

SENATE AMENDMENTS

2nd Printing

By: Hilderbran

H.B. No. 2553

A BILL TO BE ENTITLED

AN ACT

relating to the registration and operation of certain off-highway vehicles.

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

SECTION 1. Section 29.001, Parks and Wildlife Code, is amended to read as follows:

Sec. 29.001. DEFINITION. In this chapter, "off-highway vehicle" means:

(1) an all-terrain vehicle, as defined by Section 663.001, Transportation Code;

(2) an off-highway motorcycle; ~~and~~

(3) a recreational off-highway vehicle, as defined by Section 502.001, Transportation Code; and

(4) any other motorized vehicle used for off-highway recreation on:

(A) public land over which the department has authority or on land purchased or leased by the department; or

(B) land acquired or developed under a grant made under Section 29.008 or any other grant program operated or administered by the department.

SECTION 2. Section 501.002(14), Transportation Code, is amended to read as follows:

(14) "Motor vehicle" means:

(A) any motor driven or propelled vehicle

1 required to be registered under the laws of this state;

2 (B) a trailer or semitrailer, other than
3 manufactured housing, that has a gross vehicle weight that exceeds
4 4,000 pounds;

5 (C) a house trailer;

6 (D) an all-terrain vehicle or a recreational
7 off-highway vehicle, as those terms are defined by Section 502.001,
8 designed by the manufacturer for off-highway use that is not
9 required to be registered under the laws of this state; or

10 (E) a motorcycle, motor-driven cycle, or moped
11 that is not required to be registered under the laws of this state,
12 other than a motorcycle, motor-driven cycle, or moped designed for
13 and used exclusively on a golf course.

14 SECTION 3. Section 502.001, Transportation Code, is amended
15 by amending Subdivision (1) and adding Subdivision (19-a) to read
16 as follows:

17 (1) "All-terrain vehicle" means a motor vehicle that
18 is:

19 (A) equipped with a saddle[~~, bench, or bucket~~
20 ~~seats~~] for the use of:

21 (i) the rider; and

22 (ii) a passenger, if the motor vehicle is
23 designed by the manufacturer to transport a passenger;

24 (B) designed to propel itself with three or more
25 tires in contact with the ground;

26 (C) designed by the manufacturer for off-highway
27 use; and

1 (D) not designed by the manufacturer primarily
2 for farming or lawn care.

3 (19-a) "Recreational off-highway vehicle" means a motor
4 vehicle that is:

5 (A) equipped with a non-straddle seat for the use
6 of:

7 (i) the rider; and

8 (ii) a passenger, if the vehicle is
9 designed by the manufacturer to transport a passenger;

10 (B) designed to propel itself with four or more
11 tires in contact with the ground;

12 (C) designed by the manufacturer for off-highway
13 use by the operator only; and

14 (D) not designed by the manufacturer primarily
15 for farming or lawn care.

16 SECTION 4. Section 502.006, Transportation Code, is amended
17 to read as follows:

18 Sec. 502.006. CERTAIN OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES.

19 (a) Except as provided by Subsection (b), a person may not register
20 an all-terrain vehicle or a recreational off-highway vehicle, with
21 or without design alterations, for operation on a public highway.

22 (b) The state, a county, or a municipality may register an
23 all-terrain vehicle or a recreational off-highway vehicle for
24 operation on a public beach or highway to maintain public safety and
25 welfare.

26 (c) [~~e~~] Section 502.172 does not apply to an all-terrain
27 vehicle or a recreational off-highway vehicle.

1 SECTION 5. The heading to Subtitle G, Title 7,
2 Transportation Code, is amended to read as follows:

3 SUBTITLE G. MOTORCYCLES AND OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES

4 SECTION 6. The heading to Chapter 663, Transportation Code,
5 is amended to read as follows:

6 CHAPTER 663. CERTAIN OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES

7 SECTION 7. Section 663.001, Transportation Code, is amended
8 by adding Subdivision (3) to read as follows:

9 (3) "Recreational off-highway vehicle" has the
10 meaning assigned by Section 502.001.

11 SECTION 8. Subchapter A, Chapter 663, Transportation Code,
12 is amended by adding Section 663.003 to read as follows:

13 Sec. 663.003. RECREATIONAL OFF-HIGHWAY VEHICLES. This
14 chapter applies to the operator and operation of a recreational
15 off-highway vehicle in the same manner as if the recreational
16 off-highway vehicle were an all-terrain vehicle.

17 SECTION 9. This Act takes effect September 1, 2009.

ADOPTED

MAY 27 2009

Letty Spaw
Secretary of the Senate

By: Hilderbran / Davis

H.B. No. 2553

Substitute the following for H.B. No. 2553:

By: Elit Shapleigh

C.S. H.B. No. 2553

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the registration and operation of certain motor
3 vehicles.

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

5 SECTION 1. Section 29.001, Parks and Wildlife Code, is
6 amended to read as follows:

7 Sec. 29.001. DEFINITION. In this chapter, "off-highway
8 vehicle" means:

9 (1) an all-terrain vehicle, as defined by Section
10 663.001, Transportation Code;

11 (2) an off-highway motorcycle; ~~and~~

12 (3) a recreational off-highway vehicle, as defined by
13 Section 502.001, Transportation Code; and

14 (4) any other motorized vehicle used for off-highway
15 recreation on:

16 (A) public land over which the department has
17 authority or on land purchased or leased by the department; or

18 (B) land acquired or developed under a grant
19 made under Section 29.008 or any other grant program operated or

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1 administered by the department.

2 SECTION 2. Section 501.002(14), Transportation Code, is
3 amended to read as follows:

4 (14) "Motor vehicle" means:

5 (A) any motor driven or propelled vehicle
6 required to be registered under the laws of this state;

7 (B) a trailer or semitrailer, other than
8 manufactured housing, that has a gross vehicle weight that
9 exceeds 4,000 pounds;

10 (C) a house trailer;

11 (D) an all-terrain vehicle or a recreational
12 off-highway vehicle, as those terms are defined by Section
13 502.001, designed by the manufacturer for off-highway use that
14 is not required to be registered under the laws of this state;
15 or

16 (E) a motorcycle, motor-driven cycle, or moped
17 that is not required to be registered under the laws of this
18 state, other than a motorcycle, motor-driven cycle, or moped
19 designed for and used exclusively on a golf course.

