

1-1 By: Watson S.B. No. 2018  
1-2 (In the Senate - Filed March 12, 2009; March 24, 2009, read  
1-3 first time and referred to Committee on Transportation and Homeland  
1-4 Security; April 22, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
1-6 April 22, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2018 By: Watson

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to neighborhood vehicles and golf carts.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 502.001, Transportation Code, is amended  
1-13 by adding Subdivision (14-a) to read as follows:

1-14 (14-a) "Neighborhood vehicle" means a golf cart  
1-15 operated in accordance with Section 551.303, a vehicle subject to  
1-16 Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section  
1-17 571.500), or a motor vehicle that is designed to carry persons or  
1-18 property and to travel more than 10 but not more than 35 miles per  
1-19 hour and that is designated as a neighborhood vehicle by the  
1-20 department. The term does not include an all-terrain vehicle, farm  
1-21 tractor, implement of husbandry, or road tractor.

1-22 SECTION 2. Section 502.0071, Transportation Code, is  
1-23 amended to read as follows:

1-24 Sec. 502.0071. GOLF CARTS. (a) An owner of a golf cart is  
1-25 not required to title or register the golf cart if:

1-26 (1) the operation of the golf cart occurs in the  
1-27 daytime, as defined by Section 541.401; and

1-28 (2) the operation:

1-29 (A) ~~[does not exceed a distance of two miles from~~  
1-30 ~~the point of origin to the destination if driven to and from a golf~~  
1-31 ~~course,~~

1-32 ~~[(B)]~~ occurs entirely within a master planned  
1-33 community with a uniform set of restrictive covenants that has had a  
1-34 plat approved by a county or a municipality; or

1-35 (B) ~~[(C)]~~ occurs on a public or private beach.

1-36 (b) An owner of a golf cart may title and register the golf  
1-37 cart as a neighborhood vehicle.

1-38 SECTION 3. Subchapter A, Chapter 502, Transportation Code,  
1-39 is amended by adding Section 502.0076 to read as follows:

1-40 Sec. 502.0076. OPERATION OF NEIGHBORHOOD VEHICLE ON STREET  
1-41 OR HIGHWAY. An owner shall register a neighborhood vehicle before  
1-42 operating the vehicle on a street or highway. This section does not  
1-43 authorize the operation of a neighborhood vehicle on a public road  
1-44 on which operation of the vehicle is otherwise prohibited by law.

1-45 SECTION 4. Subchapter D, Chapter 502, Transportation Code,  
1-46 is amended by adding Section 502.169 to read as follows:

1-47 Sec. 502.169. FEE: NEIGHBORHOOD VEHICLE. The fee for  
1-48 registration of a neighborhood vehicle is \$30.

1-49 SECTION 5. The heading to Section 504.510, Transportation  
1-50 Code, is amended to read as follows:

1-51 Sec. 504.510. NEIGHBORHOOD VEHICLE ~~[GOLF CART]~~ LICENSE  
1-52 PLATES.

1-53 SECTION 6. Subsection (a), Section 504.510, Transportation  
1-54 Code, is amended to read as follows:

1-55 (a) The department shall issue specialty license plates for  
1-56 an eligible neighborhood vehicle ~~[golf cart]~~.

1-57 SECTION 7. Section 547.001, Transportation Code, is amended  
1-58 by adding Subdivision (5-a) to read as follows:

1-59 (5-a) "Neighborhood vehicle" has the meaning assigned  
1-60 by Section 502.001.

1-61 SECTION 8. Section 547.002, Transportation Code, is amended  
1-62 to read as follows:

1-63 Sec. 547.002. APPLICABILITY. Unless a provision is

2-1 specifically made applicable, this chapter and the rules of the  
 2-2 department adopted under this chapter do not apply to:  
 2-3 (1) an implement of husbandry;  
 2-4 (2) road machinery;  
 2-5 (3) a road roller;  
 2-6 (4) a farm tractor;  
 2-7 (5) a bicycle, a bicyclist, or bicycle equipment;  
 2-8 (6) an electric bicycle, an electric bicyclist, or  
 2-9 electric bicycle equipment; or  
 2-10 (7) a golf cart not required to be registered because  
 2-11 it is only operated in the manner described by ~~[under]~~ Section  
 2-12 502.0071 ~~[502.284]~~.

2-13 SECTION 9. The heading to Section 547.703, Transportation  
 2-14 Code, is amended to read as follows:

2-15 Sec. 547.703. ADDITIONAL EQUIPMENT REQUIREMENTS FOR  
 2-16 SLOW-MOVING AND NEIGHBORHOOD VEHICLES.

2-17 SECTION 10. Subsection (d), Section 547.703,  
 2-18 Transportation Code, is amended to read as follows:

2-19 (d) A neighborhood vehicle that can attain a maximum speed  
 2-20 of 25 miles per hour or less on a paved level surface ~~[golf cart as~~  
 2-21 ~~defined by Section 502.001]~~ is required to display a  
 2-22 slow-moving-vehicle emblem ~~[only]~~ when ~~[it is]~~ operated on a ~~[an~~  
 2-23 ~~arterial]~~ street or highway.

