

BILL ANALYSIS

C.S.H.B. 1646
By: Hughes
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law defines an all terrain vehicle (ATV) as a three or four wheeler that has a saddle seat. Manufacturers of ATVs are concerned because some of the newer models of ATVs do not conform to the current definition of ATV in the Transportation Code. ATV users could be ticketed by law enforcement while driving on public property if their specific ATV model does not fit the current definition.

CSHB 1647 updates the definition of ATV to keep up with the evolution of the industry. The bill adds a bench seat and three or more wheels to the definition to include new ATVs that have the driver and passenger sitting side-by-side rather than a saddle seat, as well as those ATVs that have six wheels.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1: Amends definition of all terrain vehicle under Sec. 501.002(14) to include those vehicles in Sec. 502.001. Adds the word "bench" to the definition of all terrain vehicle. Changes the number of tires in the definition of ATV from four to "more than three". Exempts vehicles designed primarily for farming or lawn care.

SECTION 2: Effective date.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds language from Sec. 502.001 to protect golf carts from registration and titling.