20 SECTION 3. Section 502.001, Transportation Code, is
21 amended by amending Subdivision (1) and adding Subdivision (19-
22 a) to read as follows:

23 (1) "All-terrain vehicle" means a motor vehicle that
24 is:

2
6

1 (A) equipped with a saddle[, ~~bench, or bucket~~
2 ~~seats~~] for the use of:

3 (i) the rider; and

4 (ii) a passenger, if the motor vehicle is
5 designed by the manufacturer to transport a passenger;

6 (B) designed to propel itself with three or more
7 tires in contact with the ground;

8 (C) designed by the manufacturer for off-highway
9 use; and

10 (D) not designed by the manufacturer primarily
11 for farming or lawn care.

12 (19-a) "Recreational off-highway vehicle" means a
13 motor vehicle that is:

14 (A) equipped with a non-straddle seat for the
15 use of:

16 (i) the rider; and

17 (ii) a passenger, if the vehicle is
18 designed by the manufacturer to transport a passenger;

19 (B) designed to propel itself with four or more
20 tires in contact with the ground;

21 (C) designed by the manufacturer for off-highway
22 use by the operator only; and

23 (D) not designed by the manufacturer primarily
24 for farming or lawn care.

1 SECTION 4. Section 502.006, Transportation Code, is
2 amended to read as follows:

3 Sec. 502.006. CERTAIN OFF-HIGHWAY [~~ALL TERRAIN~~] VEHICLES.

4 (a) Except as provided by Subsection (b), a person may not
5 register an all-terrain vehicle or a recreational off-highway
6 vehicle, with or without design alterations, for operation on a
7 public highway.

8 (b) The state, a county, or a municipality may register an
9 all-terrain vehicle or a recreational off-highway vehicle for
10 operation on a public beach or highway to maintain public safety
11 and welfare.

12 (c) [~~e~~] Section 502.172 does not apply to an all-terrain
13 vehicle or a recreational off-highway vehicle.

14 SECTION 5. Section 547.001, Transportation Code, is
15 amended by adding Subsection (2-a) to read as follows:

16 (2-a) "Golf cart" has the meaning assigned by Section
17 502.001.

18 SECTION 6. Section 547.002, Transportation Code, is
19 amended to read as follows:

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

- 23 (1) an implement of husbandry;
24 (2) road machinery;

- 1 (3) a road roller;
- 2 (4) a farm tractor;
- 3 (5) a bicycle, a bicyclist, or bicycle equipment;
- 4 (6) an electric bicycle, an electric bicyclist, or
- 5 electric bicycle equipment; or
- 6 (7) a golf cart that is operated only as authorized
- 7 by [~~not required to be registered under~~] Section 551.403
- 8 [~~502.284~~].

9 SECTION 7. Subsection (d), Section 547.703, Transportation
10 Code, is amended to read as follows:

11 (d) A golf cart that is operated at a speed of not more
12 than 25 miles per hour [~~as defined by Section 502.001~~] is
13 required to display a slow-moving-vehicle emblem [~~only~~] when it
14 is operated on a public highway, as defined by Section 502.001,
15 under Section 551.403 or 551.404 [~~an arterial street~~].

16 SECTION 8. Chapter 551, Transportation Code, is amended by
17 adding Subchapter F to read as follows:

18 SUBCHAPTER F. GOLF CARTS

19 Sec. 551.401. DEFINITIONS. In this subchapter, "golf
20 cart" and "public highway" have the meanings assigned by Section
21 502.001.

22 Sec. 551.402. REGISTRATION NOT AUTHORIZED. (a) The Texas
23 Department of Transportation may not register a golf cart for
24 operation on a public highway regardless of whether any

1 alteration has been made to the golf cart.

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

4 Sec. 551.403. LIMITED OPERATION. (a) An operator may
5 operate a golf cart:

6 (1) in a master planned community:

7 (A) that has in place a uniform set of
8 restrictive covenants; and

9 (B) for which a county or municipality has
10 approved a plat;

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

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

15 (A) during the daytime; and

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

19 (b) The Texas Department of Transportation or a county or
20 municipality may prohibit the operation of a golf cart on a
21 public highway if the department or the governing body of the
22 county or municipality determines that the prohibition is
23 necessary in the interest of safety.

24 Sec. 551.404. OPERATION IN MUNICIPALITIES. (a) In

1 addition to the operation authorized by Section 551.403, the
2 governing body of a municipality may allow an operator to
3 operate a golf cart on all or part of a public highway that:

4 (1) is in the corporate boundaries of the
5 municipality; and

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

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

10 (1) headlamps;

11 (2) taillamps;

12 (3) reflectors;

13 (4) parking brake; and

14 (5) mirrors.

15 Sec. 551.405. CROSSING CERTAIN ROADWAYS. A golf cart may
16 cross intersections, including a road or street that has a
17 posted speed limit of more than 35 miles per hour.

18 SECTION 9. Subsection (a), Section 601.052, Transportation
19 Code, is amended to read as follows:

20 (a) Section 601.051 does not apply to:

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

22 (A) is a former military vehicle or is at least
23 25 years old;

24 (B) is used only for exhibitions, club

1 activities, parades, and other functions of public interest and
2 not for regular transportation; and

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

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

10 (3) a volunteer fire department for the operation of
11 a motor vehicle the title of which is held in the name of a
12 volunteer fire department.

13 SECTION 10. The following sections of the Transportation
14 Code are repealed:

15 (1) Section 502.0071; and

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

17 SECTION 11. The heading to Subtitle G, Title 7,
18 Transportation Code, is amended to read as follows:

19 SUBTITLE G. MOTORCYCLES AND OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES

20 SECTION 12. The heading to Chapter 663, Transportation
21 Code, is amended to read as follows:

22 CHAPTER 663. CERTAIN OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES

23 SECTION 13. Section 663.001, Transportation Code, is
24 amended by adding Subdivision (3) to read as follows:

1 (3) "Recreational off-highway vehicle" has the
2 meaning assigned by Section 502.001.

