

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Hunter

H.B. No. 2981

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the operation on a highway or street of a motor vehicle  
3 that is drawing a boat or personal watercraft in or on which a  
4 person is riding; providing a penalty.

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

6 SECTION 1. Subchapter I, Chapter 545, Transportation Code,  
7 is amended by adding Section 545.4145 to read as follows:

8 Sec. 545.4145. PERSON RIDING IN OR ON BOAT OR PERSONAL  
9 WATERCRAFT DRAWN BY VEHICLE. (a) A person commits an offense if  
10 the person operates a motor vehicle on a highway or street and  
11 another person occupies a boat or personal watercraft being drawn  
12 by the motor vehicle.

13 (b) It is a defense to prosecution under this section that  
14 the person was operating the motor vehicle in a parade or in an  
15 emergency.

16 (c) In this section, "boat" and "personal watercraft" have  
17 the meanings assigned by Section 31.003, Parks and Wildlife Code.

18 SECTION 2. This Act takes effect September 1, 2011.

**ADOPTED**

MAY 25 2011

*Atty. Gen.*  
Secretary of the Senate

By: *Steve Hegar*

H.B. No. 2901

Substitute the following for \_\_\_B. No. \_\_\_\_\_:

By: *J. J. Hunt*

C.S. \_\_\_B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the operation on a highway or street of a motor vehicle  
3 that is drawing a boat or personal watercraft in or on which a child  
4 is riding; providing a penalty.

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

6 SECTION 1. Subchapter I, Chapter 545, Transportation Code,  
7 is amended by adding Section 545.4145 to read as follows:

8 Sec. 545.4145. RIDING IN OR ON BOAT OR PERSONAL WATERCRAFT  
9 DRAWN BY VEHICLE; OFFENSE. (a) A person commits an offense if the  
10 person operates a motor vehicle on a highway or street when a child  
11 younger than 18 years of age is occupying a boat or personal  
12 watercraft being drawn by the motor vehicle.

13 (b) It is a defense to prosecution under this section that  
14 the person was:

15 (1) operating the motor vehicle in a parade or in an  
16 emergency; or

17 (2) operating the motor vehicle on a beach.

18 (c) In this section, "boat" and "personal watercraft" have  
19 the meanings assigned by Section 31.003, Parks and Wildlife Code.

20 SECTION 2. This Act takes effect September 1, 2011.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 26, 2011**

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

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

**IN RE: HB2981** by Hunter (Relating to the operation on a highway or street of a motor vehicle that is drawing a boat or personal watercraft in or on which a child is riding; providing a penalty. ),  
**As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

The bill would add Section 545.4145 to the Transportation Code to create an offense if a person operates a motor vehicle on a highway or a street and a child under younger than 18 years of age is riding in a boat or personal watercraft that is being drawn by the motor vehicle. The bill would establish a defense to prosecution under this section that the person was operating the motor vehicle in a parade, in an emergency, or on the beach. An offense would be a misdemeanor punishable by a fine of not less than \$25 or more than \$200.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 608 Department of Motor Vehicles

**LBB Staff:** JOB, SD, KJG, TP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 19, 2011**

**TO:** Honorable Tommy Williams, Chair, Senate Committee on Transportation & Homeland Security

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

**IN RE: HB2981** by Hunter (Relating to the operation on a highway or street of a motor vehicle that is drawing a boat or personal watercraft in or on which a child is riding; providing a penalty.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would add Section 545.4145 to the Transportation Code to create an offense if a person operates a motor vehicle on a highway or a street and a child under younger than 18 years of age is riding in a boat or personal watercraft that is being drawn by the motor vehicle. The bill would establish a defense to prosecution under this section that the person was operating the motor vehicle in a parade, in an emergency, or on the beach. An offense would be a misdemeanor punishable by a fine of not less than \$25 or more than \$200.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 608 Department of Motor Vehicles

**LBB Staff:** JOB, KJG, TP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 5, 2011**

**TO:** Honorable Tommy Williams, Chair, Senate Committee on Transportation & Homeland Security

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

**IN RE: HB2981** by Hunter (Relating to the operation on a highway or street of a motor vehicle that is drawing a boat or personal watercraft in or on which a person is riding; providing a penalty.),  
**As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would add Section 545.4145 to the Transportation Code to create an offense if a person operates a motor vehicle on a highway or a street and another person is riding in a boat or personal watercraft that is being drawn by the motor vehicle. The bill would establish a defense to prosecution under this section that the person was operating the motor vehicle in a parade or in an emergency. An offense would be a misdemeanor punishable by a fine of not less than \$25 or more than \$200.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 608 Department of Motor Vehicles

**LBB Staff:** JOB, KJG, TP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 11, 2011**

**TO:** Honorable Larry Phillips, Chair, House Committee on Transportation

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

**IN RE: HB2981** by Hunter (Relating to the operation on a highway or street of a motor vehicle that is drawing a boat or personal watercraft in or on which a person is riding; providing a penalty.),  
**As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would add Section 545.4145 to the Transportation Code to create an offense if a person operates a motor vehicle on a highway or a street and another person is riding in a boat or personal watercraft that is being drawn by the motor vehicle. The bill would establish a defense to prosecution under this section that the person was operating the motor vehicle in a parade or in an emergency. An offense would be a misdemeanor punishable by a fine of not less than \$25 or more than \$200.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 608 Department of Motor Vehicles

**LBB Staff:** JOB, KJG, TP