

AN ACT

relating to the operation of all-terrain vehicles in connection with utility work.

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

SECTION 1. Section 663.037, Transportation Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) The operator of an all-terrain vehicle may drive the vehicle on a public street, road, or highway that is not an interstate or limited-access highway if:

(1) the transportation is in connection with:

(A) the production, cultivation, care, harvesting, preserving, drying, processing, canning, storing, handling, shipping, marketing, selling, or use of agricultural products, as defined by Section 52.002, Agriculture Code; or

(B) utility work performed by a utility;

(2) the operator attaches to the back of the vehicle on top of an eight-foot-long pole a triangular orange flag;

(3) the vehicle's headlights and taillights are illuminated;

(4) the operator holds a driver's license, as defined by Section 521.001;

(5) the operation of the all-terrain vehicle occurs in the daytime; and

1           (6) the operation of the all-terrain vehicle does not  
2 exceed a distance of 25 miles from the point of origin to the  
3 destination.

4           (d-1) Provisions of this code regarding helmet and eye  
5 protection use, safety certification, and other vehicular  
6 restrictions do not apply to Subsection (d) [~~this subsection~~].

7           SECTION 2. This Act takes effect September 1, 2007.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 2127 was passed by the House on April 13, 2007, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 2127 was passed by the Senate on May 10, 2007, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor