

By: Hunter

H.B. No. 2790

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the operation of a golf cart or utility vehicle on a  
3 public highway in certain counties.

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

5 SECTION 1. The heading to Subchapter F, Chapter 551,  
6 Transportation Code, is amended to read as follows:

7 SUBCHAPTER F. GOLF CARTS AND UTILITY VEHICLES

8 SECTION 2. Section 551.401, Transportation Code, is amended  
9 to read as follows:

10 Sec. 551.401. DEFINITIONS. In this subchapter:

11 (1) [r] "Golf [~~golf~~] cart" and "public highway" have  
12 the meanings assigned by Section 502.001.

13 (2) "Utility vehicle" means a motor vehicle that is  
14 not a golf cart or lawn mower and is:

15 (A) equipped with side-by-side seating for the  
16 use of the operator and a passenger;

17 (B) designed to propel itself with at least four  
18 tires in contact with the ground;

19 (C) designed by the manufacturer for off-highway  
20 use only; and

21 (D) designed by the manufacturer primarily for  
22 utility work and not for recreational purposes.

23 SECTION 3. The heading to Section 551.404, Transportation  
24 Code, is amended to read as follows:

1           Sec. 551.404. OPERATION IN MUNICIPALITIES AND CERTAIN  
2 COUNTIES.

3           SECTION 4. Section 551.404, Transportation Code, is amended  
4 by adding Subsection (a-1) and amending Subsection (b) to read as  
5 follows:

6           (a-1) In addition to the operation authorized by Section  
7 551.403, the commissioners court of a county that borders or  
8 contains a portion of the Guadalupe River and contains a part of a  
9 barrier island that borders the Gulf of Mexico may allow an operator  
10 to operate a golf cart or utility vehicle on all or part of a public  
11 highway that:

12                   (1) is located in the unincorporated area of the  
13 county; and

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

16           (b) A golf cart or utility vehicle operated under this  
17 section [~~Subsection (a)~~] must have the following equipment:

- 18                   (1) headlamps;
- 19                   (2) taillamps;
- 20                   (3) reflectors;
- 21                   (4) parking brake; and
- 22                   (5) mirrors.

23           SECTION 5. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2011.