3 SECTION 14. Subchapter A, Chapter 663, Transportation
4 Code, is amended by adding Section 663.003 to read as follows:

5 Sec. 663.003. RECREATIONAL OFF-HIGHWAY VEHICLES. This
6 chapter applies to the operator and operation of a recreational
7 off-highway vehicle in the same manner as if the recreational
8 off-highway vehicle were an all-terrain vehicle.

9 SECTION 15. Section 502.160, Transportation Code, is
10 amended to read as follows:

11 Sec. 502.160. FEE: MOTORCYCLE OR MOPED. The fee for a
12 registration year for registration of a motorcycle or moped is
13 \$30.

14 SECTION 16. The heading to Section 502.161, Transportation
15 Code, is amended to read as follows:

16 Sec. 502.161. FEE: VEHICLES THAT WEIGH 6,000 POUNDS OR
17 LESS [~~PASSENGER CAR, MUNICIPAL BUS, PRIVATE BUS~~].

18 SECTION 17. Subsection (a), Section 502.161,
19 Transportation Code, is amended to read as follows:

20 (a) The fee for a registration year for registration of a
21 vehicle with a gross weight of [~~passenger car, a municipal bus,~~
22 ~~or a private bus that weighs~~] 6,000 pounds or less is \$50.75,
23 unless otherwise provided in this chapter[+]

24 [~~(1) \$40.50 for a vehicle the model year of which is~~

1 ~~more than six years before the year in which the registration~~
2 ~~year begins;~~

3 ~~[(2) \$50.50 for a vehicle the model year of which is~~
4 ~~more than three years but is six years or less before the year~~
5 ~~in which the registration year begins; or~~

6 ~~[(3) \$58.50 for a vehicle the model year of which is~~
7 ~~three years or less before the year in which the registration~~
8 ~~year begins].~~

9 SECTION 18. The heading to Section 502.162, Transportation
10 Code, is amended to read as follows:

11 Sec. 502.162. FEE: VEHICLES THAT WEIGH MORE THAN 6,000
12 POUNDS [~~COMMERCIAL MOTOR VEHICLE OR TRUCK TRACTOR~~].

13 SECTION 19. Subsection (a), Section 502.162,
14 Transportation Code, is amended to read as follows:

15 (a) The fee for a registration year for registration of a
16 vehicle with a gross weight of more than 6,000 pounds is
17 ~~[commercial motor vehicle or truck tractor is \$25 plus an amount~~
18 ~~determined according to the vehicle's gross weight and tire~~
19 ~~equipment,]~~ as follows unless otherwise provided in this
20 chapter:

<u>Weight</u>	<u>Fee</u>
<u>Classification</u>	<u>Schedule</u>
<u>in pounds</u>	
<u>6,001-10,000</u>	<u>\$54.00</u>

<u>10,001-18,000</u>	<u>\$110.00</u>
<u>18,001-25,999</u>	<u>\$205.00</u>
<u>26,000-40,000</u>	<u>\$340.00</u>
<u>40,001-54,999</u>	<u>\$535.00</u>
<u>55,000-70,000</u>	<u>\$740.00</u>
<u>70,001-80,000</u>	<u>\$840.00</u>

~~[Gross Fee for each 100~~
~~weight pounds or~~
~~[in pounds fraction of 100~~
~~pounds~~

	[Equipped with [pneumatic tires	Equipped with solid tires
[1-6,000	\$0.44	\$0.55
[6,001- 8,000	0.495	0.66
[8,001- 10,000	0.605	0.77
[10,001- 17,000	0.715	0.88
[17,001- 24,000	0.77	0.99

[24,001-	0.88	1.10
31,000		
[31,001 and	0.99	1.32]
over		

1 SECTION 20. Section 502.165, Transportation Code, is
 2 amended to read as follows:

3 Sec. 502.165. FEE: ROAD TRACTOR. The fee for a
 4 registration year for registration of a road tractor is the fee
 5 prescribed by [~~\$25 plus an amount determined according to the~~
 6 ~~vehicle's~~] weight as certified by a public weigher or a license
 7 and weight inspector of the Department of Public Safety under
 8 Section 502.161 or 502.162, as applicable. [~~as follows:~~

~~[Fee for each 100 pounds~~

~~[Gross weight in or~~

~~[pounds fraction of 100 pounds~~

~~[1-4,000 \$0.275~~

~~[4,001-6,000 0.55~~

~~[6,001-8,000 0.66~~

~~[8,001-10,000 0.825~~

~~[10,001 and over 1.10]~~

9 SECTION 21. The heading to Section 502.166, Transportation
 10 Code, is amended to read as follows:

11 Sec. 502.166. FEE: TRAILER, TRAVEL TRAILER, OR

1 SEMITRAILER.

2 SECTION 22. Section 502.166, Transportation Code, is
3 amended by amending Subsection (a) and adding Subsection (a-1)
4 to read as follows:

5 (a) The fee for a registration year for registration of a
6 trailer, travel trailer, or semitrailer with a [~~is \$25 plus an~~
7 ~~amount determined according to the vehicle's~~] gross weight of of
8 6,000 pounds or less is \$45.00.

9 (a-1) The fee for a registration year for registration of
10 a trailer, travel trailer, or semitrailer with a gross weight of
11 more than 6,000 pounds is calculated by gross weight according
12 to Section 502.162. [~~and tire equipment, as follows:~~

[~~Gross weight Fee for each 100~~
~~pounds or~~
~~in pounds fraction of 100 pounds~~

	[Equipped with	[Equipped
		with
	[pneumatic	solid tires
	tires	
[1-6,000	\$0.33	\$0.44
[6,001-8,000	0.44	0.55
[8,001-10,000	0.55	0.66
[10,001-17,000	0.66	0.88

[17,001 and 0.715 0.99]

over

1 SECTION 23. Subsections (a), (b), and (c), Section
2 502.167, Transportation Code, are amended to read as follows:

3 (a) This section applies only to a truck-tractor or
4 commercial motor vehicle with a gross weight [~~manufacturer's~~
5 ~~rated carrying capacity~~] of more than 10,000 pounds [~~one ton~~]
6 that is used or is to be used in combination with a semitrailer
7 that has a gross weight of more than 6,000 pounds.

