members with superior coverage and a variety of risk management services at an affordable and predictable cost.

The overall mission of the Pool is to offer and provide Texas municipalities and other units of local government with a stable and economic source of risk financing and loss prevention services. The objectives of the Pool are to:

1. Educate members about avoiding and reducing risks,
2. Control losses with effective legal defense and claims handling,
3. Anticipate emerging risks,
4. Be aware of and anticipate emerging state and national trends,
5. Provide appropriate coverages that meet the needs of the Pool's members,
6. Serve as an expert source of information on risk management for cities, other units of local government, and the Texas Municipal League, and
7. Develop, train, and retain highly qualified staff.

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TEXAS EMERGENCY VEHICLE LAWS

SELECTED SECTIONS OF THE TEXAS TRANSPORTATION CODE

CHAPTER 541

Vehicles, Rail Transportation, and Equipment

Sec. 541.201 Vehicles

In this subtitle:

- (1) "Authorized emergency vehicle" means:
- (A) a fire department or police vehicle;
 - (B) a public or private ambulance operated by a person who has been issued a license by the Department of State Health Services;
 - (C) an emergency medical services vehicle:
 - (i) authorized under an emergency medical services provider license issued by the Department of State Health Services under Chapter 773, Health and Safety Code; and
 - (ii) operating under a contract with an emergency services district that requires the emergency medical services provider to respond to emergency calls with the vehicle;
 - (D) a municipal department or public service corporation emergency vehicle that has been designated or authorized by the governing body of a municipality;
 - (E) a county-owned or county-leased emergency management vehicle that has been designated or authorized by the commissioners court;
 - (F) a vehicle that has been designated by the department under Section 546.0065;
 - (G) a private vehicle of a volunteer firefighter or a certified emergency medical services employee or volunteer when responding to a fire alarm or medical emergency;
 - (H) an industrial emergency response vehicle, including an industrial ambulance, when responding to an emergency, but only if the vehicle is operated in compliance with criteria in effect September 1, 1989, and established by the predecessor of the Texas Industrial Emergency Services Board of the State Firemen's and Fire Marshals' Association of Texas;
 - (I) a vehicle of a blood bank or tissue bank, accredited or approved under the laws of this state or the United States, when making emergency deliveries of blood, drugs, medicines, or organs;
 - (J) a vehicle used for law enforcement purposes that is owned or leased by a federal governmental entity; or
 - (K) a private vehicle of an employee or volunteer of a county emergency management division in a county with a population of more than 46,500 and less than 48,000 that is designated as an authorized emergency vehicle by the commissioners court of that county.

CHAPTER 545

Driving on Right Side of Roadway and Passing

Sec. 545.058 Driving on Improved Shoulder

- (c) A limitation in this section on driving on an improved shoulder does not apply to:
- (1) an authorized emergency vehicle responding to a call;
 - (2) a police patrol; or
 - (3) a bicycle.

Right-of-Way

Sec. 545.156. Vehicle Approached by Authorized Emergency Vehicle

- (a) On the immediate approach of an authorized emergency vehicle using audible and visual signals that meet the requirements of Sections 547.305 and 547.702, or of a police vehicle lawfully using only an audible signal, an operator, unless otherwise directed by a police officer, shall:
 - (1) yield the right-of-way;
 - (2) 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
 - (3) stop and remain standing until the authorized emergency vehicle has passed.
- (b) This section does not exempt the operator of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

Sec. 545.157. Passing Authorized Emergency Vehicle

- (b) On approaching a stationary authorized emergency vehicle using visual signals that meet the requirements of Sections 547.305 and 547.702, an operator, unless otherwise directed by a police officer, shall:
 - (1) vacate the lane closest to the emergency vehicle when driving on a highway with two or more lanes travelling in the direction of the emergency 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) 5 miles per hour when the posted speed limit is less than 25 miles per hour.

Speed Restrictions

Sec. 545.365. Speed Limit Exception for Emergencies; Municipal Regulation

- (a) The regulation of the speed of a vehicle under this subchapter does not apply to:
 - (1) an authorized emergency vehicle responding to a call;
 - (2) a police patrol; or
 - (3) a physician or ambulance responding to an emergency call.
- (b) A municipality by ordinance may regulate the speed of:
 - (1) an ambulance;
 - (2) an emergency medical services vehicle; or
 - (3) an authorized vehicle operated by a blood or tissue bank.

Miscellaneous Rules

Sec. 545.407. Following or Obstructing Fire Apparatus or Ambulance

- (a) An operator, unless on official business, may not follow closer than 500 feet a fire apparatus responding to a fire alarm or drive into or park the vehicle in the block where the fire apparatus has stopped to answer a fire alarm.
- (b) An operator may not:
 - (1) follow closer than 500 feet an ambulance that is flashing red lights unless the operator is on official business; or
 - (2) drive or park the vehicle where an ambulance has been summoned for an emergency call in a manner intended to interfere with the arrival or departure of the ambulance.

