



**Traffic Incident
Management In the
Dallas-Fort Worth
Area
Reference Material**



North Central Texas
Council of Governments

**CONGESTION
MANAGEMENT
PROCESS**

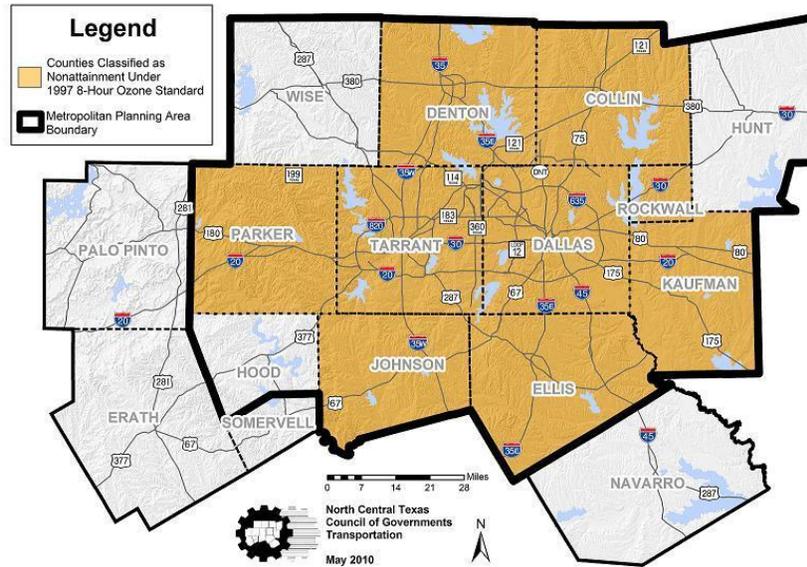




What Is NCTCOG?



- Metropolitan Planning Organization for the Region
- Serves 16 Counties in North Central Texas



www.nctcog.org

NOTES:

The North Central Texas Council of Governments (NCTCOG) is a voluntary association of cities, counties, school districts, and special districts, and was established to assist local governments in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development. NCTCOG's purpose is to strengthen both the individual and collective power of local governments and to help them recognize regional opportunities, eliminate unnecessary duplication, and make joint decisions.

NCTCOG serves a 16-county region of North Central Texas, which is centered around the two urban centers of Dallas and Fort Worth. NCTCOG has over 240 member governments including 16 counties, numerous cities, school districts, and special districts.



NCTOG Regional Traffic Incident Management Program



- **First Responder and Manager's Training**
 - Designed for those with daily involvement in responding to traffic incidents on the region's freeways (Police, Fire, Towers, Mobility Assistance Patrols, EMS, etc.)
 - Two-day course
 - Offered at least six times per year
- **Executive Level Course**
 - Designed for decision and policy makers
 - Provides a high-level overview of information in First Responder Training
 - Two-hour course
 - Offered twice a year
- **Crash Reconstruction Technology & Training Workshop**
 - Crash Reconstruction training offered as a complement to the TIM Training series
 - Offered twice a year
 - Basic Training
 - One-week course
 - Advanced Training
 - Two-day course

<https://www.nctcog.org/trans/quality/safety/transportation-safety/traffic-incident-management/tim-training-program>

NOTES:

The goal of the NCTCOG TIM Training Program is to initiate a common, coordinated response to traffic incidents that will build partnerships, enhance safety for emergency personnel, reduce upstream traffic accidents, improve the efficiency of the transportation system, and improve air quality in the Dallas-Fort Worth region

REFERENCE MATERIALS



SITE MANAGEMENT

- 1.1 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES;
INFORMATION BROCHURE *5-6*
- 1.2 TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL
DEVICES SUMMARY *7-9*
- 1.3 TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL
DEVICES; CHAPTER 6I: TRAFFIC CONTROL *10-14*
- 1.4 EMERGENCY LIGHTING RESEARCH *15-16*
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PROVIDING EFFECTIVE INCIDENT MANAGEMENT

- 2.1 MOVE OVER LAW; LEGISLATURE, STATE OF TEXAS *18*

CLEARANCE

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- 3.4 DEATH INVESTIGATIONS AND REMOVAL OF BODIES;
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- 3.5 REMOVAL OF UNLAWFULLY STOPPED VEHICLE;
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- 3.6 HOUSE BILL NO. 993 *27*
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CLEARANCE

3.11 TOW TRUCK/ CAR CARRIER CLASSIFICATION; GUIDE TO TOW EQUIPMENT *37*

3.12 TMC CONTACT #S *38*



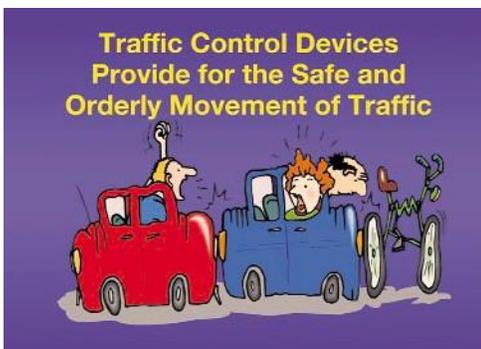
Manual on Uniform Traffic Control Devices

21st Century Operations Using 21st Century Technologies

Traffic Control Challenges

Traffic control devices communicate important messages that are critical to transportation safety and efficiency. They provide for the orderly movement of all road users on streets, highways, and bike paths throughout our nation. Have you ever considered what it would be like to travel on roads not operated by traffic control devices? Traffic control devices such as signs, signals, and pavement markings not only methodically guide road users to their destinations and decrease potential congestion, but they also reduce the severity and number of roadway crashes.

The Manual on Uniform Traffic Devices (MUTCD) is the national standard for the design, application, and placement of traffic control devices. Its main purpose is to provide uniformity and consistency so road users know what to expect no matter where their travels take them. Uniformity also helps reduce the cost of traffic control devices through standardization, and it assists with the commercial movement of goods.



New traffic patterns, unique roadway features, driver behavior, vehicle design innovations, and advances in technology all make it necessary to update the MUTCD on a periodic basis. The latest edition of the MUTCD was released in November 2003. The Federal Highway Administration (FHWA) recognizes that comprehensive analysis and careful consideration is required before changes are adopted in the MUTCD.

What We're Doing

The Millennium Edition of the manual published in December 2000 was the first complete rewrite of the MUTCD since 1988. It was also the first time that an electronic

version of the MUTCD was made available on the Internet (<http://mutcd.fhwa.dot.gov>). Some features of the MUTCD Web site include:

- Recent information on MUTCD changes including Federal Register notices
- MUTCD amendment process
- Peer-to-peer technical assistance program
- Discussion groups on a variety of topics
- MUTCD policy statements
- Standard highway sign design specifications
- Links for purchasing the MUTCD
- Outreach and training presentations

The most recent edition of the MUTCD has a new interim process for approving the use of new traffic control devices that are pending official rulemaking. Interim approval can be considered based on successful research or experimentation results. Once an interim approval is granted to one jurisdiction, other jurisdictions can be granted interim approval by simply submitting a letter of request to FHWA Office of Transportation Operations. A program is also underway that has assembled a consortium of national, State, and local entities to work with FHWA and establish a systematic and timely procedure to select, test, and evaluate novel concepts and applications for traffic control devices.

Future Directions for Traffic Control Devices

Urban Application of the MUTCD

There are some concerns that the MUTCD may not adequately address all the unique traffic control needs of the urban areas for constrained conditions on downtown business district streets, alleys, and residential neighborhood streets. Also, since many States are adopting laws to make the MUTCD applicable on private roads and parking lots such as those in shopping malls, FHWA is addressing issues of modifications in the MUTCD to accommodate those conditions.