8 (b) The [~~Notwithstanding Section 502.162, the~~] fee for a
9 registration year for registration of a truck-tractor or
10 commercial motor vehicle is calculated by gross weight according
11 to Section 502.162. [~~\$40 plus an amount determined according to~~
12 ~~the combined gross weight of the vehicles, as follows:~~

[Fee for each 100 pounds	
[Combined gross weight or	
[in pounds	fraction of 100 pounds
[18,000-36,000	\$0.60
[36,001-42,000	0.75
[42,001-62,000	0.90
[62,001 and over	1.00]

13 (c) The [~~Notwithstanding Section 502.166, the~~] fee for a
14 registration year for registration of a semitrailer used in the
15 manner described by Subsection (a), regardless of the date the

1 semitrailer is registered, is:

2 (1) \$30, for a semitrailer being propelled by a power
3 unit for which a permit under Section 623.011 has been issued;
4 or

5 (2) \$15, for a semitrailer being propelled by a power
6 unit for which a permit under Section 623.011 has not been
7 issued.

8 SECTION 24. Section 502.168, Transportation Code, is
9 amended to read as follows:

10 Sec. 502.168. FEE: MOTOR BUS. The fee for a registration
11 year for registration of a motor bus is the fee prescribed by
12 Section 502.161 or 502.162, as applicable. [~~\$25 plus an amount~~
13 ~~determined according to the vehicle's gross weight, as follows:~~

	[Fee for each 100 pounds
[Gross weight	or
[in pounds	fraction of 100 pounds
[1-6,000	\$0.44
[6,001-8,000	0.495
[8,001-10,000	0.605
[10,001-17,000	0.715
[17,001-24,000	0.77
[24,001-31,000	0.88
[31,001 and over	0.99]

14 SECTION 25. Subsection (b), Section 502.1705,

15
19

1 Transportation Code, is amended to read as follows:

2 (b) The department may use money collected under this
3 section to provide for or enhance [~~perform one or more of the~~
4 ~~following~~]:

5 (1) [~~enhancing the department's automated~~
6 ~~registration and title system,~~

7 [~~(2) providing for the automated on-site production~~
8 ~~of registration insignia; or~~

9 [~~(3) providing for~~] automated on-premises and off-
10 premises [~~self service~~] registration; and

11 (2) services related to the titling of vehicles.

12 SECTION 26. The heading to Section 502.184, Transportation
13 Code, is amended to read as follows:

14 Sec. 502.184. REPLACEMENT OF [~~LOST, STOLEN, OR MUTILATED~~
15 ~~LICENSE PLATE OR~~] REGISTRATION INSIGNIA.

16 SECTION 27. Subsections (a), (b), (e), and (f), Section
17 502.184, Transportation Code, are amended to read as follows:

18 (a) The owner of a registered motor vehicle may obtain
19 [~~from the department through the county assessor collector~~
20 ~~replacement license plates or~~] a replacement registration
21 insignia by:

22 (1) certifying [~~filing with the assessor collector a~~
23 ~~statement.~~

24 [~~(A) showing that one or both of the license~~

1 ~~plates or the registration insignia to be replaced has been~~
2 ~~lost, stolen, or mutilated, and~~

3 [~~(B) stating~~] that the replacement [~~no license~~
4 ~~plate or~~] registration insignia [~~to be replaced~~] will not be
5 used on any other vehicle owned or operated by the person making
6 the statement;

7 (2) paying a fee of \$6 [~~\$5~~] plus the fees required by
8 Section [~~Sections 502.170(a) and~~] 502.1705(a) for [~~each set of~~
9 ~~replacement license plates or~~] each replacement registration
10 insignia, except as provided by other law [~~Subsection (b), (c),~~
11 ~~or (i)~~]; and

12 (3) returning [~~to the assessor collector~~] each
13 replaced [~~plate or~~] registration insignia in the owner's
14 possession.

15 (b) No fee is required under this section if the
16 replacement fee for a license plate has been paid under Section
17 502.1841 [~~for the replacement of lost, stolen, or mutilated~~
18 ~~specialized license plates issued under Sections 504.308 and~~
19 ~~504.315(e) and (f)]]. [~~The fee for replacement of certain~~
20 ~~specialized license plates is:~~~~

[~~License plates issued under: Fee:~~
[~~Section 504.411~~ \$2
[~~Section 504.409~~ \$9]

21 (e) A county assessor-collector may not issue [~~replacement~~

1 ~~license plates or~~] a replacement registration insignia without
2 complying with this section.

3 (f) A county assessor-collector shall retain \$2.50 of each
4 fee collected under this section and shall report and send the
5 remainder to the department [~~as provided by Sections 502.102 and~~
6 ~~502.105~~].

7 SECTION 28. Subchapter D, Chapter 502, Transportation
8 Code, is amended by adding Section 502.1841 to read as follows:

9 Sec. 502.1841. REPLACEMENT LICENSE PLATES. (a) The owner
10 of a registered motor vehicle may obtain replacement license
11 plates for the vehicle by:

12 (1) certifying that the replacement plates will not
13 be used on any other vehicle owned or operated by the person
14 making the statement;

15 (2) paying a fee of \$6 plus the fee required by
16 Section 502.1705(a) for each set of replacement license plates,
17 unless otherwise specified by law; and

18 (3) returning to the department each license plate in
19 the owner's possession for which a replacement license plate is
20 obtained.

21 (b) Replacement license plates may not be issued except as
22 provided by this section.

