

By: Murphy

H.B. No. 2127

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

11 (1) the transportation is in connection with:

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

16 (B) utility work performed by a utility;

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

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

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

23 (5) the operation of the all-terrain vehicle occurs in  
24 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.