

BILL ANALYSIS

Senate Research Center
83R28852 JAM-D

C.S.H.B. 719
By: Morrison (Hegar)
Transportation
5/13/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a municipality's governing body may allow golf carts and utility vehicles to have restricted access to certain public highways within the municipality's corporate boundaries while the commissioner's court in certain counties may allow such carts and vehicles similar restricted access to certain public highways in unincorporated areas of those counties. Interested parties note that legislation is needed to extend this provision to allow for the operation and use of golf carts and certain utility vehicles on public highways in the unincorporated areas of certain other counties with similar features.

C.S.H.B. 719 amends current law relating to the operation of a golf cart or utility vehicle on a public highway in certain counties; authorizing a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTION 1 (Section 551.402, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 551.402, Transportation Code, as follows:

Sec. 551.402. REGISTRATION NOT AUTHORIZED. (a) Changes a reference to the Texas Department of Transportation to the Texas Department of Motor Vehicles (TxDMV). Prohibits TxDMV from registering a golf cart for operation on a public highway regardless of whether any alteration has been made to the golf cart.

(b) Authorizes TxDMV to issue license plates for a golf cart as authorized by Subsection (c), rather than to issue license plates for a golf cart only as authorized by Section 504.510 (Golf Cart License Plates). Makes a conforming change.

(c) Requires TxDMV by rule to establish a procedure to issue the license plates to be used for operation in accordance with Sections 551.403 (Limited Operation) and 551.404.

(d) Authorizes TxDMV to charge a fee not to exceed \$10 for the cost of the license plate.

SECTION 2. Amends Section 551.404, Transportation Code, by amending Subsection (a-1) and adding Subsection (a-2), as follows:

(a-1) Authorizes the commissioner's court of a county described by Subsection (a-2), rather than a county that borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico, in addition to the operation authorized by Section 551.403, to allow an operator to operate a golf cart or utility vehicle on all or part of a public highway that is located in the unincorporated area of the county, and has a speed limit of not more than 35 miles per hour.

(a-2) Provides that Subsection (a-1) applies only to a county that:

(1) borders or contains a portion of the Red River;

(2) borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico; or

(3) is adjacent to a county described by Subdivision (2) and has a population of less than 30,000 and contains a part of a barrier island that borders the Gulf of Mexico.

SECTION 3. Repealer: Section 504.510 (Golf Cart License Plates), Transportation Code.

SECTION 4. Requires TxDMV, not later than December 31, 2013, to establish a procedure for the issuance of license plates for golf carts to be used for operation on a public highway, as required by Section 551.402(c), Transportation Code, as added by this Act.

SECTION 5. Effective date: upon passage or September 1, 2013.