23 (c) A county assessor-collector shall retain \$2.50 of each
24 fee collected under this section and forward the remainder of

1 the fee to the department.

2 (d) The fee required by this section applies to the
3 issuance of license plates for a transferred used vehicle for
4 which the registration and license plates were not transferred
5 under Subchapter I.

6 SECTION 29. Subsection (d), Section 504.101,
7 Transportation Code, is amended to read as follows:

8 (d) The department may not issue a replacement set of
9 personalized license plates to the same person before the sixth
10 anniversary of the date of issuance unless the applicant for
11 issuance of replacement plates pays the [~~an additional~~] fee
12 required by Section 502.1841 [~~of \$30~~].

13 SECTION 30. Section 504.501, Transportation Code, is
14 amended to read as follows:

15 Sec. 504.501. CLASSIC MOTOR VEHICLES AND TRAVEL TRAILERS.

16 (a) The department shall issue specialty license plates for a
17 motor vehicle that is at least 25 years old. The license plates
18 must include the word "Classic" [~~words "Classic Auto," "Classic~~
19 ~~Motorcycle," or "Classic Truck"~~] or a similar designation, as
20 appropriate.

21 (b) A person eligible for the license plates may instead
22 use license plates that were issued by this state in the same
23 year as the model year of the vehicle and are approved by the
24 department if the plates are approved for the vehicle before

1 January 1, 2011. The department may require the attachment of a
2 registration insignia to the license plate in a manner that does
3 not affect the display of information originally on the license
4 plate.

5 (c) There is no [~~The~~] fee for issuance or approval of
6 license plates under this section [~~is \$15~~].

7 SECTION 31. Subsection (c), Section 504.505,
8 Transportation Code, is amended to read as follows:

9 (c) There is no [~~The initial~~] fee for issuance of the
10 license plates [~~is \$8~~]. The license plates may be renewed
11 without payment of a fee.

12 SECTION 32. Subsection (b), Section 504.507,
13 Transportation Code, is amended to read as follows:

14 (b) There is no [~~The~~] fee for issuance of the license
15 plates [~~is \$8~~]. The department shall:

16 (1) [~~also~~] collect any [~~additional~~] fee that a county
17 imposes under this chapter for registration of a forestry
18 vehicle; and

19 (2) send the fee to the appropriate county for
20 disposition.

21 SECTION 33. Subsection (b), Section 504.508,
22 Transportation Code, is amended to read as follows:

23 (b) There is no [~~The~~] fee for issuance of the license
24 plates [~~is \$15~~].

1 SECTION 34. Section 504.509, Transportation Code, is
2 amended to read as follows:

3 Sec. 504.509. VEHICLES CARRYING MOBILE AMATEUR RADIO
4 EQUIPMENT. [~~a~~] The department shall issue specialty license
5 plates for a person who holds an amateur radio station license
6 issued by the Federal Communications Commission and who operates
7 receiving and transmitting mobile amateur radio equipment. The
8 license plates shall include the person's amateur call letters
9 as assigned by the Federal Communications Commission. A person
10 may register more than one vehicle equipped with mobile amateur
11 radio equipment under this section, and the department shall
12 issue license plates that include the same amateur call letters
13 for each vehicle.

14 [~~(b) The fee for issuance of the license plates is \$2 for
15 the first year and \$1 for each subsequent year.~~]

16 SECTION 35. Subsection (b), Section 504.510,
17 Transportation Code, is amended to read as follows:

18 (b) The fee for issuance of the license plates is \$6
19 [~~\$10~~].

20 SECTION 36. Subsection (a), Section 504.801,
21 Transportation Code, is amended to read as follows:

22 (a) The department may create new specialty license plates
23 on its own initiative or on receipt of an application from a
24 potential sponsor. A new specialty license plate created under

1 this section must comply with each requirement of Section
2 504.702 unless the license is created by the department on its
3 own initiative. The department may permit a specialty license
4 plate created under this section to be personalized. The
5 redesign of an existing specialty license plate at the request
6 of a sponsor shall be treated like the issuance of a new
7 specialty license plate, except that the department may require
8 a nonrefundable design fee [~~lower deposit amount to reflect the~~
9 ~~actual costs of redesigning the license plate~~].

10 SECTION 37. The following provisions of the Transportation
11 Code are repealed:

- 12 (1) Section 502.007;
- 13 (2) Subsection (b), Section 502.161;
- 14 (3) Section 502.170;
- 15 (4) Subsection (c), Section 502.1705;
- 16 (5) Section 502.187;
- 17 (6) Subsection (c), Section 502.201;
- 18 (7) Section 502.453;
- 19 (8) Subsection (b), Section 504.409; and
- 20 (9) Section 504.5011.

21 SECTION 38. Sections 1 through 14 of this Act take effect
22 September 1, 2009. Sections 15 through 37 of this Act take
23 effect September 1, 2011.

ADOPTED

MAY 27 2009

DeWay DeWitt
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *J. J. Aring*

1 Amend C.S.H.B. No. 2553 (senate committee printing) by
2 adding the following appropriately numbered SECTION to the bill
3 and renumbering subsequent SECTIONS of the bill as appropriate:

4 SECTION __. (a) Section 502.1725, Transportation Code, is
5 amended by amending Subsections (d), (e), (f), and (g) and
6 adding Subsections (e-1), (f-1), (i), and (j) to read as
7 follows:

8 (d) A fee imposed under this section may take effect only
9 on January 1 of a year. The county must adopt the order and
10 notify the department not later than September 1 of the year
11 preceding the year in which the fee takes effect. A fee imposed
12 under this section is not required to be annually reauthorized
13 and remains in effect until removed as provided by Subsection
14 (e).

15 (e) Subject to Subsection (e-1), a [A] fee imposed under
16 this section may be removed. The removal may take effect only
17 on January 1 of a year. A county may remove the fee only by:

18 (1) rescinding the order imposing the fee; and
19 (2) notifying the department not later than September
20 1 of the year preceding the year in which the removal takes
21 effect.

