

TRANSPORTATION CODE

TITLE 7. VEHICLES AND TRAFFIC

SUBTITLE C. RULES OF THE ROAD

CHAPTER 546. OPERATION OF AUTHORIZED EMERGENCY VEHICLES AND CERTAIN  
OTHER VEHICLES

SUBCHAPTER A. 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.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

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.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2003, 78th Leg., ch. 66, Sec. 1, eff. May 16, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 834 (S.B. 866), Sec. 1, eff. June 17, 2005.

Acts 2013, 83rd Leg., R.S., Ch. 540 (S.B. 545), Sec. 1, eff. June 14, 2013.

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.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

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 multilaned

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.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

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.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 546.006. DESIGNATED EMERGENCY VEHICLE DURING DECLARED DISASTERS. (a) From recommendations made under Section [418.013\(c\)](#), Government Code, the department shall designate which vehicles may be operated by which designated organizations as emergency vehicles during declared disasters.

(b) A vehicle designated under Subsection (a) may be operated by a designated organization as if the vehicle were an authorized emergency vehicle under this subtitle if:

(1) the governor declares a state of disaster under Section [418.014](#), Government Code;

(2) the department requests assistance from the designated organization; and

(3) the vehicle is operated by the designated organization or a member of the designated organization in response to the state of disaster.

(c) The department shall adopt rules as necessary to implement this section.

Added by Acts 2007, 80th Leg., R.S., Ch. 258 (S.B. [11](#)), Sec. 5.02,

eff. September 1, 2007.

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.

Added by Acts 2013, 83rd Leg., R.S., Ch. 17 (S.B. 223), Sec. 2, eff. May 10, 2013.

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.

Added by Acts 2011, 82nd Leg., R.S., Ch. 490 (H.B. 993), Sec. 1, eff. September 1, 2011.

#### SUBCHAPTER B. OPERATION OF CERTAIN FIRE-FIGHTING EQUIPMENT

Sec. 546.021. MUTUAL AID ORGANIZATIONS. (a) Two or more businesses whose activities require the maintenance of fire-fighting equipment may form a mutual aid organization in which the member businesses agree to assist each other during an emergency by supplying fire-fighting equipment or services.

(b) The presiding officer or director of an organization formed under this section shall deliver a list to the county fire marshal, or to the commissioners court of a county if the county does not have a fire marshal, in each county in which a member business is located. The list must contain the name of the registered owner and license plate number of each motor vehicle that each member intends to use in supplying fire-fighting equipment or services.

(c) If the county fire marshal or commissioners court determines that the operation of the vehicles on the list is in the public interest and not a threat to public safety, the marshal or court shall approve the list.

(d) On approval of the list by the county fire marshal or commissioners court, a person operating a listed motor vehicle in response to a call for emergency fire-fighting assistance from a member has the rights and restrictions placed by this subtitle on the operator of an authorized emergency vehicle.

(e) A county is not liable for damage to a person or property caused by a person approved by the county under this section to operate a motor vehicle for emergency fire-fighting assistance.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

#### SUBCHAPTER C. OPERATION OF MEDICAL SUPPLY TRANSPORT VEHICLES

Sec. 546.051. DEFINITIONS. In this subchapter:

(1) "Emergency care facility" means a health care facility, including a freestanding emergency medical care facility, hospital, temporary emergency clinic, and trauma facility, that provides emergency medical care.

(2) "Freestanding emergency medical care facility" means a facility licensed under Chapter 254, Health and Safety Code.

(3) "Medical supply distributor" means a person authorized to transport prescription drugs and other medical supplies to emergency care facilities or pharmacies.

(4) "Nursing home" means a facility licensed under Chapter 242, Health and Safety Code.

(5) "Pharmacy" has the meaning assigned by Section 551.003, Occupations Code.

(6) "Trauma facility" has the meaning assigned by Section 773.003, Health and Safety Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 1040 (H.B. 1816), Sec. 1, eff. September 1, 2017.

Sec. 546.052. MEDICAL SUPPLY TRANSPORT VEHICLES DURING DECLARED DISASTER. (a) A vehicle used by a medical supply distributor to transport prescription drugs and other medical supplies to an emergency care facility, pharmacy, or nursing home located in an area declared a disaster area by the governor under Chapter 418, Government Code, may have access to highways, streets, and bridges as if the transport vehicle were an emergency vehicle if the transport vehicle will not negatively impact evacuation activities or any response or recovery activities in the disaster area.

(b) The Texas Division of Emergency Management shall establish procedures to assist medical supply distributors in accessing highways, streets, and bridges as authorized by Subsection (a).

(c) This section does not create a cause of action against a law enforcement officer involved in assisting a medical supply distributor under this section for any harm done to the distributor resulting from that assistance.

Added by Acts 2017, 85th Leg., R.S., Ch. 1040 (H.B. 1816), Sec. 1, eff. September 1, 2017.