Older Driver Needs

The United States is facing an evolution in transportation fueled by the growing population of senior citizen drivers. Those age 65 and older represent an ever-increasing proportion of the overall population—from 1 in 8 (35 million older Americans) in 2002 to 1 in 5 (70 million older Americans) by 2030. Fatalities of older road users are increasing. Today's figures show that older adults represent about 13 percent of the population but account for 16 percent of all traffic deaths. FHWA has a key role to help improve the nation's transportation system so our older population can safely travel and maintain productive and independent lifestyles well into their senior years.

The MUTCD team has developed a Pocket Guide that explains the MUTCD design and application principles that relate to FHWA's *Highway Design Handbook for Older Drivers and Pedestrians* (RD-01-103). The following areas are covered in the Pocket Guide to address older driver needs:

- Increased visibility of traffic control devices
- Improved advance notification of traffic situations and roadway patterns
- Simplified decision making at intersection and interchange approaches

Accommodating Persons with Disabilities

In June 2002, the U.S. Access Board released draft guidelines on accessible public right-of-way and made them available for public comment. The guidelines address access to public streets and sidewalks, crosswalks, curb ramps, street furnishings, parking, and other components of public rights-of-way for persons with disabilities. The Access Board plans to publish a notice of proposed rulemaking in 2004. Areas of the MUTCD that could be affected are traffic roundabouts, criteria for accessible pedestrian signals and crosswalks, and accommodating persons with disabilities in construction zones.



Expanded Application of Changeable Message Signs

Today's information age and technology advances have raised the level of expectation of our road users and created much more savvy drivers. Road users have come to expect real-time information from both the vehicle and the roadway. The use of changeable message signs for traffic control can be tremendously helpful for providing real-time regulatory, warning, and guidance information. A project is underway to develop proposed language in the MUTCD to address the variety of uses for changeable message signs that will be included in a future proposed rulemaking.

In summary, the MUTCD goal for the 21st century is to reduce traffic congestion and improve the day-to-day operations of our transportation system through better roadway communications that use traffic control devices and incorporate technology advances. Our approach is customer focused and based on a partnering philosophy that relies on input from organizations and individuals that have knowledge and experience in manufacturing, installing, selecting, and maintaining traffic control devices.

TEXAS DEPARTMENT OF TRANSPORTATION

Government | Processes & Procedures | Grants | Reports | Governmental Affairs | Programs | Enforcement | Partnerships

Texas Manual on Uniform Traffic Control Devices (TMUTCD) - SUMMARY

[Home](#) > [Government](#) > [Enforcement](#) > [Signage](#)
<http://www.txdot.gov/government/enforcement/signage/tmutcd.html>

The Texas Transportation Commission approved Revision 1 of the 2011 Texas Manual on Uniform Traffic Control Devices (TMUTCD) at their November meeting. The revised manual became effective on Dec. 6, 2012. The Texas Transportation Commission approved the minute order adopting Revision 2 of the 2011 TMUTCD on Sept. 18, 2014.

The Texas MUTCD governs the placement of signs signals and pavement markings on every public road in Texas and on certain private property. Under state law, each road authority, including TxDOT, is required to follow the provisions of the manual.

The purpose of having a single manual is to ensure that traffic control devices are applied uniformly across the state as well as the nation. This type of uniformity helps improve the overall safety and efficiency of our roadways.

2011 Texas Manual on Uniform Traffic Control Devices (TMUTCD) - Revision 1

Title	Format
Complete 2011 TMUTCD - Revision 1	

2011 TMUTCD - Revised Sheets Only (for insertion into existing TMUTCD)

Title	Format
TMUTCD	
List of changes for 2011-Revision 1	

2011 TMUTCD - Individual Parts and Chapters

Title	Format
Cover and Spine (Revised)	
Introduction and Table of Contents (Revised)	

Part 1. General (Revised)	
Part 2. Signs (Revised)	
Chapter 2A - General (Revised)	
Chapter 2B - Regulatory Signs, Barricades and Gates (Revised)	
Chapter 2C - Warning Signs, Object Markers (Revised)	
Chapter 2D - Guide Signs - Conventional Roads (Revised)	
Chapter 2E - Guide Signs - Freeways and Expressways (Revised)	
Chapter 2F - Toll Road Signs (Revised)	
Chapter 2G - 2H - Preferential and Managed Lane Signs, General Information Signs (Revised)	
Chapter 2I - 2N - General Service Signs, Specific Service (LOGO) Signs, Tourist-Oriented Directional Signs, Changeable Message Signs, Recreational and Cultural Interest Area Signs, and Emergency Management Signing (Revised)	
Part 3. Markings (Revised)	
Part 4. Highway Traffic Signals (Revised)	
Part 5. Traffic Control Devices for Low Volume Roads (Revised)	
Part 6. Temporary Traffic Control (Revised)	
Part 7. Traffic Controls for School Areas (Revised)	
Part 8. Traffic Controls for Railroad and Light Rail Transit Grade Crossings (Revised)	
Part 9. Traffic Controls for Bicycle Facilities (Revised)	



Previous Versions - TMUTCD

Title	Format
2011	
2006 - Revision 1	
2006	
2003	

TMUTCD CHAPTER 6I. CONTROL OF TRAFFIC THROUGH TRAFFIC INCIDENT MANAGEMENT AREAS

Section 6I.01 General

Support:

- 01 The National Incident Management System (NIMS) requires the use of the Incident Command System (ICS) at traffic incident management scenes.
- 02 A traffic incident is an emergency road user occurrence, a natural disaster, or other unplanned event that affects or impedes the normal flow of traffic.
- 03 A traffic incident management area is an area of a highway where temporary traffic controls are installed, as authorized by a public authority or the official having jurisdiction of the roadway, in response to a road user incident, natural disaster, hazardous material spill, or other unplanned incident. It is a type of TTC zone and extends from the first warning device (such as a sign, light, or cone) to the last TTC device or to a point where vehicles return to the original lane alignment and are clear of the incident.
- 04 Traffic incidents can be divided into three general classes of duration, each of which has unique traffic control characteristics and needs. These classes are:
 - A. Major—expected duration of more than 2 hours,
 - B. Intermediate—expected duration of 30 minutes to 2 hours, and
 - C. Minor—expected duration under 30 minutes.
- 05 The primary functions of TTC at a traffic incident management area are to inform road users of the incident and to provide guidance information on the path to follow through the incident area. Alerting road users and establishing a well-defined path to guide road users through the incident area will serve to protect the incident responders and those involved in working at the incident scene and will aid in moving road users expeditiously past or around the traffic incident, will reduce the likelihood of secondary traffic crashes, and will preclude unnecessary use of the surrounding local road system. Examples include a stalled vehicle blocking a lane, a traffic crash blocking the traveled way, a hazardous material spill along a highway, and natural disasters such as floods and severe storm damage.

Guidance:

- 06 *In order to reduce response time for traffic incidents, highway agencies, appropriate public safety agencies (law enforcement, fire and rescue, emergency communications, emergency medical, and other emergency management), and private sector responders (towing and recovery and hazardous materials contractors) should mutually plan for occurrences of traffic incidents along the major and heavily traveled highway and street system.*
- 07 *On-scene responder organizations should train their personnel in TTC practices for accomplishing their tasks in and near traffic and in the requirements for traffic incident management contained in this Manual. On-scene responders should take measures to move the incident off the traveled roadway or to provide for appropriate warning. All on-scene responders and news media personnel should constantly be aware of their visibility to oncoming traffic and wear high-visibility apparel as outlined in Section 6D.03.*
- 08 *Emergency vehicles should be safe-positioned (see definition in Section 1A.13) such that traffic flow through the incident scene is optimized. All emergency vehicles that subsequently arrive should be positioned in a manner that does not interfere with the established temporary traffic flow.*
- 09 *Responders arriving at a traffic incident should estimate the magnitude of the traffic incident, the expected time duration of the traffic incident, and the expected vehicle queue length, and then should set up the appropriate temporary traffic controls for these estimates.*

Option:

- 10 Warning and guide signs used for TTC traffic incident management situations may have a black legend and border on a fluorescent pink background (see Figure 6I-1).

