

BILL ANALYSIS

C.S.H.B. 1170
By: Lavender
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

By some estimates, consumers in Texas spend billions of dollars annually on outdoor recreation. Industry observers contend that, as a result of such consumer spending, the outdoor recreation industry provides billions of dollars in wage and salary income, generates considerable state and local tax revenue, and accounts for many direct jobs in Texas. Interested parties note, however, that although a significant amount is spent on recreational activities involving off-road motorcycles, all-terrain vehicles, and recreational off-highway vehicles, which includes a combination of new and used vehicle purchases, accessories, services, and trip-related spending, current definitions in the law of "all-terrain vehicle" and "recreational off-highway vehicle" do not encompass the industry's current and future product offerings. C.S.H.B. 1170 seeks to update the "all-terrain vehicle" and "recreational off-highway vehicle" definitions in state statute to accommodate the newer models preferred by consumers.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1170 amends the Transportation Code, for purposes of statutory provisions relating to the registration of vehicles and to certain off-highway vehicles, to redefine "all-terrain vehicle" to mean a motor vehicle that, in addition to meeting other specified criteria, is equipped with a seat or seats, rather than a saddle, for specified uses and that is not more than 50 inches wide. The bill, for purposes of statutory provisions relating to the registration of vehicles, redefines "recreational off-highway vehicle" to mean a motor vehicle that, in addition to meeting other specified criteria, is equipped with a seat or seats, rather than a non-straddle seat, for the rider and, if the vehicle is designed for passenger transport, for one or more passengers and that is not more than 65 inches wide.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1170 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

83R 15253

13.72.270

Substitute Document Number: 83R 13836

SECTION 1. Sections 502.001(1) and (37), Transportation Code, are amended to read as follows:

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

(A) equipped with a seat or seats [~~saddle~~] for the use of:

(i) the rider; and

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

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

(C) designed by the manufacturer for off-highway use; [~~and~~]

(D) not designed by the manufacturer primarily for farming or lawn care; and

(E) not more than 50 inches wide.

(37) "Recreational off-highway vehicle" means a motor vehicle that is:

(A) equipped with a [~~non-straddle~~] seat or seats for the use of:

(i) the rider; and

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

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

(C) designed by the manufacturer for off-highway use by the operator only; [~~and~~]

(D) not designed by the manufacturer primarily for farming or lawn care; and

(E) not more than 65 inches wide.

SECTION 2. Section 663.001(1), Transportation Code, is amended.

SECTION 3. This Act takes effect September 1, 2013.

SECTION 1. Sections 502.001(1) and (37), Transportation Code, are amended to read as follows:

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

(A) equipped with a seat or seats [~~saddle~~] for the use of:

(i) the rider; and

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

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

(C) designed by the manufacturer for off-highway use; [~~and~~]

(D) not designed by the manufacturer primarily for farming or lawn care; and

(E) not more than 50 inches wide.

(37) "Recreational off-highway vehicle" means a motor vehicle that is:

(A) equipped with a [~~non-straddle~~] seat or seats for the use of:

(i) the rider; and

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

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

(C) designed by the manufacturer for off-highway use by the operator only; [~~and~~]

(D) not designed by the manufacturer primarily for farming or lawn care; and

(E) not more than 65 inches wide.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.