

BILL ANALYSIS

Senate Research Center
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H.B. 561
By: Murphy (Kolkhorst)
Transportation
5/8/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that the use of small utility vehicles by delivery and logistics companies in residential communities will make operations more efficient while better serving customers and the environment. H.B. 561 seeks to address this issue by providing for the use of package delivery vehicles.

H.B. 561 amends current law relating to the operation of certain vehicles used for package delivery and authorizes a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTION 1 (Section 551.452, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section Chapter 551, Transportation Code, by adding Subchapter G, as follows:

SUBCHAPTER G. PACKAGE DELIVERY VEHICLES

Sec. 551.451. DEFINITIONS. Defines "all-terrain vehicle," "golf cart," "motor carrier," "neighborhood electric vehicle," "public highway," "recreational off-highway vehicle," and "utility vehicle."

Sec. 551.452. LICENSE PLATES FOR PACKAGE DELIVERY VEHICLES. (a) Authorizes the Texas Department of Motor Vehicles (TxDMV) to issue distinguishing license plates for a vehicle operated by a motor carrier for the purpose of picking up and delivering mail, parcels, and packages if the vehicle meets certain criteria.

(b) Requires TxDMV by rule to establish a procedure to issue the license plates to be used only for operation in accordance with this subchapter.

(c) Requires that the license plates include the words "Package Delivery."

(d) Authorizes TxDMV to charge a license plate fee not to exceed \$25 annually to be deposited to the credit of the TxDMV fund.

Sec. 551.453. LIMITED OPERATION. (a) Authorizes a motor carrier to operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section 541.452 on a public highway that is not an interstate or a limited-access or controlled-access highway and that has a speed limit of not more than 35 miles per hour.

(b) Prohibits TxDMV from requiring the registration of a vehicle operated under Subsection (a) unless the registration is required by other law.

Sec. 551.454. OPERATION ON PROPERTY OF SUBDIVISION OR CONDOMINIUM. (a) Defines "condominium," "declaration," "property owners' association," "restrictions," and "subdivision."

(b) Authorizes a property owner's association to adopt reasonable safety and use rules for the operation, for the purpose of picking up or delivering mail, parcels, or packages, of a vehicle bearing license plates issued under Section 551.452 on the property of a subdivision or condominium managed or regulated by the association.

(c) Authorizes a motor carrier to operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section 551.452 on the property of a subdivision subject to restrictions or a condominium that has in place a declaration, in a manner that complies with any applicable rules adopted by a property owners' association that manages or regulates the subdivision or condominium.

Sec. 551.455. OPERATION IN MUNICIPALITIES AND COUNTIES. (a) Authorizes the governing body of a municipality, in addition to the operation authorized by Sections 551.453 and 551.454, to allow a motor carrier to operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section 551.452 on all or part of a public highway that is in the corporate boundaries of the municipality and has a speed limit of not more than 35 miles per hour.

(b) Authorizes a county commissioners court, in addition to the operation authorized by Sections 551.453 and 551.454, to allow a motor carrier to operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section 551.452 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.

Sec. 551.456. CROSSING CERTAIN ROADWAYS. Authorizes a vehicle bearing license plates issued under Section 551.452 to cross intersections, including on or through a road or street that has a speed limit of more than 35 miles per hour.

Sec. 551.457. CONFLICTS. Provides that in the case of a conflict between this subchapter and other law, including Chapters 502 (Registration of Vehicles) and 663 (Certain Off-Highway Vehicles), this subchapter controls.

SECTION 2. Effective date: upon passage or September 1, 2017.