

By: Watson

S.B. No. 2018

A BILL TO BE ENTITLED

AN ACT

relating to golf carts.

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

SECTION 1. Section 547.001, Transportation Code, is amended by adding Subsection (2-a) to read as follows:

(2-a) "Golf cart" has the meaning assigned by Section 502.001.

SECTION 2. Section 547.002, Transportation Code, is amended to read as follows:

Sec. 547.002. APPLICABILITY. Unless a provision is specifically made applicable, this chapter and the rules of the department adopted under this chapter do not apply to:

- (1) an implement of husbandry;
- (2) road machinery;
- (3) a road roller;
- (4) a farm tractor;
- (5) a bicycle, a bicyclist, or bicycle equipment;
- (6) an electric bicycle, an electric bicyclist, or electric bicycle equipment; or
- (7) a golf cart that is operated only as authorized by ~~[not required to be registered under]~~ Section 551.403 ~~[502.284]~~.

SECTION 3. Subsection (d), Section 547.703, Transportation Code, is amended to read as follows:

(d) A golf cart that is operated at a speed of not more than

1 25 miles per hour [~~as defined by Section 502.001~~] is required to
2 display a slow-moving-vehicle emblem [~~only~~] when it is operated on
3 a public highway, as defined by Section 502.001, under Section
4 551.403 or 551.404 [~~an arterial street~~].

5 SECTION 4. Chapter 551, Transportation Code, is amended by
6 adding Subchapter F to read as follows:

7 SUBCHAPTER F. GOLF CARTS

8 Sec. 551.401. DEFINITIONS. In this subchapter, "golf cart"
9 and "public highway" have the meanings assigned by Section 502.001.

10 Sec. 551.402. REGISTRATION NOT AUTHORIZED. (a) The Texas
11 Department of Transportation may not register a golf cart for
12 operation on a public highway regardless of whether any alteration
13 has been made to the golf cart.

14 (b) The department may issue license plates for a golf cart
15 only as authorized by Section 504.510.

16 Sec. 551.403. LIMITED OPERATION. (a) An operator may
17 operate a golf cart:

18 (1) in a master planned community:

19 (A) that has in place a uniform set of
20 restrictive covenants; and

21 (B) for which a county or municipality has
22 approved a plat;

23 (2) on a public or private beach; or

24 (3) on a public highway for which the posted speed
25 limit is not more than 35 miles per hour, if the golf cart is
26 operated:

27 (A) during the daytime; and

1 (B) not more than two miles from the location
2 where the golf cart is usually parked and for transportation to or
3 from a golf course.

4 (b) The Texas Department of Transportation or a county or
5 municipality may prohibit the operation of a golf cart on a public
6 highway if the department or the governing body of the county or
7 municipality determines that the prohibition is necessary in the
8 interest of safety.

9 Sec. 551.404. OPERATION IN MUNICIPALITIES. (a) In
10 addition to the operation authorized by Section 551.403, the
11 governing body of a municipality may allow an operator to operate a
12 golf cart on all or part of a public highway that:

13 (1) is in the corporate boundaries of the
14 municipality; and

15 (2) has a posted speed limit of not more than 35 miles
16 per hour.

17 (b) A golf cart operated under Subsection (a) must have the
18 following equipment:

19 (1) headlamps;

20 (2) taillamps;

21 (3) reflectors;

22 (4) parking brake; and

23 (5) mirrors.

24 Sec. 551.405. CROSSING CERTAIN ROADWAYS. An operator of a
25 golf cart may cross a public highway if the posted speed limit of
26 the public highway is not more than 35 miles per hour.

27 SECTION 5. Subsection (a), Section 601.052, Transportation

1 Code, is amended to read as follows:

2 (a) Section 601.051 does not apply to:

3 (1) the operation of a motor vehicle that:

4 (A) is a former military vehicle or is at least 25
5 years old;

6 (B) is used only for exhibitions, club
7 activities, parades, and other functions of public interest and not
8 for regular transportation; and

9 (C) for which the owner files with the department
10 an affidavit, signed by the owner, stating that the vehicle is a
11 collector's item and used only as described by Paragraph (B);

12 (2) the operation of a golf cart that is operated only
13 as authorized by [~~not required to be registered under~~] Section
14 551.403 [~~502.284~~]; or

15 (3) a volunteer fire department for the operation of a
16 motor vehicle the title of which is held in the name of a volunteer
17 fire department.

18 SECTION 6. The following sections of the Transportation
19 Code are repealed:

20 (1) Section 502.0071; and

21 (2) Subsection (e), Section 547.703.

22 SECTION 7. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2009.