Support:

- 11 While some traffic incidents might be anticipated and planned for, emergencies and disasters might pose more severe and unpredictable problems. The ability to quickly install proper temporary traffic controls might greatly reduce the effects of an incident, such as secondary crashes or excessive traffic delays. An essential part of fire, rescue, spill clean-up, highway agency, and enforcement activities is the proper control of road users through the traffic incident management area in order to protect responders, victims, and other personnel at the site. These operations might need corroborating legislative authority for the implementation and enforcement of appropriate road user regulations, parking controls, and speed zoning. It is desirable for these statutes to provide sufficient flexibility in the authority for, and implementation of, TTC to respond to the needs of changing conditions found in traffic incident management areas.

Option:

- 12 For traffic incidents, particularly those of an emergency nature, TTC devices on hand may be used for the initial response as long as they do not themselves create unnecessary additional hazards.

Section 6I.02 Major Traffic Incidents

Support:

- 01 Major traffic incidents are typically traffic incidents involving hazardous materials, fatal traffic crashes involving numerous vehicles, and other natural or man-made disasters. These traffic incidents typically involve closing all or part of a roadway facility for a period exceeding 2 hours.

Guidance:

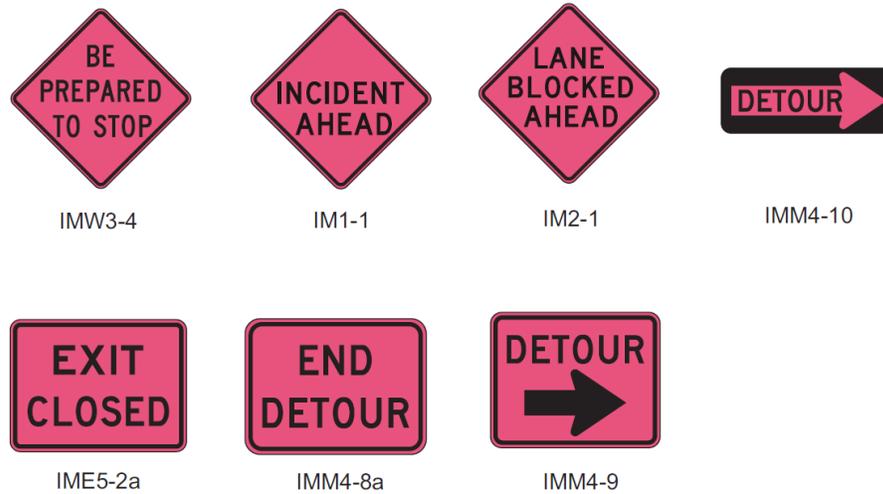
- 02 *If the traffic incident is anticipated to last more than 24 hours, applicable procedures and devices set forth in other Chapters of Part 6 should be used.*

Support:

- 03 A road closure can be caused by a traffic incident such as a road user crash that blocks the traveled way. Road users are usually diverted through lane shifts or detoured around the traffic incident and back to the original roadway. A combination of traffic engineering and enforcement preparations is needed to determine the detour route, and to install, maintain or operate, and then to remove the necessary traffic control devices when the detour is terminated. Large trucks are a significant concern in such a detour, especially when detouring them from a controlled-access roadway onto local or arterial streets.
- 04 During traffic incidents, large trucks might need to follow a route separate from that of automobiles because of bridge, weight, clearance, or geometric restrictions. Also, vehicles carrying hazardous material might need to follow a different route from other vehicles.
- 05 Some traffic incidents such as hazardous material spills might require closure of an entire highway. Through road users must have adequate guidance around the traffic incident. Maintaining good public relations is desirable. The cooperation of the news media in publicizing the existence of, and reasons for, traffic incident management areas and their TTC can be of great assistance in keeping road users and the general public well informed.

06 The establishment, maintenance, and prompt removal of lane diversions can be effectively managed by interagency planning that includes representatives of highway and public safety agencies. **Figure 6I-1. Examples of Traffic Incident Management Area Signs** IMM4-8a IMM4-10 IM2-1 IM1-1 IMM4-9 IMW3-4 IME5-2a

Figure 6I-1. Examples of Traffic Incident Management Area Signs



December 2011

Sect. 6I.01 to 6I.02

Guidance:

07 All traffic control devices needed to set up the TTC at a traffic incident should be available so that they can be readily deployed for all major traffic incidents. The TTC should include the proper traffic diversions, tapered lane closures, and upstream warning devices to alert traffic approaching the queue and to encourage early diversion to an appropriate alternative route.

08 Attention should be paid to the upstream end of the traffic queue such that warning is given to road users approaching the back of the queue.

09 If manual traffic control is needed, it should be provided by qualified flaggers or uniformed law enforcement officers.

Option:

10 If flaggers are used to provide traffic control for an incident management situation, the flaggers may use appropriate traffic control devices that are readily available or that can be brought to the traffic incident scene on short notice.

Guidance:

11 When light sticks or flares are used to establish the initial traffic control at incident scenes, channelizing devices (see Section 6F.63) should be installed as soon thereafter as practical.

Option:

12 The light sticks or flares may remain in place if they are being used to supplement the channelizing devices.

Guidance:

13 *The light sticks, flares, and channelizing devices should be removed after the incident is terminated.*

Section 6I.03 Intermediate Traffic Incidents

Support:

01 Intermediate traffic incidents typically affect travel lanes for a time period of 30 minutes to 2 hours, and usually require traffic control on the scene to divert road users past the blockage. Full roadway closures might be needed for short periods during traffic incident clearance to allow traffic incident responders to accomplish their tasks.

02 The establishment, maintenance, and prompt removal of lane diversions can be effectively managed by interagency planning that includes representatives of highway and public safety agencies.

Guidance:

03 *All traffic control devices needed to set up the TTC at a traffic incident should be available so that they can be readily deployed for intermediate traffic incidents. The TTC should include the proper traffic diversions, tapered lane closures, and upstream warning devices to alert traffic approaching the queue and to encourage early diversion to an appropriate alternative route.*

04 *Attention should be paid to the upstream end of the traffic queue such that warning is given to road users approaching the back of the queue.*

05 *If manual traffic control is needed, it should be provided by qualified flaggers or uniformed law enforcement officers.*

Option:

06 If flaggers are used to provide traffic control for an incident management situation, the flaggers may use appropriate traffic control devices that are readily available or that can be brought to the traffic incident scene on short notice.

Guidance:

07 *When light sticks or flares are used to establish the initial traffic control at incident scenes, channelizing devices (see Section 6F.63) should be installed as soon thereafter as practical.*

Option:

08 The light sticks or flares may remain in place if they are being used to supplement the channelizing devices.

Guidance:

09 *The light sticks, flares, and channelizing devices should be removed after the incident is terminated.*

Section 6I.04 Minor Traffic Incidents

Support:

01 Minor traffic incidents are typically disabled vehicles and minor crashes that result in lane closures of less than 30 minutes. On-scene responders are typically law enforcement and towing companies, and occasionally highway agency service patrol vehicles.

02 Diversion of traffic into other lanes is often not needed or is needed only briefly. It is not generally possible or practical to set up a lane closure with traffic control devices for a minor traffic incident. Traffic control is the responsibility of on-scene responders.

