

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Morrison

H.B. No. 719

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. Section 551.404, Transportation Code, is amended  
6 by amending Subsection (a-1) and adding Subsection (a-2) to read as  
7 follows:

8 (a-1) In addition to the operation authorized by Section  
9 551.403, the commissioners court of a county described by  
10 Subsection (a-2) [~~that borders or contains a portion of the~~  
11 ~~Guadalupe River and contains a part of a barrier island that borders~~  
12 ~~the Gulf of Mexico]~~ may allow an operator to operate a golf cart or  
13 utility vehicle on all or part of a public highway that:

14 (1) is located in the unincorporated area of the  
15 county; and

16 (2) has a speed limit of not more than 35 miles per  
17 hour.

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

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

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

23 (3) is adjacent to a county described by Subdivision

24 (2) and:

1                   (A) has a population of less than 30,000; and  
2                   (B) contains a part of a barrier island that  
3 borders the Gulf of Mexico.

4                   SECTION 2. This Act takes effect September 1, 2013.

ADOPTED

MAY 17 2013

*Atty Gen*  
Secretary of the Senate

By: *Ken Hegar* H.B. No. 719  
Substitute the following for H.B. No. 719 :  
By: *Alton* C.S.H.B. No. 719

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the operation of a golf cart or utility vehicle on a  
3 public highway in certain counties; authorizing a fee.

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

5 SECTION 1. Section 551.402, Transportation Code, is amended  
6 to read as follows:

7 Sec. 551.402. REGISTRATION NOT AUTHORIZED. (a) The Texas  
8 Department of Motor Vehicles [~~Transportation~~] may not register a  
9 golf cart for operation on a public highway regardless of whether  
10 any alteration has been made to the golf cart.

11 (b) The Texas Department of Motor Vehicles [~~department~~] may  
12 issue license plates for a golf cart [~~only~~] as authorized by  
13 Subsection (c) [Section 504.510].

14 (c) The Texas Department of Motor Vehicles shall by rule  
15 establish a procedure to issue the license plates to be used for  
16 operation in accordance with Sections 551.403 and 551.404.

17 (d) The Texas Department of Motor Vehicles may charge a fee  
18 not to exceed \$10 for the cost of the license plate.

19 SECTION 2. Section 551.404, Transportation Code, is amended  
20 by amending Subsection (a-1) and adding Subsection (a-2) to read as  
21 follows:

22 (a-1) In addition to the operation authorized by Section  
23 551.403, the commissioners court of a county described by  
24 Subsection (a-2) [that borders or contains a portion of the

1 ~~Guadalupe River and contains a part of a barrier island that borders~~  
2 ~~the Gulf of Mexico]~~ may allow an operator to operate a golf cart or  
3 utility vehicle on all or part of a public highway that:

4 (1) is located in the unincorporated area of the  
5 county; and

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

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

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

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

13 (3) is adjacent to a county described by Subdivision  
14 (2) and:

15 (A) has a population of less than 30,000; and

16 (B) contains a part of a barrier island that  
17 borders the Gulf of Mexico.

18 SECTION 3. Section 504.510, Transportation Code, is  
19 repealed.

20 SECTION 4. Not later than December 31, 2013, the Texas  
21 Department of Motor Vehicles shall establish a procedure for the  
22 issuance of license plates for golf carts to be used for operation  
23 on a public highway, as required by Section 551.402(c),  
24 Transportation Code, as added by this Act.

25 SECTION 5. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2013.

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 18, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB719** by Morrison (Relating to the operation of a golf cart or utility vehicle on a public highway in certain counties; authorizing a fee.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code to require the Department of Motor Vehicles (DMV) to establish by rule procedures to issue license plates for golf carts used for operation in accordance with Sections 551.403 and 551.404 of the Transportation Code. The bill would authorize the DMV to charge a fee not to exceed \$10 for the cost of the license plate. The bill would repeal current provisions requiring the DMV to issue specialty license plates for golf carts for a fee of \$6. The bill would expand the criteria for counties eligible to authorize the operation of a golf cart on a public highway under certain conditions.

Based on the information and analysis provided by the DMV, it is assumed the provisions of the bill would not result in a significant impact the State's cash flow and any costs associated with implementing the provisions of the bill could be absorbed within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** UP, SD, AG, TG

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 14, 2013**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB719** by Morrison (Relating to the operation of a golf cart or utility vehicle on a public highway in certain counties; authorizing a fee.), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code to require the Department of Motor Vehicles (DMV) to establish by rule procedures to issue license plates for golf carts used for operation in accordance with Sections 551.403 and 551.404 of the Transportation Code. The bill would authorize the DMV to charge a fee not to exceed \$10 for the cost of the license plate. The bill would repeal current provisions requiring the DMV to issue specialty license plates for golf carts for a fee of \$6. The bill would expand the criteria for counties eligible to authorize the operation of a golf cart on a public highway under certain conditions.

Based on the information and analysis provided by the DMV, it is assumed the provisions of the bill would not result in a significant impact the State's cash flow and any costs associated with implementing the provisions of the bill could be absorbed within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** UP, AG, TG

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 18, 2013**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB719** by Morrison (Relating to the operation of a golf cart or utility vehicle on a public highway in certain counties.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** UP, AG, TP



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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 28, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB719** by Morrison (Relating to the operation of a golf cart or utility vehicle on a public highway in certain counties.), **Committee Report 1st House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** UP, AG, TP

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 14, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB719** by Morrison (Relating to the operation of a golf cart or utility vehicle on a public highway in certain counties.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** UP, AG, TP