

1-1 By: Murphy (Senate Sponsor - Williams) H.B. No. 2127
1-2 (In the Senate - Received from the House April 16, 2007;
1-3 April 17, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 2, 2007, reported
1-5 favorably by the following vote: Yeas 6, Nays 0; May 2, 2007, sent
1-6 to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the operation of all-terrain vehicles in connection
1-10 with utility work.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 663.037, Transportation Code, is amended
1-13 by amending Subsection (d) and adding Subsection (d-1) to read as
1-14 follows:

1-15 (d) The operator of an all-terrain vehicle may drive the
1-16 vehicle on a public street, road, or highway that is not an
1-17 interstate or limited-access highway if:

1-18 (1) the transportation is in connection with:

1-19 (A) the production, cultivation, care,
1-20 harvesting, preserving, drying, processing, canning, storing,
1-21 handling, shipping, marketing, selling, or use of agricultural
1-22 products, as defined by Section 52.002, Agriculture Code; or

1-23 (B) utility work performed by a utility;

1-24 (2) the operator attaches to the back of the vehicle on
1-25 top of an eight-foot-long pole a triangular orange flag;

1-26 (3) the vehicle's headlights and taillights are
1-27 illuminated;

1-28 (4) the operator holds a driver's license, as defined
1-29 by Section 521.001;

1-30 (5) the operation of the all-terrain vehicle occurs in
1-31 the daytime; and

1-32 (6) the operation of the all-terrain vehicle does not
1-33 exceed a distance of 25 miles from the point of origin to the
1-34 destination.

1-35 (d-1) Provisions of this code regarding helmet and eye
1-36 protection use, safety certification, and other vehicular
1-37 restrictions do not apply to Subsection (d) [~~this subsection~~].

1-38 SECTION 2. This Act takes effect September 1, 2007.

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