Guidance:

03 *When a minor traffic incident blocks a travel lane, it should be removed from that lane to the shoulder as quickly as possible.*

Section 6I.05 Use of Emergency-Vehicle Lighting

Support:

- 01 The use of emergency-vehicle lighting (such as high-intensity rotating, flashing, oscillating, or strobe lights) is essential, especially in the initial stages of a traffic incident, for the safety of emergency responders and persons involved in the traffic incident, as well as road users approaching the traffic incident. Emergency-vehicle lighting, however, provides warning only and provides no effective traffic control. The use of too many lights at an incident scene can be distracting and can create confusion for approaching road users, especially at night. Road users approaching the traffic incident from the opposite direction on a divided facility are often distracted by emergency-vehicle lighting and slow their vehicles to look at the traffic incident posing a hazard to themselves and others traveling in their direction.
- 02 The use of emergency-vehicle lighting can be reduced if good traffic control has been established at a traffic incident scene. This is especially true for major traffic incidents that might involve a number of emergency vehicles. If good traffic control is established through placement of advanced warning signs and traffic control devices to divert or detour traffic, then public safety agencies can perform their tasks on scene with minimal emergency-vehicle lighting.

Guidance:

- 03 *Public safety agencies should examine their policies on the use of emergency-vehicle lighting, especially after a traffic incident scene is secured, with the intent of reducing the use of this lighting as much as possible while not endangering those at the scene. Special consideration should be given to reducing or extinguishing forward facing emergency-vehicle lighting, especially on divided roadways, to reduce distractions to oncoming road users.*
- 04 *Because the glare from floodlights or vehicle headlights can impair the nighttime vision of approaching road users, any floodlights or vehicle headlights that are not needed for illumination, or to provide notice to other road users of an incident response vehicle being in an unexpected location, should be turned off at night.*

December 2011 Sect. 6I.04 to 6I.05

EMERGENCY LIGHTING RESEARCH

HOW EFFECTIVE ARE FLASHING EMERGENCY LIGHTS? STOPPED ON THE ROAD SHOULDER—THE CASE FOR AMBER EMERGENCY WARNING LIGHTS

Presented By: Stephen S. Solomon, O.D.

Presentation Notes: Transportation Research Board, Traffic Incident
Management Conference, January 2002

A: HISTORY

1. EMERGENCY VEHICLE LIGHTS

- SINGLE BEACON
- MULTIPLE BEACONS
- MIRROR FLASHERS-ROTATORS.
- STROBES: SIGNIFICANT HEALTH RISK BY COMPARISON

2. AS FLASHING LIGHTS INCREASE NO IMPACT IN ACCIDENT

REDUCTION

3. CALIFORNIA/ ILLINOIS AMBER LIGHT ON ROOF-POLICE

- TRIAL AND ERROR DECREASE IN DRIVE-BY ACCIDENTS

B: DISCUSSION

1. AS FLASHING LIGHTS INCREASE, REACTION TIMES INCREASE

2. AS FLASHING LIGHTS INCREASE, ABILITY TO DETECT A WARNING LIGHT IS DECREASED

3. STROBES ARE VERY POOR WARNING LIGHTS DUE TO FLASH

DURATION

4. THERE IS A LIMIT TO FLASHING LIGHT POPULATION ON A VEHICLE. PROBLEM IS COMPOUNDED IF MORE THAN ONE VEHICLE PRESENT

5. CURRENT STUDIES SHOW LIGHTS AND SIRENS DO NOT ALWAYS EQUATE TO QUICKER RESPONSE TIMES OR SAFER TRANSIT

C: VISUAL SCIENCE

1. DRIVING IS THE PRESENTATION OF CENTRAL AND PERIPHERAL STIMULI.

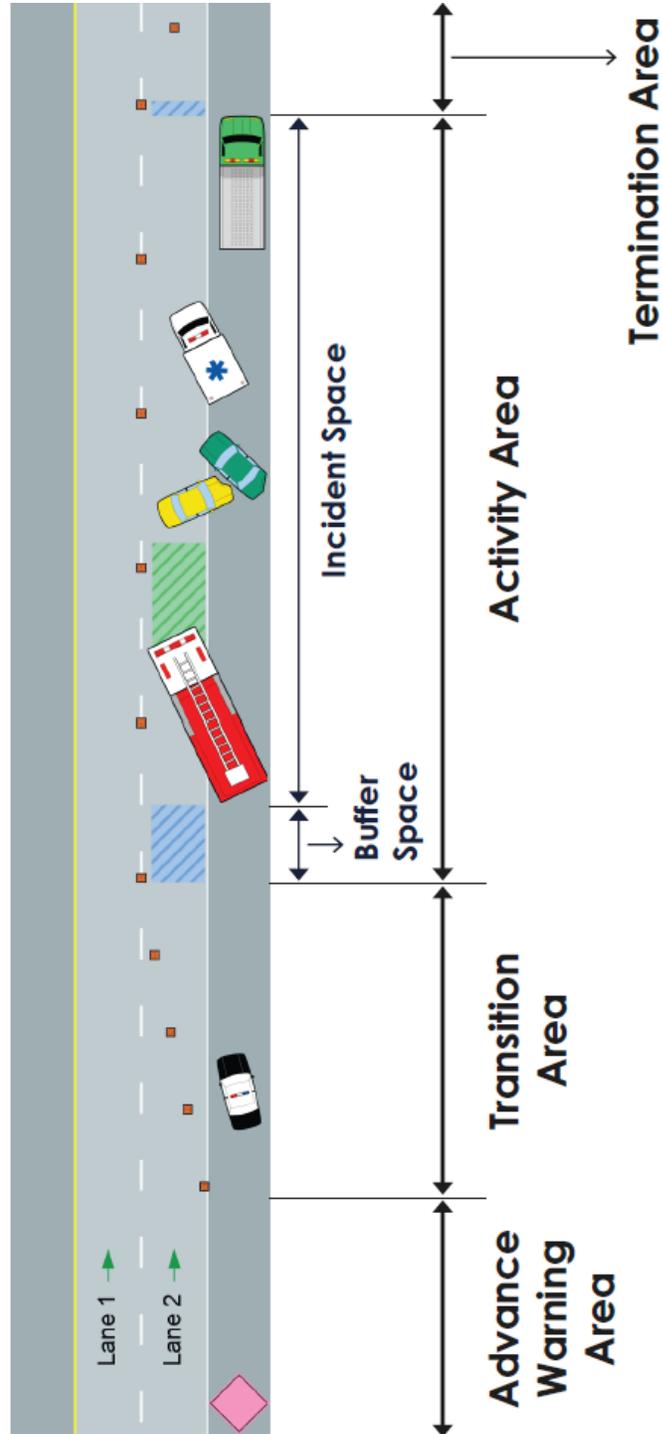
2. THE PERIPHERY DIRECTS A CENTRAL GAZE. STRONG STIMULI IN PERIPHERY DIRECTS GAZE TOWARD IT. DIVIDED ATTENTION TASK.

3. NORMAL REACTION – EASE OF SHIFTING FROM POINT-TO-POINT
4. SHIFTING THE GAZE IS MORE DIFFICULT WITH FATIGUE, ALCOHOL, PRESCRIPTION DRUGS, ILLEGAL DRUGS, AGE, DISEASE, CABIN DISTRACTION
5. WE DRIVE WHERE WE LOOK — CENTRAL VISION
6. EXCESSIVE FLASHING LIGHTS DRAW ATTENTION AND DO NOT ALLOW RELEASE. IF YOU ADVERTISE A CIRCUS, EXPECT PEOPLE TO COME.
7. AMBER COLOR IS LESS ATTENTION RIVETING AND LESS EXCITING

