

By: Watson

S.B. No. 2018

A BILL TO BE ENTITLED

AN ACT

relating to neighborhood vehicles and golf carts.

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

SECTION 1. Section 502.001(14-a), Transportation Code, is added to read as follows:

Sec. 502.001. In this chapter: (14-a) "Neighborhood vehicle" means a golf cart operated in accordance with Section 551.303, a vehicle that is subject to Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500), or a motor vehicle that is designed to carry persons or property and to travel more than 10 but less than 35 miles per hour and that is designated as a neighborhood vehicle by the department. The term does not include an all-terrain vehicle, farm tractor, implement of husbandry, or road tractor.

SECTION 2. Section 502.0071, Transportation Code, is amended to add subsections (a) and (b) to read as follows:

Sec. 502.0071. GOLF CARTS. (a) An owner of a golf cart is not required to title or register the golf cart if:

(1) the operation of the golf cart occurs in the daytime, as defined by Section 541.401; and

(2) the operation:

(A) ~~[does not exceed a distance of two miles from the point of origin to the destination if driven to and from a golf course,~~

~~[(B)]~~ occurs entirely within a master planned

1 community with a uniform set of restrictive covenants that has had a  
2 plat approved by a county or a municipality; or

3 (B) [~~(C)~~] occurs on a public or private beach.

4 (b) An owner of a golf cart may title and register a golf  
5 cart as a neighborhood vehicle.

6 SECTION 3. Section 502.0076, Transportation Code, is added  
7 to read as follows:

8 Sec. 502.0076. (a) To operate on a street or highway, the  
9 owner of a neighborhood vehicle must register the neighborhood  
10 vehicle.

11 (b) This section does not authorize the operation of a  
12 neighborhood vehicle on a public road where it is otherwise  
13 prohibited by law.

14 SECTION 4. Subchapter D, chapter 502, Transportation Code,  
15 is amended by adding Section 502.1695 to read as follows:

16 Sec. 502.1695. FEE: NEIGHBORHOOD VEHICLE. The fee for  
17 registration of a neighborhood vehicle is \$30.

18 SECTION 5. Section 504.510(a) and its heading are amended  
19 to read as follows:

20 Sec. 504.510. NEIGHBORHOOD VEHICLE [~~GOLF CART~~] LICENSE  
21 PLATES. (a) The department shall issue specialty license plates  
22 for an eligible neighborhood vehicle [~~golf cart~~].

23 SECTION 6. Section 547.002, Transportation Code, is amended  
24 to read as follows:

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

- 1 (1) an implement of husbandry;
- 2 (2) road machinery;
- 3 (3) a road roller;
- 4 (4) a farm tractor;
- 5 (5) a bicycle, a bicyclist, or bicycle equipment;
- 6 (6) an electric bicycle, an electric bicyclist, or
- 7 electric bicycle equipment~~[, or~~
- 8 (7) a golf cart not required to be registered under
- 9 Section 502.0071 [~~502.284~~].

10 SECTION 7. The heading of and Section 551.301, Subchapter  
11 D, Chapter 551, Transportation Code, as amended by Section 2.86,  
12 Chapter 281 (H.B. 2702), paragraph (1) is amended to read as  
13 follows:

14 SUBCHAPTER D. NEIGHBORHOOD [~~ELECTRIC~~] VEHICLES

15 Sec. 551.301. DEFINITIONS. In this subchapter:

- 16 (1) "Neighborhood [~~electric~~] vehicle" means a vehicle
- 17 as defined by Section 502.001 [~~subject to Federal Motor Vehicle~~
- 18 ~~Safety Standard 500 (49 C.F.R. Section 571.500)]~~.

19 SECTION 8. Section 551.302, Transportation Code, is  
20 amended, and new subsection (d) is added, to read as follows:

21 Sec. 551.302. REGISTRATION. The Texas Department of  
22 Transportation may adopt rules relating to the registration and  
23 issuance of license plates to neighborhood [~~electric~~] vehicles.

24 SECTION 9. Section 551.303, Transportation Code, is  
25 amended, and new subsection (d) is added, to read as follows:

26 Sec. 551.303. OPERATION ON ROADWAYS. (a) To be operated  
27 on a street or highway a neighborhood vehicle must be registered

1 under Section 502.0076. A neighborhood [~~electric~~] vehicle may be  
2 operated only on a street or highway for which the posted speed  
3 limit is 35 miles per hour or less. A neighborhood [~~electric~~]  
4 vehicle may cross a road or street [~~at an intersection~~] where the  
5 [~~road or street has a~~] posted speed limit is [~~of~~] more than 35 miles  
6 per hour only at an intersection.

7 (b) A county or municipality may prohibit the operation of a  
8 neighborhood [~~electric~~] vehicle on a street or highway if the  
9 governing body of the county or municipality determines that the  
10 prohibition is necessary in the interest of safety.

11 (c) The Texas Department of Transportation may prohibit the  
12 operation of a neighborhood [~~electric~~] vehicle on a public highway,  
13 as defined by Section 502.001, if that department determines that  
14 the prohibition is necessary in the interest of safety.

15 (d) The owner of a neighborhood vehicle must comply with the  
16 licensing requirement of Chapters 521, and the requirements of  
17 Chapters 547 and 548, as applicable.

18 SECTION 10. Sections 601.052(a), Transportation Code, is  
19 amended to read as follows: (a) Section 601.051 does not apply to:

- 20 (1) the operation of a motor vehicle that:
- 21 (A) is a former military vehicle or is at least 25  
22 years old;
- 23 (B) is used only for exhibitions, club  
24 activities, parades, and other functions of public interest and not  
25 for regular transportation; and
- 26 (C) for which the owner files with the department  
27 an affidavit, signed by the owner, stating that the vehicle is a

1 collector's item and used only as described by Paragraph (B);

2 (2) the operation of a golf cart not required to be  
3 registered under Section 502.0071~~[502.284]~~; or

4 (3) a volunteer fire department for the operation of a  
5 motor vehicle the title of which is held in the name of a volunteer  
6 fire department.

7 SECTION 11. Sections 504.510(b)-(d), 551.301(Subchapter D,  
8 Chapter 551, Transportation Code, Section 2, Chapter 1242 (H.B.  
9 1596), Acts of the 79th Legislature, Regular Session, 2005), and  
10 551.301(2) are repealed.

11 SECTION 12. This Act takes effect immediately if it  
12 receives a vote of two-thirds of all the members elected to each  
13 house, as provided by Section 39, Article III, Texas Constitution.  
14 If this Act does not receive the vote necessary for immediate  
15 effect, this Act takes effect September 1, 2009.