

By: Murphy

H.B. No. 561

A BILL TO BE ENTITLED

AN ACT

relating to the registration and operation of golf carts and utility vehicles; authorizing a fee.

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

SECTION 1. The heading to Subchapter F, Chapter 551, Transportation Code, is amended to read as follows:

SUBCHAPTER F. GOLF CARTS [~~AND UTILITY VEHICLES~~]

SECTION 2. Section 551.401, Transportation Code, is amended to read as follows:

Sec. 551.401. DEFINITIONS. In this subchapter, "golf [+

~~(1) "Golf]~~ cart" and "public highway" have the meanings assigned by Section 502.001.

~~(2) "Utility vehicle" means a motor vehicle that is not a golf cart or lawn mower and is:~~

~~(A) equipped with side-by-side seating for the use of the operator and a passenger;~~

~~(B) designed to propel itself with at least four tires in contact with the ground;~~

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

~~(D) designed by the manufacturer primarily for utility work and not for recreational purposes.]~~

SECTION 3. Sections 551.404(a-1) and (b), Transportation Code, are amended to read as follows:

1 (a-1) In addition to the operation authorized by Section
2 551.403, the commissioners court of a county described by
3 Subsection (a-2) may allow an operator to operate a golf cart [~~or~~
4 ~~utility vehicle~~] on all or part of a public highway that:

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

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

9 (b) A golf cart [~~or utility vehicle~~] operated under this
10 section must have the following equipment:

11 (1) headlamps;

12 (2) taillamps;

13 (3) reflectors;

14 (4) a parking brake; and

15 (5) mirrors.

16 SECTION 4. Subchapter F, Chapter 551, Transportation Code,
17 is amended by adding Section 551.406 to read as follows:

18 Sec. 551.406. RULES IN MASTER PLANNED COMMUNITIES. A
19 master planned community may adopt reasonable safety and
20 maintenance rules for the operation of a golf cart in that
21 community.

22 SECTION 5. Chapter 551, Transportation Code, is amended by
23 adding Subchapter G to read as follows:

24 SUBCHAPTER G. COMMERCIAL UTILITY VEHICLES

25 Sec. 551.451. DEFINITIONS. In this subchapter:

26 (1) "Commercial utility vehicle" means a motor vehicle
27 that is not a golf cart or lawn mower and is:

1 (A) equipped with side-by-side seating for use by
2 the operator and a passenger;

3 (B) designed to propel itself with at least four
4 tires in contact with the ground;

5 (C) designed by the manufacturer for on- or
6 off-highway use; and

7 (D) designed by the manufacturer primarily for
8 commercial utility work and not for recreational purposes.

9 (2) "Golf cart" and "public highway" have the meanings
10 assigned by Section 502.001.

11 Sec. 551.452. REGISTRATION. (a) The Texas Department of
12 Motor Vehicles may register a commercial utility vehicle for
13 operation on public highways in accordance with this subchapter.

14 (b) The Texas Department of Motor Vehicles may issue license
15 plates for a commercial utility vehicle as authorized by Subsection
16 (c).

17 (c) The Texas Department of Motor Vehicles by rule shall
18 establish a procedure to issue the license plates to be used for
19 operation in accordance with this subchapter.

20 (d) The Texas Department of Motor Vehicles may charge a fee
21 not to exceed \$25 for the cost of the license plates.

22 Sec. 551.453. LIMITED OPERATION. (a) An operator may
23 operate a commercial utility vehicle:

24 (1) in a master planned community:

25 (A) that has in place a uniform set of
26 restrictive covenants; and

27 (B) for which a county or municipality has

1 approved a plat; or

2 (2) on a public or private beach.

3 (b) An operator who is an employee or agent of a political
4 subdivision may operate a commercial utility vehicle that is owned
5 by the political subdivision on any public highway.

6 Sec. 551.454. OPERATION IN MUNICIPALITIES AND CERTAIN
7 COUNTIES. (a) In addition to the operation authorized by Section
8 551.453, the governing body of a municipality may allow an operator
9 to operate a commercial utility vehicle on all or part of a public
10 highway that:

11 (1) is in the corporate boundaries of the
12 municipality; and

13 (2) has a posted speed limit of not more than 35 miles
14 per hour.

15 (b) In addition to the operation authorized by Section
16 551.453, the commissioners court of a county described by
17 Subsection (c) may allow an operator to operate a commercial
18 utility vehicle on all or part of a public highway that:

19 (1) is located in the unincorporated area of the
20 county; and

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

23 (c) Subsection (b) applies only to a county that:

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

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

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

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

6 (d) A commercial utility vehicle operated under this
7 section must have the following equipment:

- 8 (1) headlamps;
- 9 (2) taillamps;
- 10 (3) reflectors;
- 11 (4) a parking brake; and
- 12 (5) mirrors.

13 Sec. 551.455. CROSSING CERTAIN ROADWAYS. A commercial
14 utility vehicle may cross intersections, including on or through a
15 road or street that has a posted speed limit of more than 35 miles
16 per hour.

17 Sec. 551.456. RULES IN MASTER PLANNED COMMUNITIES. A
18 master planned community may adopt reasonable safety and
19 maintenance rules for the operation of a commercial utility vehicle
20 in that community.

21 SECTION 6. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2017.