22 (e-1) If the revenue from a fee imposed under this section
23 is pledged or assigned to secure the payment of obligations as
24 provided by Subsection (f-1), the fee may not be removed until
25 the obligations secured by the pledge or assignment have been
26 paid or discharged.

27 (f) The county assessor-collector of a county imposing a
28 fee under this section shall collect the additional fee for a
29 vehicle when other fees imposed under this chapter are

9.147.85 MTB

1 collected. The county shall deposit [~~send~~] the fee revenue in a
2 special account in the county general fund. Money in the
3 account may be used only for a purpose authorized under Section
4 (7-a), Article VIII, Texas Constitution, and only to contract
5 with:

6 (1) [~~to~~] the regional mobility authority of the
7 county to promote and maintain a public purpose of the county
8 that involves funding [~~fund~~] long-term transportation projects
9 in the county;

10 (2) a transportation governmental entity designated
11 under Subsection (j) to promote and maintain a public purpose of
12 the county that involves funding long-term transportation
13 projects in the county; or

14 (3) a public or private entity developing a long-term
15 transportation project in the county under an agreement with the
16 county, the regional mobility authority of the county, or a
17 transportation governmental entity designated under Subsection
18 (j) to promote and maintain a public purpose of the county.

19 (f-1) Revenue from a fee imposed under this section may be
20 pledged or assigned by the county, the regional mobility
21 authority of the county with which the county contracts under
22 Subsection (f), or a transportation governmental entity with
23 which the county contracts under Subsection (f) to secure the
24 payment of obligations associated with the development of long-
25 term transportation projects in the county as provided by
26 Subsection (f).

27 (g) The department shall collect the additional fee on a
28 vehicle that is owned by a resident of a county imposing a fee
29 under this section and that, under this chapter, must be
30 registered directly with the department. The department shall
31 send all fees collected for a county under this subsection to

1 the county for deposit and use as provided by Subsection (f) or
2 (f-1) [~~regional mobility authority of the county to fund long-~~
3 ~~term transportation projects in the county]~~.

4 (i) Notwithstanding Subsection (b), the fee imposed under
5 this section by the commissioners court of a county to which
6 this subsection applies may not exceed \$50. This subsection
7 applies only to a county that:

8 (1) borders the United Mexican States;

9 (2) has a population of at least 500,000; and

10 (3) does not contain a municipality with a population
11 of more than 500,000.

12 (j) The department shall designate the governmental
13 entities that serve primarily a transportation function and with
14 which counties may contract under Subsection (f).

15 (b) This Section takes effect immediately if this Act
16 receives a vote of two-thirds of all the members elected to each
17 house, as provided by Section 39, Article III, Texas
18 Constitution. If this Act does not receive the vote necessary
19 for immediate effect, this Section takes effect September 1,
20 2009.

ADOPTED

FLOOR AMENDMENT NO. 2

MAY 27 2009

BY: Seliger

Atty Gen
Secretary of the Senate

1 Amend C.S.H.B. 2553 (senate committee report) by adding the
2 following appropriately numbered SECTIONS, and renumbering the
3 following SECTIONS accordingly:

4 SECTION _____. The heading to Section 29.011, Parks and
5 Wildlife Code, is amended to read as follows:

6 Sec. 29.011. SAFETY APPAREL REQUIRED; SEAT BELTS.

7 SECTION _____. Section 29.011, Parks and Wildlife Code, is
8 amended by amending Subsection (a) and adding Subsection (c) to
9 read as follows:

10 (a) A person may not operate, ride, or be carried on an
11 off-highway vehicle on public property unless the person wears:

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

14 (2) eye protection; and

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

17 (c) This section does not apply to a motor vehicle that:

18 (1) has at least four wheels and is registered by the
19 Texas Department of Transportation for use on a public highway,
20 unless the vehicle is an all-terrain vehicle as defined by
21 Section 502.001, Transportation Code;

22 (2) has four wheels and is equipped with bench or
23 bucket seats and seat belts and includes a roll bar or roll cage
24 construction to reduce the risk of injury to an occupant of the
25 vehicle in case of the vehicle's rollover; or

26 (3) is in the process of being loaded into or
27 unloaded from a trailer or another vehicle used to transport the
28 motor vehicle.

29 SECTION _____. The change in law made by this Act to Section

1 29.011, Parks and Wildlife Code, applies to an offense committed
2 on or after the effective date of this Act. An offense
3 committed before the effective date of this Act is covered by
4 the law in effect when the offense was committed, and the former
5 law is continued in effect for that purpose. For purposes of
6 this section, an offense was committed before the effective date
7 of this Act if any element of the offense was committed before
8 that date.

3 ADOPTED

FLOOR AMENDMENT NO. _____

MAY 27 2009

BY: Jean Hoffman

Lataj Shaw
Secretary of the Senate

1 Amend C.S.H.B. 2553 (senate committee report) in SECTION 4
2 of the bill, in amended Sec. 502.006 (page 2, between lines 21
3 and 22), by adding the following new Subsection (c), and
4 relettering the following Subsection accordingly:

5 (c) A recreational off-highway vehicle registered as
6 provided by subsection (b) may be operated on a public or
7 private beach in the same manner as a golf cart may be operated
8 on a public or private beach under Section 502.0071. The
9 operator must hold and have in the operator's possession a
10 driver's license issued under Chapter 521 or a commercial
11 driver's license issued under Chapter 522.

FLOOR AMENDMENT NO. 4

BY: Zaffirini

1 Amend Amendment 1 to H.B. No. 2553 (senate committee
2 printing) as follows and renumber SECTIONS of the bill as
3 appropriate:

4 (1) In SECTION __ of Amendment 1, in Section 502.1725(i),
5 Transportation Code (page 3 line 11) after "500,000" strike "._"
6 and substitute "; and".

7 (2) In SECTION __ of Amendment 1, in Section 502.1725(i),
8 Transportation Code (page 3 lines 4 through 11) immediately
9 after page 3 line 11 insert the following:

10 (3) a county:

11 (A) that has a population of less than 300,000;

12 (B) that has a municipality with a population of more
13 than 150,000; and

14 (3) that borders the United Mexican States.