D: RECOMMENDATIONS

1. THE GOAL IS TO TRANSMIT AN EMERGENCY/AVOIDANCE MESSAGE EFFICIENTLY AND QUICKLY AND ALLOW THE DRIVER TO SWITCH ATTENTION BACK TO PASSING THROUGH THE SCENE SAFELY
2. DECREASE THE NUMBER OF FLASHING LIGHTS AT THE SCENE
3. DISPLAY LIGHTS THAT ARE OF LONG DURATION EXPOSURE AND SHORT OFF TIME
4. USE AMBER COLOR ONLY — NO OTHER LIGHTS DISPLAYED
5. LIGHTS SHOULD BE EXPOSED TO ONCOMING TRAFFIC AND SHOULD BE MOUNTED HIGH ON THE CORNERS
6. AN AMBER DIRECTIONAL ARROW SHOULD BE EXPOSED AS A UNIT, NOT FLASHING IN A PROGRESSION. MOUNTED VERY HIGH ON VEHICLE
7. DURING TRANSIT TO THE SCENE, AMBER LIGHTS SHOULD NOT BE DISPLAYED ALONG WITH OTHER FLASHING LIGHTS -MIXED MESSAGE
8. THE IGNORED ADJUNCT -THE NEW RETRO-REFLECTIVE/ FLUORESCENT LIME -YELLOW TAPE APPLIED AS A VEHICLE OUTLINE - SILHOUETTE INFORMATION
9. THE APPLICATION OF HIGH VISIBILITY PAINT ON RESPONDING VEHICLES -LIME YELLOW IS AN ACCIDENT REDUCTION COLOR OF STATISTICAL SIGNIFICANCE. BOTH TAPE AND PAINT ARE PASSIVE, NON-POWERED APPLICATIONS WITH HIGH ATTENTION GETTING CHARACTERISTICS AND LOW DISTRACTION TO DIVIDED ATTENTION DRIVING

FIVE AREAS OF A WORK ZONE



VEHICLE APPROACHED BY AUTHORIZED EMERGENCY
VEHICLE, OR “MOVE OVER LAW”

Legislative Act, State of Texas

(www.capitol.state.tx.us)

Texas Transportation Code - Section 545.157

§ 545.157. PASSING AUTHORIZED EMERGENCY VEHICLE. (a) 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 traveling 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) five miles per hour when the posted speed limit is less than 25 miles per hour.
- (b) A violation of this section is:
- (1) a misdemeanor punishable under Section 542.401;
 - (2) a misdemeanor punishable by a fine of \$500 if the violation results in property damage; or
 - (3) a Class B misdemeanor if the violation results in bodily injury.
- (c) If conduct constituting an offense under this section also constitutes an offense under another section of this code or the Penal Code, the actor may be prosecuted under either section or under both sections.

Added by Acts 2003, 78th Leg., ch. 327, § 2, eff. Sept. 1, 2003 – initially passed

****During the 2011 Legislative session, tow trucks were added to the existing law, which already applied to police, fire, and EMS vehicles stopped on the side of the road with emergency lights activated. Motorists are required to vacate the lane closest to the stopped vehicle (if there is more than one available lane in the same direction of travel) or slow to 20 miles below the speed limit.**

****Effective Sept. 1, 2013, drivers must move over or slow down when approaching TxDOT workers and vehicles that are stopped with overhead flashing blue or amber lights.**

ABANDONED VEHICLE POLICY
Legislative Act, State of Texas
(www.capitol.state.tx.us)

CHAPTER 683

§ 683.002. Abandoned Motor Vehicle

- (a) For the purposes of this chapter, a motor vehicle is abandoned if the motor vehicle:
- (1) is inoperable, is more than five years old, and has been left unattended on public property for more than 48 hours;
 - (2) has remained illegally on public property for more than 48 hours;
 - (3) has remained on private property without the consent of the owner or person in charge of the property for more than 48 hours;
 - (4) has been left unattended on the right-of-way of a designated county, state, or federal highway for more than 48 hours; or
 - (5) has been left unattended for more than 24 hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority or a controlled access highway.

(b) In this section, “controlled access highway” has the meaning assigned by Section 541.302. Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995.

Amended by Acts 1997, 75th Leg., ch. 165, § 30.157(a), eff. Sept. 1, 1997.

CLEARANCE OF OBSTRUCTIONS OF ROADWAY

Legislative Act, State of Texas

(www.capitol.state.tx.us)

A transit authority or law enforcement agency may remove personal property from a roadway or right of way if the property blocks the roadway or endangers public safety. This may be done without the consent of the owner or carrier of the property, and the owner or carrier is liable for the cost of removal. The authority or agency is not liable for any damage caused, unless the removal is carried out recklessly or in a grossly negligent manner.

CHAPTER 545

§ 545.3051. Removal of Personal Property from Roadway or Right-of-Way

(a) In this section:

(1) "Authority" means: A. a metropolitan rapid transit authority operating under Chapter 451; or B. a regional transportation authority operating under Chapter 452.

(2) "Law enforcement agency" means: A. the department; B. the police department of a municipality; C. the sheriff's office of a county; D. a constable's office of a county.

(3) "Personal property" means: A. a vehicle described by Section 545.305; B. spilled cargo; C. a hazardous material as defined by 49 U.S.C. Section 5102 and its subsequent amendments; or D. a hazardous substance as defined by Section 26.263, Water Code.

(b) An authority or a law enforcement agency may remove personal property from a roadway or right-of-way if the authority or law enforcement agency determines that the property blocks the roadway or endangers public safety.

(c) Personal property may be removed under this section without the consent of the owner or carrier of the property.

(d) The owner and any carrier of personal property removed under this section shall reimburse the authority or law enforcement agency for any reasonable cost of removal and disposition of the property.

(e) Notwithstanding any other provision of law, an authority or a law enforcement agency is not liable for:

1. any damage to personal property removed from a roadway or right-of-way under this section, unless the removal is carried out recklessly or in a grossly negligent manner; or
2. any damage resulting from the failure to exercise the authority granted by this section.

Added by Acts 2003, 78th Leg., ch. 803, § 1, eff. June 20, 2003.

ACCIDENTS INVESTIGATION SITES

Legislative Act, State of Texas

(www.capitol.state.tx.us)

CHAPTER 550

§ 550.001. Applicability of Chapter

This chapter applies only to:

- (1) a road owned and controlled by a water control and improvement district;
- (2) a private access way or parking area provided for a client or patron by a business, other than a private residential property, or the property of a garage or parking lot for which a charge is made for storing or parking a motor vehicle; and
- (3) a highway or other public place.

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

SUBCHAPTER B. DUTIES FOLLOWING ACCIDENT

§ 550.021. Accident Involving Personal Injury or Death

(a) The operator of a vehicle involved in an accident resulting in injury to or death of a person shall:

- (1) immediately stop the vehicle at the scene of the accident or as close to the scene as possible;
- (2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and
- (3) remain at the scene of the accident until the operator complies with the requirements of Section 550.023.

(b) An operator of a vehicle required to stop the vehicle by Subsection (a) shall do so without obstructing traffic more than is necessary.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of this section. An offense under this section:

- (1) involving an accident resulting in death of or serious bodily injury, as defined by Section 1.07, Penal Code, to a person is a felony of the third degree; and
- (2) involving an accident resulting in injury to which Subdivision (1) does not apply is punishable by:
 - (A) imprisonment in the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year;
 - (B) a fine not to exceed \$5,000; or
 - (C) both the fine and the imprisonment or confinement.

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

Amended by: Acts 2007, 80th Leg., R.S., Ch. [97](#), Sec. 2, eff. September 1, 2007.

§ 550.022. Accident Involving Damage to Vehicle

(a) Except as provided by Subsection (b), the operator of a vehicle involved in an accident resulting only in damage to a vehicle that is driven or attended by a person shall:

- (1) immediately stop the vehicle at the scene of the accident or as close as possible to the scene of the accident without obstructing traffic more than is necessary;
- (2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and
- (3) remain at the scene of the accident until the operator complies with the requirements of Section 550.023.

(b) If an accident occurs on a main lane, ramp, shoulder, median, or adjacent area of a freeway in a metropolitan area and each vehicle involved can be normally and safely driven, each operator shall move the operator's vehicle as soon as possible to a designated accident investigation site, if available, a location on the frontage road, the nearest suitable cross street, or other suitable location to complete the requirements of Section 550.023 and minimize interference with freeway traffic.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of Subsection (a). An offense under this subsection is:

- (1) a Class C misdemeanor, if the damage to all vehicles is less than \$200; or
- (2) a Class B misdemeanor, if the damage to all vehicles is \$200 or more.

