

By: Jones of Dallas

H.B. No. 1372

A BILL TO BE ENTITLED

AN ACT

relating to the operation of lawn mowers; providing a penalty.

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

SECTION 1. Chapter 756, Health and Safety Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. LAWN MOWER OPERATION

Sec. 756.151. DEFINITIONS. In this subchapter:

(1) "Riding lawn mower" means a lawn mower that is equipped with a saddle for the use of:

(A) a rider; and

(B) a passenger, if the lawn mower is designed by the manufacturer to transport a passenger.

(2) "Power lawn mower" means a lawn mower that is:

(A) powered by a gasoline or electric motor; and

(B) not equipped with a saddle for the use of a rider.

(3) "Lawn mower" means a machine that is equipped with a blade for cutting grass and is designed by the manufacturer for lawn care.

Sec. 756.152. OPERATION BY PERSON YOUNGER THAN 10. A person younger than 10 years of age may not operate a power lawn mower.

Sec. 756.153. CARRYING PASSENGERS YOUNGER THAN 14. A person may not carry a passenger younger than 14 years of age on a riding lawn mower unless the riding lawn mower is designed by the

1 manufacturer to transport a passenger.

2 Sec. 756.154. CRIMINAL PENALTIES. (a) A person commits an
3 offense if the person owns a power lawn mower or a riding lawn mower
4 and:

5 (1) consents to the operation of the power lawn mower
6 by a person younger than 10; or

7 (2) consents to the transportation of a passenger
8 younger than 14 on the riding lawn mower if the riding lawn mower is
9 not designed by the manufacturer to transport a passenger.

10 (b) Except as provided in Subsection (c), a violation of
11 this section is a misdemeanor punishable by a fine of not less than
12 \$25 nor more than \$200.

13 (c) If a person has been previously convicted of a violation
14 of this section, a violation is a misdemeanor punishable by a fine
15 of not less than \$100 nor more than \$500.

16 (d) On the first conviction of a person of an offense under
17 this section, the court, in addition to assessing a fine, may order
18 the defendant to perform 8 to 12 hours of community service at a
19 hospital trauma center. If the court orders a defendant to perform
20 community service, the court shall require the defendant to present
21 to the court, not later than the 90th day after the date of final
22 conviction, evidence in the form prescribed by the court that the
23 defendant, as ordered by the court, has satisfactorily performed
24 the required hours of community service.

25 SECTION 2. This Act takes effect September 1, 2005.