

By: Swinford

H.B. No. 3846

A BILL TO BE ENTITLED

AN ACT

relating to wearing safety apparel while operating certain off-highway vehicles.

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

SECTION 1. Section 29.011, Parks and Wildlife Code, is amended to read as follows:

Sec. 29.011. SAFETY APPAREL REQUIRED. (a) A person may not operate, ride or be carried on an off-highway vehicle on public property unless the person wears:

(1) a safety helmet that complies with United States Department of Transportation standards; and

(2) eye protection; and

(3) seat belts, if the vehicle is equipped with seat belts.

(b) An offense under this section is a Class C Parks and Wildlife Code misdemeanor.

(c) Sec. 29.011 does not apply to:

(1) a motor vehicle that has at least four wheels and is registered by the Department of Transportation for use on a public highway and is not defined in Sec. 502.001 of the Transportation Code as an "all terrain vehicle,"

(2) a vehicle that is being loaded or unloaded into or from a transport vehicle or trailer; and

(3) any vehicle that has four wheels that is operated

1 at 15 miles per hour or less.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2009.