Sec. 545.413. Safety Belts; Offense

- (a) A person commits an offense if:
 - (1) the person:
 - (A) is at least 15 years of age;
 - (B) is riding in a passenger vehicle while the vehicle is being operated;

- (C) is occupying a seat that is equipped with a safety belt; and
- (D) is not secured by a safety belt; or
- (2) as the operator of a school bus equipped with a safety belt for the operator's seat, the person is not secured by the safety belt.
- (b) A person commits an offense if the person:
 - (1) operates a passenger vehicle that is equipped with safety belts; and
 - (2) allows a child who is younger than 17 years of age and who is not required to be secured in a child passenger safety seat system under Section 545.412(a) to ride in the vehicle without requiring the child to be secured by a safety belt, provided the child is occupying a seat that is equipped with a safety belt.
- (b-1) A person commits an offense if the person allows a child who is younger than 17 years of age and who is not required to be secured in a child passenger safety seat system under Section 545.412(a) to ride in a passenger van designed to transport 15 or fewer passengers, including the driver, without securing the child individually by a safety belt, if the child is occupying a seat that is equipped with a safety belt.
- (c) A passenger vehicle or a seat in a passenger vehicle is considered to be equipped with a safety belt if the vehicle is required under Section 547.601 to be equipped with safety belts.
- (d) An offense under Subsection (a) is a misdemeanor punishable by a fine of not less than \$25 or more than \$50. An offense under Subsection (b) is a misdemeanor punishable by a fine of not less than \$100 or more than \$200.
- (e) It is a defense to prosecution under this section that:
 - (1) the person possesses a written statement from a licensed physician stating that for a medical reason the person should not wear a safety belt;
 - (2) the person presents to the court, not later than the 10th day after the date of the offense, a statement from a licensed physician stating that for a medical reason the person should not wear a safety belt;
 - (3) the person is employed by the United States Postal Service and performing a duty for that agency that requires the operator to service postal boxes from a vehicle or that requires frequent entry into and exit from a vehicle;
 - (4) the person is engaged in the actual delivery of newspapers from a vehicle or is performing newspaper delivery duties that require frequent entry into and exit from a vehicle;
 - (5) the person is employed by a public or private utility company and is engaged in the reading of meters or performing a similar duty for that company requiring the operator to frequently enter into and exit from a vehicle;
 - (6) the person is operating a commercial vehicle registered as a farm vehicle under the provisions of Section 502.433 that does not have a gross weight, registered weight, or gross weight rating of 48,000 pounds or more; or
 - (7) the person is the operator of or a passenger in a vehicle used exclusively to transport solid waste and performing duties that require frequent entry into and exit from the vehicle.

Sec. 545.421. Fleeing or Attempting to Elude Police Officer;

- (a) A person commits an offense if the person operates a motor vehicle and willfully fails or refuses to bring the vehicle to a stop or flees, or attempts to elude, a pursuing police vehicle when given a visual or audible signal to bring the vehicle to a stop.
- (b) A signal under this section that is given by a police officer pursuing a vehicle may be by hand, voice, emergency light, or siren. The officer giving the signal must be in uniform and prominently display the officer's badge of office. The officer's vehicle must bear the insignia of a law enforcement agency, regardless of whether the vehicle displays an emergency light.

- (c) Except as provided by Subsection (d), an offense under this section is a Class B misdemeanor.

CHAPTER 546
Authorized Emergency Vehicles

Sec. 546.001. Permissible Conduct

In operating an authorized emergency vehicle the operator may:

- (1) park or stand, irrespective of another provision of this subtitle;
- (2) proceed past a red or stop signal or stop sign, after slowing as necessary for safe operation;
- (3) exceed a maximum speed limit, except as provided by an ordinance adopted under Section 545.365, as long as the operator does not endanger life or property; and
- (4) disregard a regulation governing the direction of movement or turning in specified directions.

Sec. 546.002. When conduct Permissible

- (a) In this section, "police escort" means facilitating the movement of a funeral, oversized or hazardous load, or other traffic disruption for public safety purposes by a peace officer described by Articles 2.12(1)-(4),(8), (12) and (22) Code of Criminal Procedure.
- (b) Section 546.001 applies only when the operator is:
 - (1) responding to an emergency call;
 - (2) pursuing an actual or suspected violator of the law;
 - (3) responding to but not returning from a fire alarm;
 - (4) directing or diverting traffic for public safety purposes; or
 - (5) conducting a police escort.

