

VEHICLES QUALIFYING FOR FREE PASSAGE

PLEASE CHECK THE STATUTORY PROVISION(S) THAT QUALIFIES THE LISTED VEHICLES FOR FREE PASSAGE ON NTTA TURNPIKE PROJECTS AND PROVIDE REQUESTED DOCUMENTATION.

TEX. TRANSP. CODE § 366.178: EXEMPTION

“The exemption from payment of a toll for an authorized emergency vehicle applies regardless of whether the vehicle is: (1) responding to an emergency; (2) displaying a flashing light; or (3) marked as a police or emergency vehicle.”

TEX. TRANSP. CODE § 541.201: “AUTHORIZED EMERGENCY VEHICLE” MEANS

- Fire department vehicle
 - Includes the typical fire truck, whether or not it is responding to an emergency, displaying a flashing light, or is marked as emergency vehicle
 - Present documentation to this effect.
 - Includes a county-owned or county-leased emergency management vehicle that has been designated or authorized by the commissioner’s court
 - Present proof of ownership or lease as well as proof of designation from the commissioner’s court
 - Includes 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 commissioner’s court of that county
 - Present proof of employment or volunteer status with a county emergency management division in an area with a population between 46,500 and 48,000, as well as proof of designation from commissioner’s court
 - Includes a municipal department of public service corporation emergency vehicle that has been designated or authorized by the governing body of a municipality
 - Present proof of designation or authorization by a municipality
- Police vehicle
 - Includes the typical police vehicles, whether or not they are responding to an emergency, displaying a flashing light, or are marked as a police vehicle, owned or leased by a governmental entity
 - Present documentation to this effect.
 - Includes vehicles used for law enforcement purposes, owned or leased by a federal governmental entity
 - Present documentation of government ownership or leasing agreement to which governmental entity is a party
 - Includes a county-owned or county-leased emergency management vehicle that has been designated or authorized by the commissioner’s court
 - Present proof of ownership or lease as well as proof of designation from the commissioner’s court
 - Includes vehicles used for law enforcement purposes, owned or leased by the police department of a private institution of higher education that commissions peace offers

- Present documentation of affiliation with institution of higher education and ownership or lease agreement of vehicle
- Includes 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 commissioner’s court of that county
 - Present proof of employment or volunteer status with a county emergency management division in an area with a population between 46,500 and 48,000, as well as proof of designation from commissioner’s court
- Includes private vehicles owned or leased by a peace officer and approved for use for law enforcement purposes by the head of the law enforcement agency that employs the peace officer, or by that person’s designee, provided that the use complies with the rules of the commissioner’s court of the jurisdiction that employs the officer and that the vehicle is MARKED
 - Most of our fact patterns involve an off-duty officer using a personal vehicle to perform public safety functions (e.g., traffic control) for a NTTA contractor. There is an open legal question whether such activities qualify for the exemption. Thus, NTTA reviews these requests on a transaction-by-transaction basis. Officers must reapply for the exemption every 30 days and must provide (as per TEX. TRANSP. CODE § 541.201 (13-a)):
 - (1) ownership/lease documents for the vehicle;
 - (2) a letter of approval from the head of the law enforcement agency that employs the officer (dated within the past 30 days);
 - (3) a copy of the toll invoice that designates which tolls were incurred during a “law enforcement” activity (and excludes any tolls that were incurred while commuting to the job site or any other activity);
 - (4) for officers working for a NTTA contractor, documents showing the dates and hours of each shift over the past 30 days and written description of the duties performed during each shift; and
 - (5) for officers not working for a NTTA contractor, documentation showing the law enforcement purpose for each toll subject to the exemption request.
- Ambulance
 - Includes a public or private ambulance operated by a person who has been issued a license by the Department of State Health Services
 - Present license from the Dept. of State Health Services
 - Includes a municipal department of public service corporation emergency vehicle that has been designated or authorized by the governing body of a municipality
 - Present proof of designation or authorization by a municipality
 - Includes an emergency medical services vehicle authorized under a provider license issued by the Department of State Health Services under Chapter 773, Health and Safety Code, AND operating under a contract with an emergency services district that requires the emergency medical services provider to respond to emergency calls with the vehicle
 - Present license from the Dept. of State Health Services

- Present contact with emergency services district and their requirement that the emergency medical services provider respond to emergency calls with this vehicle
- Includes a county-owned or county-leased emergency management vehicle that has been designated or authorized by the commissioner's court
 - Present proof of ownership or lease as well as proof of designation from the commissioner's court
 - Includes 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
- Includes a private vehicle of a certified medical services employee or volunteer WHEN RESPONDING to a medical emergency
 - Have customer present documentation showing he/she is a medical services employee or volunteer status
 - Present statement vehicle is only used when in response to a medical emergency
- Vehicles carrying blood or tissue banks
 - Includes a vehicle of a blood bank or tissue bank, accredited or approved under the laws of Texas or of the United States, WHEN MAKING emergency deliveries of blood, drugs, medicines, or organs
 - Present documentation showing accreditation with the State of Texas
 - Present statement vehicle is only used when in an emergency delivery of blood, drugs, medicine, or organs
- Military Vehicle (found in TEX. TRANSP. CODE § 362.901)
 - Includes a convoy of military vehicles of the State of Texas, another state, OR the United States. "Military vehicle" includes an unmarked military vehicle operated by military personnel conducting an emergency preparedness, response, or recovery operation or participating in a training exercise for an emergency preparedness, response, or recovery operation. **The term does not include a vehicle operated for personal use.**
 - Present documentation showing military status from the State of Texas, another state, or the United States.