(c-1) A person commits an offense if the person does not comply with the requirements of Subsection (b). An offense under this subsection is a Class C misdemeanor.

(d) In this section, a vehicle can be normally and safely driven only if the vehicle:

- (1) does not require towing; and
- (2) can be operated under its own power and in its usual manner, without additional damage or hazard to the vehicle, other traffic, or the roadway.

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

Amended by:

Acts 2005, 79th Leg., Ch. [1066](#), Sec. 1, eff. September 1, 2005.

§ 550.023. DUTY TO GIVE INFORMATION AND RENDER AID

The operator of a vehicle involved in an accident resulting in the injury or death of a person or damage to a vehicle that is driven or attended by a person shall:

(1) give the operator's name and address, the registration number of the vehicle the operator was driving, and the name of the operator's motor vehicle liability insurer to any person injured or the operator or occupant of or person attending a vehicle involved in the collision;

(2) if requested and available, show the operator's driver's license to a person described by Subdivision (1); and

(3) provide any person injured in the accident reasonable assistance, including transporting or making arrangements for transporting the person to a physician or hospital for medical treatment if it is apparent that treatment is necessary, or if the injured person requests the transportation.

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

DEATH INVESTIGATIONS AND REMOVAL OF BODIES

Legislative Act, State of Texas

www.capitol.state.tx.us

TEXAS CODES OF CRIMINAL PROCEDURE CHAPTER 49: INQUESTS UPON DEAD BODIES

SUBCHAPTER B: DUTIES PERFORMED BY MEDICAL EXAMINERS

Article 49.25 - Medical Examiners

Death investigations,

Sec. 6. (a) Any medical examiner, or his duly authorized deputy, shall be authorized, and it shall be his duty, to hold inquests with or without a jury within his county, in the following cases:

1. When a person shall die within twenty-four hours after admission to a hospital or institution or in prison or in jail;
 2. When any person is killed; or from any cause dies an unnatural death, except under sentence of the law; or dies in the absence of one or more good witnesses;
 3. When the body of a person is found, the cause or circumstances of death are unknown, and: (A) the body is identified; or (B) the body is unidentified;
 4. When the circumstances of the death of any person are such as to lead to suspicion that he came to his death by unlawful means;
 5. When any person commits suicide, or the circumstances of his death are such as to lead to suspicion that he committed suicide;
 6. When a person dies without having been attended by a duly licensed and practicing physician, and the local health officer or registrar required to report the cause of death under Section 193.005, Health and Safety Code, does not know the cause of death. When the local health officer or registrar of vital statistics whose duty it is to certify the cause of death does not know the cause of death, he shall so notify the medical examiner of the county in which the death occurred and request an inquest;
 7. When the person is a child who is younger than six years of age and the death is reported under Chapter 264, Family Code; and
 8. When a person dies who has been attended immediately preceding his death by a duly licensed and practicing physician or physicians, and such physician or physicians are not certain as to the cause of death and are unable to certify with certainty the cause of death as required by Section 193.004, Health and Safety Code. In case of such uncertainty the attending physician or physicians, or the superintendent or general manager of the hospital or institution in which the deceased shall have died, shall so report to the medical examiner of the county in which the death occurred, and request an inquest.
- (b) The inquests authorized and required by this Article shall be held by the medical examiner of the county in which the death occurred.

(c) In making such investigations and holding such inquests, the medical examiner or an authorized deputy may administer oaths and take affidavits. In the absence of next of kin or legal representatives of the deceased, the medical examiner or authorized deputy shall take charge of the body and all property found with it.

Organ Transplant Donors; Notice; Inquests

Sec. 6a. (a) When death occurs to an individual designated a prospective organ donor for transplantation by a licensed physician under circumstances requiring the medical examiner of the county in which death occurred, or the medical examiner's authorized deputy, to hold an inquest, the medical examiner, or a member of his staff will be so notified by the administrative head of the facility in which the transplantation is to be performed.

(b) When notified pursuant to Subsection (a) of this Section, the medical examiner or the medical examiner's deputy shall perform an inquest on the deceased prospective organ donor.

Reports of Death

Sec. 7.

(a) Any police officer, superintendent of institution, physician, or private citizen who shall become aware of a death under any of the circumstances set out in Section 6 (a) of this Article, shall immediately report such death to the office of the medical examiner or to the city or county police departments; any such report to a city or county police department shall be immediately transmitted to the office of the medical examiner.

(b) person investigating a death described by Subdivision 3 (B) of Section 6 (a) shall report the death to the missing children and missing person's information clearinghouse of the Department of Public Safety and the national crime information center not later than the 10th working day after the date the investigation began.

Removal of Bodies

Sec. 8. When any death under circumstances set out in Section 6 shall have occurred, the body shall not be disturbed or removed from the position in which it is found by any person without authorization from the medical examiner or authorized deputy, except for the purpose of preserving such body from loss or destruction or maintaining the flow of traffic on a highway, railroad or airport.

REMOVAL OF UNLAWFULLY STOPPED VEHICLE

Legislative Act, State of Texas

(www.capitol.state.tx.us)

CHAPTER 500

§ 545.305. Removal of Unlawfully Stopped Vehicle

- (a) A peace officer listed under Article 2.12, Code of Criminal Procedure, or a license and weight inspector of the department may remove or require the operator or a person in charge of a vehicle to move a vehicle from a highway if the vehicle:
- (1) is unattended on a bridge, viaduct, or causeway or in a tube or tunnel and the vehicle is obstructing traffic;
 - (2) is unlawfully parked and blocking the entrance to a private driveway;
 - (3) has been reported as stolen;
 - (4) is identified as having been stolen in a warrant issued on the filing of a complaint;
 - (5) is unattended and the officer has reasonable grounds to believe that the vehicle has been abandoned for longer than 48 hours;
 - (6) is disabled so that normal operation is impossible or impractical and the owner or person in charge of the vehicle is:
 - (A) incapacitated and unable to provide for the vehicle's removal or custody; or
 - (B) not in the immediate vicinity of the vehicle;
 - (7) is disabled so that normal operation is impossible or impractical and the owner or person in charge of the vehicle does not designate a particular towing or storage company;
 - (8) is operated by a person an officer arrests for an alleged offense and the officer is required by law to take the person into custody; or
 - (9) is, in the opinion of the officer, a hazard, interferes with a normal function of a governmental agency, or because of a catastrophe, emergency, or unusual circumstance is imperiled.
- (b) An officer acting under Subsection (a) may require that the vehicle be taken to:
- (1) the nearest garage or other place of safety;
 - (2) a garage designated or maintained by the governmental agency that employs the officer; or
 - (3) a position off the paved or main traveled part of the highway.
- (c) A law enforcement agency other than the department that removes an abandoned vehicle in an unincorporated area shall notify the sheriff.
- (d) The owner of a vehicle that is removed or stored under this section is liable for all reasonable towing and storage fees incurred.

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

REFERENCE 3.6

H.B. No. 993

AN ACT

relating to the closure of a road or highway by certain firefighters.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 546, Transportation Code, is amended by adding Section 546.007 to read as follows:

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. This Act takes effect September 1, 2011.

H.B. No. 1413

By: Johnson	S.B. No. 1413
(In the Senate - Filed March 1, 2023; March 16, 2023, read	
first time and referred to Committee on Transportation;	
April 6, 2023, reported adversely, with favorable Committee	
Substitute by the following vote: Yeas 9, Nays 0; April 6, 2023,	
sent to printer.)	
Click here to see the committee vote	
COMMITTEE SUBSTITUTE FOR S.B. No. 1413	By: Eckhardt

A BILL TO BE ENTITLED
AN ACT

relating to the authority of a fire department to remove certain personal property from a roadway or right-of-way.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 545.3051(a), Transportation Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Fire department" has the meaning assigned by Section 419.021, Government Code.

