

## **BILL ANALYSIS**

H.B. 227  
By: Ritter  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, "side-by-side vehicles" are not defined in Texas' Transportation Code, "golf carts" are, however, and their operation on county roads or municipal streets is illegal. This bill does not outright authorize the operation of golf-carts and side-by-side utility vehicles (as defined by new text in section 504.511) on public roads where it is otherwise prohibited by law. Instead (under new text found in Subchapter Z), it allows the governing body of a municipality or the commissioner's court of a county (whichever is more appropriate) to decide whether either type of vehicle can operate on streets in the municipality or roads in the unincorporated area of the county.

### **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 Section 504.510(d) of Texas' Transportation Code by changing subtle language and adding number (2) which adds to the list of golf carts eligible to be issued specialty license plates those that can be operated on municipal streets or county roads.

SECTION 2. Amends Subchapter F, Section 504 of Texas' Transportation Code by adding Section 504.511.

(a) States that a golf cart and a side-by-side utility vehicle that are deemed eligible to operate on municipal streets or county roads (under the newly added Section 551.981) shall be issued specialty license plates by the Department of Transportation.

(b) The fee for issuance is \$10.

(c) Provides that this newly added section does not authorize the operation of a side-by-side vehicle on public roads that currently prohibit their operation.

(d) It only applies to side-by-side vehicles under Section 551.981.

SECTION 3. Adds Subchapter Z and Section 551.981 to Texas' Transportation Code.

(a) Since "side-by-side utility vehicle" is new to the Transportation Code ("Golf cart" has the meaning assigned by Section 502.011), H.B. 227 defines it as:

- Having side-by-side seats for the passenger and operator
- Having four tires in contact with the ground
- Designed for off-highway use only
- Primarily serving a farming, ranching, or utility work purpose

(b) Provides that even though this bill does not outright authorize the operation of golf-carts and side-by-side utility vehicles (as defined by new text in section 504.511) on public roads where it is otherwise prohibited by law, instead (under new text found in Subchapter Z) it allows the governing body of a municipality or the commissioner's court of a county (whichever is applicable) to decide whether either type of vehicle can operate on streets in the municipality or roads in the unincorporated area of the county.

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(c) These two vehicles may only operate on municipal streets or county roads if:

- There is a "slow-moving vehicle emblem" attached to the vehicle as defined by Section 547.001.
- The vehicle is illuminated with headlights and taillights
- The operator holds a valid driver's license as defined by various Sections
- The vehicle is registered under Section 504.510.
- The operator establishes financial responsibility for the vehicle under Section 601.051.
- The vehicle has a horn compliant with Section 547.501 of the Transportation Code.

**EFFECTIVE DATE**

September 1, 2007.