2-24 SECTION 11. Section 548.051, Transportation Code, is  
 2-25 amended by adding Subsections (c) and (d) to read as follows:

2-26 (c) Except as provided in Subsection (d), a neighborhood  
 2-27 vehicle registered in this state must have the following items  
 2-28 inspected at an inspection station or by an inspector:

- 2-29 (1) headlamps;
- 2-30 (2) rear lamps;
- 2-31 (3) reflectors;
- 2-32 (4) parking brake; and
- 2-33 (5) mirrors.

2-34 (d) Notwithstanding Subsection (c), a neighborhood vehicle  
 2-35 that is subject to Federal Motor Vehicle Safety Standard 500 (49  
 2-36 C.F.R. Section 571.500) also must comply with those equipment  
 2-37 standards.

2-38 SECTION 12. The heading to Subchapter D, Chapter 551,  
 2-39 Transportation Code, is amended to read as follows:

2-40 SUBCHAPTER D. NEIGHBORHOOD ~~[ELECTRIC]~~ VEHICLES

2-41 SECTION 13. Subdivision (1), Section 551.301,  
 2-42 Transportation Code, as amended by Chapter 281 (H.B. 2702), Acts of  
 2-43 the 79th Legislature, Regular Session, 2005, is amended to read as  
 2-44 follows:

2-45 (1) "Neighborhood ~~[electric]~~ vehicle" has the meaning  
 2-46 assigned by Section 502.001 ~~[means a vehicle subject to Federal~~  
 2-47 ~~Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500)].~~

2-48 SECTION 14. Section 551.302, Transportation Code, is  
 2-49 amended to read as follows:

2-50 Sec. 551.302. REGISTRATION. The Texas Department of  
 2-51 Transportation may adopt rules relating to the registration and  
 2-52 issuance of license plates to neighborhood ~~[electric]~~ vehicles.

2-53 SECTION 15. Section 551.303, Transportation Code, is  
 2-54 amended to read as follows:

2-55 Sec. 551.303. OPERATION ON ROADWAYS. (a) An owner shall  
 2-56 register a neighborhood vehicle under Section 502.0076 before  
 2-57 operating the vehicle on a street or highway. A neighborhood  
 2-58 ~~[electric]~~ vehicle may be operated only on a street or highway for  
 2-59 which the posted speed limit is 35 miles per hour or less. A  
 2-60 neighborhood ~~[electric]~~ vehicle may cross a road or street ~~[at an~~  
 2-61 ~~intersection]~~ where the ~~[road or street has a]~~ posted speed limit is  
 2-62 ~~[of]~~ more than 35 miles per hour only at an intersection.

2-63 (b) A county or municipality may prohibit the operation of a  
 2-64 neighborhood ~~[electric]~~ vehicle on a street or highway if the  
 2-65 governing body of the county or municipality determines that the  
 2-66 prohibition is necessary in the interest of safety.

2-67 (c) The Texas Department of Transportation may prohibit the  
 2-68 operation of a neighborhood ~~[electric]~~ vehicle on a public highway,  
 2-69 as defined by Section 502.001, if that department determines that

3-1 the prohibition is necessary in the interest of safety.  
3-2 (d) The owner of a neighborhood vehicle shall comply with  
3-3 the licensing requirement of Chapter 521, and the requirements of  
3-4 Chapters 547 and 548, as applicable.

3-5 SECTION 16. Subsection (a), Section 601.052,  
3-6 Transportation Code, is amended to read as follows:

3-7 (a) Section 601.051 does not apply to:  
3-8 (1) the operation of a motor vehicle that:  
3-9 (A) is a former military vehicle or is at least 25  
3-10 years old;

3-11 (B) is used only for exhibitions, club  
3-12 activities, parades, and other functions of public interest and not  
3-13 for regular transportation; and

3-14 (C) for which the owner files with the department  
3-15 an affidavit, signed by the owner, stating that the vehicle is a  
3-16 collector's item and used only as described by Paragraph (B);

3-17 (2) the operation of a golf cart not required to be  
3-18 registered because it is only operated in the manner described by  
3-19 [under] Section 502.0071 [502.284]; or

3-20 (3) a volunteer fire department for the operation of a  
3-21 motor vehicle the title of which is held in the name of a volunteer  
3-22 fire department.

3-23 SECTION 17. The following provisions of the Transportation  
3-24 Code are repealed:

3-25 (1) Subsections (b), (c), and (d), Section 504.510;

3-26 (2) Subsection (e), Section 547.703;

3-27 (3) Section 551.301, as amended by Chapter 1242 (H.B.  
3-28 1596), Acts of the 79th Legislature, Regular Session, 2005; and

3-29 (4) Subdivision (2), Section 551.301, as amended by  
3-30 Chapter 281 (H.B. 2702), Acts of the 79th Legislature, Regular  
3-31 Session, 2005.

3-32 SECTION 18. This Act takes effect immediately if it  
3-33 receives a vote of two-thirds of all the members elected to each  
3-34 house, as provided by Section 39, Article III, Texas Constitution.  
3-35 If this Act does not receive the vote necessary for immediate  
3-36 effect, this Act takes effect September 1, 2009.

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