SECTION 2. Section 545.3051, Transportation Code, is amended by amending Subsections (b), (d), and (e) and adding Subsection (f) to read as follows:

(b) An authority, a fire department, or a law enforcement agency may remove personal property from a roadway or right-of-way if the authority, fire department, or law enforcement agency determines that the property blocks the roadway or endangers public safety.

(d) The owner and any carrier of personal property removed under this section shall reimburse the authority, fire department, or law enforcement agency for any reasonable cost of removal and disposition of the property.

(e) Notwithstanding any other provision of law, an authority, a fire department, or a law enforcement agency is not liable for:

(1) any damage to personal property removed from a roadway or right-of-way under this section, unless the removal is carried out recklessly or in a grossly negligent manner; or

(2) any damage resulting from the failure to exercise the authority granted by this section.

(f) The governing body of a political subdivision that has a fire department shall develop and implement a policy concerning the fire department consulting with law enforcement agencies regarding removal of personal property from a roadway or right-of-way.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

* * * * *

REFERENCE 3.8

Texas Tow Act HB 2094, 80th Texas Legislature

As proposed by the Texas Towing & Storage Association (TTSA), the 80th Texas Legislature passed HB 2094 by Representative Fred Hill, Representative Jim Jackson & Senator John Carona. Supporters of the Legislation included: TTSA, Greater Dallas Emergency Wrecker Association, Texas Motor Transportation Association, Texas Auto Title & Registration, South West Tow Operations, Goode Towing & Recovery, Safetow, AAA Texas and Arens Services (Texas House Research Organization, SB 1118).

With the passage of HB 2094, Texas now has the most meaningful and innovative towing and storage laws in the United States. Below are the key provisions of the Act:

- Transfers regulation of the towing and vehicle storage industry from the Texas Department of Transportation to the Texas Department of Licensing and Regulation (TDLR), the state's umbrella occupational regulatory agency.
 - Creates the Towing and Storage Advisory Board to advise the department on matters relating to the towing and storage of vehicle.
 - Requires criminal background checks and drug testing for towing operators and vehicle storage facility employees.
 - Provides for three classifications of towing, establishes requirements for each class and requires permit.
 - o Incident Management Towing Operations Permit - Establishes equipment and liability insurance requirements for incident management towing permits. Provides that permitted incident management tow trucks may be used for all types of towing.
 - o Private Property Towing Operations Permit – Establishes equipment and liability insurance requirements for private property towing permits. Provides that permitted private property tow trucks may be used for private property towing and consent towing but not incident management towing.
 - o Consent Towing Operations Permit - Establishes equipment and liability insurance requirements for consent towing permits. Provides that permitted consent tow trucks may be used only for consent towing.
- Provides for three classifications of towing operators and requires license:
 - o Incident Management Towing Operator – Establishes requirements for an incident management towing operator license. Provides that licensed incident management towing operator may conduct all types of towing.
 - o Private Property Towing Operator - Establishes requirements for a private property towing operator license. Provides that licensed private property towing operator may conduct private property towing and consent towing but not incident management towing.
 - o Consent Towing Operator – Establishes for a consent towing operator license. Provides that licensed consent towing operators may only conduct consent towing.

• Key Dates

- o September 1, 2007 – HB 2094 Effective Date
- o September 1, 2008 - Towing Operators License Required
Incident Management Towing Operators & Private Property Towing Operators must be certified by Towing & Recovery Association of America or another certification approved by TDLR.
- o September 1, 2008 - Vehicle Storage Facility Employees License Required
- o After August 31, 2009 – Completion of Professional Development Course Required
At first license renewal, Incident Management Towing Operators must have completed professional development course relating to towing that is licensed or certified by the National Safety Council or another course approved by TDLR.

OCCUPATIONS CODE
TITLE 14. REGULATION OF MOTOR VEHICLES AND TRANSPORTATION
SUBTITLE A. REGULATIONS RELATED TO MOTOR VEHICLES
CHAPTER 2308. VEHICLE TOWING AND BOOTING
SUBCHAPTER A. GENERAL PROVISIONS

<http://www.statutes.legis.state.tx.us/Docs/OC/htm/OC.2308.htm>

Sec. 2308.002. DEFINITIONS. In this chapter:

(1) "Advisory board" means the Towing, Storage, and Booting Advisory Board.

(1-a) "Boot" means a lockable road wheel clamp or similar vehicle immobilization device that is designed to immobilize a parked vehicle and prevent its movement until the device is unlocked or removed.

(1-b) "Booting company" means a person that controls, installs, or directs the installation and removal of one or more boots.

(1-c) "Boot operator" means an individual who installs or removes a boot on or from a vehicle.

(2) "Commission" means the Texas Commission of Licensing and Regulation.

(3) "Consent tow" means any tow of a motor vehicle in which the tow truck is summoned by the owner or operator of the vehicle or by a person who has possession, custody, or control of the vehicle. The term does not include an incident management tow or a private property tow.

(4) "Department" means the Texas Department of Licensing and Regulation.

(5) "Driver's license" has the meaning assigned by Section [521.001](#), Transportation Code.

(5-a) "Incident management tow" means any tow of a vehicle in which the tow truck is summoned to the scene of a traffic accident or to an incident, including the removal of a vehicle, commercial cargo, and commercial debris from an accident or incident scene.

(6) "Nonconsent tow" means any tow of a motor vehicle that is not a consent tow, including:

- (A) an incident management tow; and
- (B) a private property tow.

(7) "Parking facility" means public or private property used, wholly or partly, for restricted or paid vehicle parking. The term includes:

(A) a restricted space on a portion of an otherwise unrestricted parking facility; and

(B) a commercial parking lot, a parking garage, and a parking area serving or adjacent to a business, church, school, home that charges a fee for parking, apartment complex, property governed by a property owners' association, or government-owned property leased to a private person, including:

(i) a portion of the right-of-way of a public roadway that is leased by a governmental entity to the parking facility owner; and

(ii) the area between the facility's property line abutting a county or municipal public roadway and the center line of the roadway's drainage way or the curb of the roadway, whichever is farther from the facility's property line.

(7-a) "Parking facility authorized agent" means an employee or agent of a parking facility owner with the authority to:

(A) authorize the removal of a vehicle from the parking facility on behalf of the parking facility owner; and

(B) accept service on behalf of the parking facility owner of a notice of hearing requested under this chapter.

(8) "Parking facility owner" means:

(A) an individual, corporation, partnership, limited partnership, limited liability company, association, trust, or other legal entity owning or operating a parking facility;

(B) a property owners' association having control under a dedicatory instrument, as that term is defined in Section [202.001](#), Property Code, over assigned or unassigned parking areas; or

(C) a property owner having an exclusive right under a dedicatory instrument, as that term is defined in Section [202.001](#), Property Code, to use a parking space.

(8-a) "Private property tow" means any tow of a vehicle authorized by a parking facility owner without the consent of the owner or operator of the vehicle.

(9) "Property owners' association" has the meaning assigned by Section [202.001](#), Property Code.

(10) "Public roadway" means a public street, alley, road, right-of-way, or other public way, including paved and unpaved portions of the right-of-way.

(11) "Tow truck" means a motor vehicle, including a wrecker, equipped with a mechanical device used to tow, winch, or otherwise move another motor vehicle. The term does not include:

(A) a motor vehicle owned and operated by a governmental entity, including a public school district;

(B) a motor vehicle towing:

(i) a race car;

(ii) a motor vehicle for exhibition; or

(iii) an antique motor vehicle;

(C) a recreational vehicle towing another vehicle;

(D) a motor vehicle used in combination with a tow bar, tow dolly, or other mechanical device if the vehicle is not operated in the furtherance of a commercial enterprise;

(E) a motor vehicle that is controlled or operated by a farmer or rancher and used for towing a farm vehicle; or

(F) a motor vehicle that:

(i) is owned or operated by an entity the primary business of which is the rental of motor vehicles; and

(ii) only tows vehicles rented by the entity.

