

By: Bonnen

H.B. No. 1163

A BILL TO BE ENTITLED

AN ACT

relating to the registration and operation on a public roadway of an all-terrain vehicle by a disabled person.

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

SECTION 1. Section 502.006, Transportation Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsections [~~Subsection~~] (b) and (c), a person may not register an all-terrain vehicle, with or without design alterations, for operation on a public highway.

(c) A municipality with a population less than 35,000 may register an all-terrain vehicle for operation on a public street, road, or highway that is not an interstate or limited-access highway by a person with a disability as defined by Section 681.001.

SECTION 2. Section 663.037, Transportation Code, is amended by adding Subsection (h) to read as follows:

(h) A person with a disability may operate an all-terrain vehicle registered under Section 502.006 on a public street, road, or highway with a posted speed limit of 35 miles per hour or less, that is not an interstate or limited-access highway that is located in a municipality with a population of less than 35,000 if:

(1) the transportation is in connection with the mobility needs of a person with a disability as defined by Section 681.001;

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

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

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

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

9 (6) the operation of the all-terrain vehicle does not
10 exceed a distance of 25 miles from the point of origin to the
11 destination;

12 (7) the all-terrain vehicle's speed does not exceed 25
13 miles per hour; and

14 (8) the operation of an all-terrain vehicle on the
15 public street, road, or highway is not in violation of an ordinance
16 of the municipality.

17 SECTION 3. This Act takes effect September 1, 2009.