ADOPTED

MAY 27 2009

Patry Spaw
Secretary of the Senate

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2553 by Hilderbran (Relating to the registration and operation of certain motor vehicles.),
As Passed 2nd House

Estimated Two-year Net Impact to General Revenue Related Funds for HB2553, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>State Highway Fund</i> 6	Probable Revenue Gain/(Loss) from <i>Counties</i>
2010	\$0	\$0
2011	\$0	\$0
2012	\$1,417,225	\$2,753,252
2013	\$1,442,565	\$2,813,320
2014	\$1,468,346	\$2,874,715

Fiscal Analysis

The bill would amend provisions in Chapter 502 of the Transportation Code relating to motor vehicle registration fees. The bill would establish a registration fee of \$50.75 for a vehicle, including a motor bus, with a gross weight of 6,000 pounds or less. The bill would establish a new registration fee schedule for vehicles with a gross weight of more than 6,000 pounds (ranging from \$54 for a vehicle between 6,001 and 10,000 pounds and up to \$840 for a vehicle between 70,001 and 80,000 pounds). The bill would set the registration fee for a road tractor based on weight at the rates established by the bill for vehicles with a gross weight of up to or more than 6,000 pounds. The bill would set the fee for a trailer, travel trailer, or semitrailer under 6,000 pounds at \$45. The bill would prescribe a registration fee for certain truck-tractors or commercial motor vehicles with a gross weight of more than 10,000 pounds and certain trailers over 6,000 pounds based on the schedule established for certain vehicles with a gross weight exceeding 6,000 pounds. The bill would increase the fee for a replacement

registration insignia from \$5 to \$6 and set the fee for replacement license plates at \$6. The bill would eliminate the initial license plate issuance fee for classic motor vehicles, cotton vehicles, forestry vehicles, tow trucks, and radio operator and volunteer firefighter license plates. The bill would repeal the 30 cent license plate reflectorization fee. The bill would reduce the fee for a golf cart license plate from \$10 to \$6. These provisions of the bill would take effect on September 1, 2011.

The bill would amend various provisions of the Transportation Code and establish new Subchapter F relating to the authority for and limitations on the operation of golf carts on certain public roadways, public or private beaches, and within a master planned community. The bill would prohibit the Texas Department of Transportation (TxDOT) from registering a golf cart for operation on a public highway. The bill would specify that TxDOT is authorized to issue license plates for a golf cart as authorized under current law. The bill would authorize the governing body of a municipality to allow the operation of a golf cart on a public highway within the corporate boundaries of the municipality if the posted speed limit on the public highway is not more than 35 miles per hour and the golf cart has the equipment specified by the bill. These provisions of the bill would take effect September 1, 2009.

The bill would amend the Parks and Wildlife Code and the Transportation Code to expressly include recreational off-highway vehicles (ROV) in the definition of off-highway vehicles and to differentiate them from the definition of an "All-Terrain Vehicle." According to the Texas Parks and Wildlife Department (TPWD), ROVs are equipped with four wheels, and have non-straddle seats for both a driver and passenger if equipped (conversely ATVs have straddle seats). TPWD indicates that ROV owners using off-highway trails must purchase a off-highway decal under current law. These provisions of the bill would take effect September 1, 2009.

The bill would amend the Parks and Wildlife Code relating to the requirement to wear safety apparel and seat belts while operating certain off-highway vehicles.

The bill would amend the Transportation Code to authorize certain counties bordering the United Mexican States to impose an additional fee of up to \$50 for registration of a vehicle in the counties. The fee revenue would be deposited to a special account in the county general fund of each count and could only be used for authorized transportation projects. This provision of the bill would take effect immediately upon the bill receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2009.

Methodology

Based on the information and analysis provided by the Texas Department of Transportation (TxDOT) and the Comptroller's office, it is assumed the provisions of the bill would result in a net revenue gain to the State Highway Fund and to the counties. The estimated revenue impacts included in the table above are based on TxDOT's estimates for the number of applicable vehicle registrations and other transactions under current fees compared to the fees that would be established or repealed by the provisions of the bill and the average allocation of fee revenues between the state and the counties. TxDOT indicates that the proposed single registration fee for certain vehicles with a gross weight under 6,000 pounds and the proposed fee schedule for certain vehicles with a gross weight exceeding 6,000 pounds would result in a reduction in registration fees for some vehicles and an increase if registration fees for other vehicles compared to the current fee structure. Based on the analysis of TxDOT, it is assumed the provisions of the bill would result in a net positive revenue impact to the State Highway Fund beginning in fiscal year 2012.

Based on the analysis of TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill concerning golf carts could be absorbed within the agency's existing resources.

No fiscal implication to the State is anticipated from implementation of the provisions of the bill concerning ROVs. To the extent the bill would result in additional convictions and additional court costs or fines being ordered relating to failure to wear seat belts on certain off-highway vehicles, no significant fiscal implication to TPWD or the State is anticipated.

Local Government Impact

The estimated fiscal implications to units of local government are reflected in the table above.

Based on the population and geographic criteria within the bill, using the statutorily required most recent official U.S. decennial census, the provisions of the bill authorizing an optional county fee of up to \$50 for registration of a vehicle would apply only to Hidalgo and Webb Counties. Any positive revenue implications to the applicable counties from the implementation of the optional fee would depend on the amount of the additional fee and the number of vehicles registered in the counties.

