

1-1 By: Williams S.B. No. 1363  
1-2 (In the Senate - Filed March 7, 2007; March 20, 2007, read  
1-3 first time and referred to Committee on Transportation and Homeland  
1-4 Security; April 10, 2007, reported favorably by the following  
1-5 vote: Yeas 9, Nays 0; April 10, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the operation of all-terrain vehicles in connection  
1-9 with utility work.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 663.037, Transportation Code, is amended  
1-12 by amending Subsection (d) and adding Subsection (d-1) to read as  
1-13 follows:

1-14 (d) The operator of an all-terrain vehicle may drive the  
1-15 vehicle on a public street, road, or highway that is not an  
1-16 interstate or limited-access highway if:

1-17 (1) the transportation is in connection with:

1-18 (A) the production, cultivation, care,  
1-19 harvesting, preserving, drying, processing, canning, storing,  
1-20 handling, shipping, marketing, selling, or use of agricultural  
1-21 products, as defined by Section 52.002, Agriculture Code; or

1-22 (B) utility work performed by a utility;

1-23 (2) the operator attaches to the back of the vehicle on  
1-24 top of an eight-foot-long pole a triangular orange flag;

1-25 (3) the vehicle's headlights and taillights are  
1-26 illuminated;

1-27 (4) the operator holds a driver's license, as defined  
1-28 by Section 521.001;

1-29 (5) the operation of the all-terrain vehicle occurs in  
1-30 the daytime; and

1-31 (6) the operation of the all-terrain vehicle does not  
1-32 exceed a distance of 25 miles from the point of origin to the  
1-33 destination.

1-34 (d-1) Provisions of this code regarding helmet and eye  
1-35 protection use, safety certification, and other vehicular  
1-36 restrictions do not apply to Subsection (d) [~~this subsection~~].

1-37 SECTION 2. This Act takes effect September 1, 2007.

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