

## **BILL ANALYSIS**

Senate Research Center  
81R9125 JD-D

C.S.S.B. 129  
By: Ellis  
Transportation & Homeland Security  
3/31/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, drivers of neighborhood electric vehicles (NEVs) are allowed to drive at a maximum speed of 25 miles per hour on roads with a posted speed limit of 35 miles per hour. NEVs have up to a 245 mile range on the electrical equivalent of a single gallon of gas, at an average cost of one to two cents per mile. These fuel efficient vehicles travel 30 to 50 miles on a single electric charge even while using optional air conditioning.

This legislation would allow NEV drivers more flexibility in selecting which streets and roadways to utilize. As they produce no emissions, more widespread usage of NEVs could potentially reduce auto emissions in urban and suburban areas. Presently, the following eight states allow NEVs to operate at speeds up to 35 miles per hour: Georgia, Kansas, Kentucky, Maine, Montana, Oklahoma, Tennessee, and Washington.

C.S.S.B. 129 allows NEVs to be operated at speeds up to 35 miles per hour.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Reenacts Section 551.301(1), Transportation Code, as amended by Chapters 281 (H.B. 2702) and 1242 (H.B. 1596), Acts of the 79th Legislature, Regular Session, 2005, and amends it to redefine "neighborhood electric vehicle" as a vehicle that can attain a maximum speed of 35 miles per hour on a paved level surface and otherwise complies with, rather than a vehicle subject to, Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500).

SECTION 2. Amends Section 551.303(a), Transportation Code, to authorize a neighborhood electric vehicle to be operated only on a street or highway for which the posted speed limit is 45, rather than 35, miles per hour or less. Authorizes a neighborhood electric vehicle to cross a road or street at an intersection where the road or street has a posted speed limit of more than 45, rather than 35, miles per hour. Prohibits a neighborhood electric vehicle from operating on a street or highway at a speed that exceeds the lesser of the posted speed limit; or 35 miles per hour.

SECTION 3. Effective date: upon passage or September 1, 2009.