(12) "Towing company" means an individual, association, corporation, or other legal entity that controls, operates, or directs the operation of one or more tow trucks

over a public roadway in this state but does not include a political subdivision of the state.

(13) "Unauthorized vehicle" means a vehicle parked, stored, or located on a parking facility without the consent of the parking facility owner.

(14) "Vehicle" means a device in, on, or by which a person or property may be transported on a public roadway. The term includes an operable or inoperable automobile, truck, motorcycle, recreational vehicle, or trailer but does not include a device moved by human power or used exclusively on a stationary rail or track.

(15) "Vehicle owner" means a person:

(A) named as the purchaser or transferee in the certificate of title issued for the vehicle under Chapter 501, Transportation Code;

(B) in whose name the vehicle is registered under Chapter 502, Transportation Code, or a member of the person's immediate family;

(C) who holds the vehicle through a lease agreement;

(D) who is an unrecorded lienholder entitled to possess the vehicle under the terms of a chattel mortgage; or

(E) who is a lienholder holding an affidavit of repossession and entitled to repossess the vehicle.

(16) "Vehicle storage facility" means a vehicle storage facility, as defined by Section [2303.002](#), that is operated by a person who holds a license issued under Chapter 2303 to operate the facility.

Added by Acts 2007, 80th Leg., R.S., Ch. 1046 (H.B. [2094](#)), Sec. 1.12, eff. September 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 757 (S.B. [702](#)), Sec. 3, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 845 (S.B. [2153](#)), Sec. 3, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1310 (H.B. [2571](#)), Sec. 1, eff. September 1, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 353 (H.B. [3510](#)), Sec. 4, eff. September 1, 2011.

SUBCHAPTER C. TOW TRUCK PERMIT REQUIREMENTS

Sec. 2308.101. PERMIT REQUIRED. A tow truck may not be used for consent towing or nonconsent towing on a public roadway in this state unless an appropriate permit has been issued for the tow truck under this subchapter. Each tow truck requires a separate permit.

Added by Acts 2007, 80th Leg., R.S., Ch. 1046 (H.B. [2094](#)), Sec. 1.12, eff. September 1, 2007.

Sec. 2308.103. REQUIREMENTS FOR INCIDENT MANAGEMENT TOWING PERMIT. (a) An incident management towing permit is required for a tow truck used to perform any nonconsent tow initiated by a peace officer, including a tow authorized under Section [545.3051](#), Transportation Code.

(b) To be eligible for an incident management towing permit, an applicant must submit evidence that:

(1) the tow truck is equipped to tow light-duty or heavy-duty vehicles according to the manufacturer's towing guidelines;

(2) the applicant has at least \$500,000 of liability insurance for the tow truck; and

(3) the applicant has at least \$50,000 of cargo insurance for the tow truck.

(c) A tow truck permitted under this section may also be used for private property towing and consent towing.

(d) When a tow truck is used for a nonconsent tow initiated by a peace officer under Section [545.3051](#), Transportation Code, the permit holder is an agent of law enforcement and is subject to Section [545.3051](#)(e), Transportation Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 1046 (H.B. [2094](#)), Sec. 1.12, eff. September 1, 2007.

Sec. 2308.109. DISPLAY OF INFORMATION ON TOW TRUCK. (a)

A permit holder shall display on each permitted tow truck:

- (1) the permit holder's name;
- (2) the permit holder's telephone number;
- (3) the city and state where the permit holder is

located; and

- (4) the permit number for the tow truck.

(b) The information required to be displayed must be:

- (1) printed in letters and numbers that are at least two inches high and in a color that contrasts with the color of the background surface; and

- (2) permanently affixed in conspicuous places on both sides of the tow truck.

Added by Acts 2007, 80th Leg., R.S., Ch. 1046 (H.B. [2094](#)), Sec. 1.12, eff. September 1, 2007.

TRAA VEHICLE IDENTIFICATION GUIDE

CLASS 1—LIGHT DUTY - (6,000 lbs. Or less GVW—4 tires)*



CLASS 2—LIGHT DUTY - (6,001—10,000 GVW—4 tires)*



Note: Class 1 through 2 include passenger cars, light trucks and mini vans, full size pickups, sport utility vehicles, full size vans.

CLASS 3—MEDIUM DUTY - (10,001 - 14,000 lbs. GVW - 6 tires or more)*



CLASS 4—MEDIUM DUTY - (14,001 - 16,000 lbs. GVW - 6 tires or more)*



CLASS 5—MEDIUM DUTY - (16,001 - 19,500 lbs. GVW - 6 tires or more)*



CLASS 6 — MEDIUM DUTY - (19,501 - 26,000 lbs. GVW - 6 tires or more)*



Note: Class 3 through 6 include a range of mid-sized to larger vehicles including delivery trucks, motor homes, package parcel trucks, small and medium-duty buses (school and transit buses)

CLASS 7 — HEAVY DUTY - (26,001 - 33,000 lbs. GVW - 6 tires or more)*



CLASS 8 — HEAVY DUTY - (33,001 lbs. and over GVW -10 tires or more)*



Note: Class 7 and 8 includes a range of heavier vehicles including large delivery trucks, motor coaches, all tractor-trailer combinations, refuse trucks, construction vehicles, etc.

Information Needed To Correctly Dispatch Towing And Recovery Units

1. Year, Make and Model of Vehicle to be Towed or Recovered
2. DOT Classification (Class 1-8 based on GVW)
3. Location of Vehicle
4. Type of Tow (Impound, accident, recovery, motorist assist, etc.)
5. Additional Vehicle Information:
 - 2,4, all-wheel drive
 - Damage extent
 - Tire condition
 - Vehicle loaded or empty
 - Cargo contents
 - Trailer attached

*Note: The Gross Vehicle Weight Rating (GVW) of the vehicles to be towed or recovered can be found on the I.D. label on the vehicle's driver side doorframe. The number of pounds listed on the label can then be compared with the DOT Classification Vehicle Type Chart for the correct DOT class.

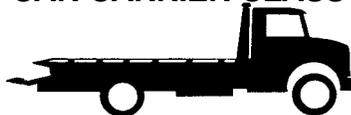
TOW TRUCK/CAR CARRIER CLASSIFICATION

LIGHT-DUTY

TOW TRUCK CLASS A



CAR CARRIER CLASS D



MEDIUM-DUTY

TOW TRUCK CLASS B

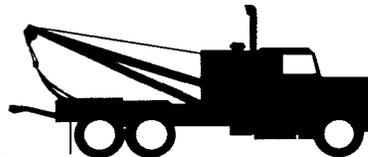


CAR CARRIER CLASS D



HEAVY-DUTY

TOW TRUCK CLASS C



TOW TRUCK CLASS C.



LOW BOY TRAILER

TOW TRUCK CLASS D



Regional Roadway Contact Numbers

DART Bus Dispatch214-928-6200

DART Transit Police214-928-6300

TxDOT Dallas TMC - DalTrans Main.....214-319-6100

TxDOT Dallas TMC - DalTrans Control Center.....214-319-3601*

*For Counties: Collin, Dallas, Denton, Ellis, Kaufman,
Navarro, and Rockwall

TxDOT Fort Worth TMC - TransVision Main.....817-370-3661

TxDOT Fort Worth TMC - TransVision Control Center....817-370-6656*

*For Counties: Erath, Hood, Jack, Johnson, Palo Pinto,
Parker, Somervell, Tarrant, and Wise

NTTA Main..... 972-461-2000

NTTA Safety Operations Center 214-224-2203

Managed Lane Facility Operators (CDAs)

LBJ Infrastructure972-661-8693

North Tarrant Express972-661-8693