Source Agencies: 304 Comptroller of Public Accounts, 601 Department of Transportation, 802 Parks and Wildlife Department

LBB Staff: JOB, KJG, MW, TG, TP, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 22, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2553 by Hilderbran (Relating to the registration and operation of certain motor vehicles.),
Committee Report 2nd House, Substituted

Estimated Two-year Net Impact to General Revenue Related Funds for HB2553, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>State Highway Fund</i> 6	Probable Revenue Gain/(Loss) from <i>Counties</i>
2010	\$0	\$0
2011	\$0	\$0
2012	\$1,417,225	\$2,753,252
2013	\$1,442,565	\$2,813,320
2014	\$1,468,346	\$2,874,715

Fiscal Analysis

The bill would amend provisions in Chapter 502 of the Transportation Code relating to motor vehicle registration fees. The bill would establish a registration fee of \$50.75 for a vehicle, including a motor bus, with a gross weight of 6,000 pounds or less. The bill would establish a new registration fee schedule for vehicles with a gross weight of more than 6,000 pounds (ranging from \$54 for a vehicle between 6,001 and 10,000 pounds and up to \$840 for a vehicle between 70,001 and 80,000 pounds). The bill would set the registration fee for a road tractor based on weight at the rates established by the bill for vehicles with a gross weight of up to or more than 6,000 pounds. The bill would set the fee for a trailer, travel trailer, or semitrailer under 6,000 pounds at \$45. The bill would prescribe a registration fee for certain truck-tractors or commercial motor vehicles with a gross weight of more than 10,000 pounds and certain trailers over 6,000 pounds based on the schedule established for certain vehicles with a gross weight exceeding 6,000 pounds. The bill would increase the fee for a replacement

registration insignia from \$5 to \$6 and set the fee for replacement license plates at \$6. The bill would eliminate the initial license plate issuance fee for classic motor vehicles, cotton vehicles, forestry vehicles, tow trucks, and radio operator and volunteer firefighter license plates. The bill would repeal the 30 cent license plate reflectorization fee. The bill would reduce the fee for a golf cart license plate from \$10 to \$6. These provisions of the bill would take effect on September 1, 2011.

The bill would amend various provisions of the Transportation Code and establish new Subchapter F relating to the authority for and limitations on the operation of golf carts on certain public roadways, public or private beaches, and within a master planned community. The bill would prohibit the Texas Department of Transportation (TxDOT) from registering a golf cart for operation on a public highway. The bill would specify that TxDOT is authorized to issue license plates for a golf cart as authorized under current law. The bill would authorize the governing body of a municipality to allow the operation of a golf cart on a public highway within the corporate boundaries of the municipality if the posted speed limit on the public highway is not more than 35 miles per hour and the golf cart has the equipment specified by the bill. These provisions of the bill would take effect September 1, 2009.

The bill would amend the Parks and Wildlife Code and the Transportation Code to expressly include recreational off-highway vehicles (ROV) in the definition of off-highway vehicles and to differentiate them from the definition of an "All-Terrain Vehicle." According to the Texas Parks and Wildlife Department (TPWD), ROVs are equipped with four wheels, and have non-straddle seats for both a driver and passenger if equipped (conversely ATVs have straddle seats). TPWD indicates that ROV owners using off-highway trails must purchase a off-highway decal under current law. These provisions of the bill would take effect September 1, 2009.

Methodology

Based on the information and analysis provided by the Texas Department of Transportation (TxDOT) and the Comptroller's office, it is assumed the provisions of the bill would result in a net revenue gain to the State Highway Fund and to the counties. The estimated revenue impacts included in the table above are based on TxDOT's estimates for the number of applicable vehicle registrations and other transactions under current fees compared to the fees that would be established or repealed by the provisions of the bill and the average allocation of fee revenues between the state and the counties. TxDOT indicates that the proposed single registration fee for certain vehicles with a gross weight under 6,000 pounds and the proposed fee schedule for certain vehicles with a gross weight exceeding 6,000 pounds would result in a reduction in registration fees for some vehicles and an increase if registration fees for other vehicles compared to the current fee structure. Based on the analysis of TxDOT, it is assumed the provisions of the bill would result in a net positive revenue impact to the State Highway Fund beginning in fiscal year 2012.

Based on the analysis of TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill concerning golf carts could be absorbed within the agency's existing resources.

No fiscal implication to the State is anticipated from implementation of the provisions of the bill concerning ROVs.

Local Government Impact

The estimated fiscal implications to units of local government are reflected in the table above.

Source Agencies: 304 Comptroller of Public Accounts, 601 Department of Transportation, 802 Parks and Wildlife Department

LBB Staff: JOB, KJG, MW, TG, TP, SZ

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 9, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2553 by Hilderbran (Relating to the registration and operation of certain off-highway vehicles.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code and the Transportation Code to expressly include recreational off-highway vehicles (ROV) in the definition of off-highway vehicles and to differentiate them from the definition of an "All-Terrain Vehicle." According to the Texas Parks and Wildlife Department (TPWD), ROVs are equipped with four wheels, and have non-straddle seats for both a driver and passenger if equipped (conversely ATVs have straddle seats). TPWD indicates that ROV owners using off-highway trails must purchase a off-highway decal under current law. Accordingly, no fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, KJG, SZ, TB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 9, 2009

TO: Honorable Mark Homer, Chair, House Committee on Culture, Recreation & Tourism

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2553 by Hilderbran (relating to the registration and operation of certain off-highway vehicles.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code and the Transportation Code to expressly include recreational off-highway vehicles (ROV) in the definition of off-highway vehicles and to differentiate them from the definition of an "All-Terrain Vehicle." According to the Texas Parks and Wildlife Department (TPWD), ROVs are equipped with four wheels, and have non-straddle seats for both a driver and passenger if equipped (conversely ATVs have straddle seats). TPWD indicates that ROV owners using off-highway trails must purchase a off-highway decal under current law. Accordingly, no fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, SZ, TB, WK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 30, 2009

TO: Honorable Mark Homer, Chair, House Committee on Culture, Recreation & Tourism

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2553 by Hilderbran (Relating to the registration and operation of certain off-highway vehicles.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code and the Transportation Code to expressly include recreational off-highway vehicles (ROV) in the definition of off-highway vehicles and to differentiate them from the definition of an "All-Terrain Vehicle." According to the Texas Parks and Wildlife Department (TPWD), ROVs are equipped with four wheels, and have non-straddle seats for both a driver and passenger if equipped (conversely ATVs have straddle seats). TPWD indicates that ROV owners using off-highway trails must purchase a off-highway decal under current law. Accordingly, no fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, WK, TB