

11-21-23

ORDINANCE NO. _____

An ordinance amending Chapter 15D, “Emergency Vehicles,” of the Dallas City Code by amending Section 15D-9.30; providing that it is an offense to follow an emergency vehicle traveling in response to an emergency call with white lights and a siren; providing that it is an offense to operate a private ambulance on an emergency run or in response to an emergency call with the use of white lights and sirens without obtaining permission from the fire alarm dispatcher; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the 88th Texas Legislature met in regular session between January 10, 2023 and May 29, 2023; and

WHEREAS, H.B. 3125 was filed on March 1, 2023; and

WHEREAS, H.B. 3125 provides that an authorized emergency vehicle may be equipped with signal lamps that display alternating or flashing white lights; and

WHEREAS, H.B. 1325 was approved by both chambers of the Texas Legislature; and

WHEREAS, H.B. 1325 was signed by Governor Greg Abbott on June 11, 2023 and took effect on September 1, 2023; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 15D-9.30, “Miscellaneous Offenses,” of Division 6, “Service Rules and Regulations,” of Article I, “Ambulances,” of Chapter 15D, “Emergency Vehicles,” of the Dallas City Code is amended to read as follows:

“SEC. 15D-9.30. MISCELLANEOUS OFFENSES.

(a) A person commits an offense if he:

DRAFT DOCUMENT—FOR DISCUSSION PURPOSES ONLY.

(1) intentionally follows any police car or fire apparatus that is traveling in response to an emergency call with red or white lights and siren or intentionally follows any ambulance to or near the scene of an emergency call;

(2) by word or gesture, solicits on a public street within the city the business of transporting a sick, injured, or deceased person for compensation;

(3) intentionally informs the fire alarm dispatcher, police dispatcher, or other fire or police official that an ambulance or more than one ambulance is needed at a location or address when the person knows that such a statement is false; or

(4) operates a private ambulance or uses any equipment in providing private ambulance service that fails to comply with all minimum safety and equipment standards required for a basic life support vehicle by the Emergency Medical Services Act (Chapter 773, Texas Health and Safety Code), as amended, or by any rule or regulation promulgated under that act.

(b) A licensee or permittee commits an offense if he:

(1) causes, induces, or seeks to induce, without good cause, a change of destination to or from a hospital or other place specified by the person requesting private ambulance service; or

(~~2~~[3]) operates or permits the operation of a private ambulance on an emergency run or in response to an emergency call or with the use of red or white lights and sirens, without obtaining permission from the fire alarm dispatcher.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 3. That Chapter 15D of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By _____
Assistant City Attorney

Passed _____

DRAFT