Sec. 546.003. Audible or Visual Signals Required

Except as provided by Section 546.004, the operator of an authorized emergency vehicle engaging in conduct permitted by Section 546.001 shall use, at the discretion of the operator in accordance with policies of the department or the local government that employs the operator, audible or visual signals that meet the pertinent requirements of Sections 547.305 and 547.702.

Sec. 546.004. Exceptions to Signal Requirement

- (a) A volunteer fire fighter who operates a private vehicle as an authorized emergency vehicle may engage in conduct permitted by Section 546.001 only when the fire fighter is using visual signals meeting the pertinent requirements of Sections 547.305 and 547.702.
- (b) An authorized emergency vehicle that is operated as a police vehicle is not required to be equipped with or display a red light visible from the front of the vehicle.
- (c) A police officer may operate an authorized emergency vehicle for a law enforcement purpose without using the audible or visual signals required by Section 546.003 if the officer is:
 - (1) responding to an emergency call or pursuing a suspected violator of the law with probable cause to believe that:
 - (A) knowledge of the presence of the officer will cause the suspect to:
 - (i) destroy or lose evidence of a suspected felony;
 - (ii) end a suspected continuing felony before the officer has obtained sufficient evidence to establish grounds for arrest; or
 - (iii) evade apprehension or identification of the suspect or the suspect's vehicle; or
 - (B) because of traffic conditions on a multi-laned roadway, vehicles moving in response to the audible or visual signals may:
 - (i) increase the potential for a collision; or
 - (ii) unreasonably extend the duration of the pursuit; or

- (2) complying with a written regulation relating to the use of audible or visible signals adopted by the local government that employs the officer or by the department.

Sec. 546.005. Duty of Care

This chapter does not relieve the operator of an authorized emergency vehicle from:

- (1) the duty to operate the vehicle with appropriate regard for the safety of all persons; or
- (2) the consequences of reckless disregard for the safety of others.

Sec. 546.007. Closure of Road or Highway by Firefighter

- (a) This section applies only to a firefighter who is employed by or a member of:
 - (1) a fire department operated by an emergency services district;
 - (2) a volunteer fire department; or
 - (3) a fire department of a general-law municipality.
- (b) A firefighter, when performing the firefighter's official duties, may close one or more lanes of a road or highway to protect the safety of persons or property.
- (c) The closure shall be limited to the affected lane or lanes and one additional lane unless the safety of emergency personnel operating on the road or highway requires more lanes to be closed. (d) In making a closure under this section, the firefighter shall deploy one or more authorized emergency vehicles with audible and visual signals that meet the requirements of Sections 547.305 and 547.702. SECTION 2.

CHAPTER 547

General Provisions Regarding Lighting Requirements

Sec. 547.305. Restrictions of Use of Lights

- (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) 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.

Sec. 546.0065. Authorized Emergency Vehicles of the Texas Division of Emergency Management

The department shall designate vehicles of the Texas Division of Emergency Management that may be operated as authorized emergency vehicles.

Additional Equipment Requirements For Authorized Emergency Vehicles

Sec. 547.702. Additional Equipment Requirements for Authorized Emergency Vehicles

- (a) An authorized emergency vehicle may be equipped with a siren, exhaust whistle, or bell:
 - (1) of a type approved by the department; and

- (2) that emits a sound audible under normal conditions at a distance of at least 500 feet.
- (b) The operator of an authorized emergency vehicle shall use the siren, whistle, or bell when necessary to warn other vehicle operators or pedestrians of the approach of the emergency vehicle.
- (c) Except as provided by this section, an authorized emergency vehicle shall be equipped with signal lamps that:
 - (1) are mounted as high and as widely spaced laterally as practicable;
 - (2) display four alternately flashing red lights, two located on the front at the same level and two located on the rear at the same level;
 - (3) emit a light visible at a distance of 500 feet in normal sunlight.
- (d) A private vehicle operated by a volunteer firefighter responding to a fire alarm or a medical emergency may, but is not required to, be equipped with signal lamps that comply with the requirements of Subsection (c).
- (e) A private vehicle operated by a volunteer firefighter responding to a fire alarm or a medical emergency may be equipped with a signal lamp that is temporarily attached to the vehicle roof and flashes a red light visible at a distance of at least 500 feet in normal sunlight.
- (f) A police vehicle may, but is not required to, be equipped with signal lamps that comply with Subsection (c).

622.952. Fire Department Vehicle .

- (a) The weight limitations of Section 621.101 do not apply to a vehicle owned or operated by a public, private, or volunteer fire department.
- (b) The weight of a fire department's vehicle may not be heavier than the manufacturer's gross vehicle weight capacity or axle design rating.

Notes: _____

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