

By: Elkins

H.B. No. 1875

A BILL TO BE ENTITLED

AN ACT

relating to the use of the Plains Junction Trail by adjoining landowners.

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

SECTION 1. Chapter 28, Parks and Wildlife Code, is amended by adding Section 28.005 to read as follows:

Sec. 28.005. PLAINS JUNCTION TRAIL. (a) In this section:

(1) "Owner" includes the owner's lessee, employee, or guest.

(2) "Plains Junction Trail" means the part of the Caprock Canyons Trailway in Hall County that extends approximately 10 miles from the Estelline Terminal on United States Highway 287 to Parnell Station trailhead on State Highway 86.

(b) The owner of land adjoining the Plains Junction Trail may operate a motor driven vehicle or motor driven equipment, as determined by the commission, on the trail right-of-way if the operation of the motor driven vehicle or equipment is:

(1) temporary;

(2) occasional; and

(3) necessary or convenient for the transportation of animals, equipment, or people.

(c) An owner operating a motor driven vehicle or equipment under Subsection (b):

(1) is exempt from any permit or fee required by the

1 department for use of the Plains Junction Trail; and

2 (2) must avoid causing permanent damage to the plant
3 life and geological features of the Plains Junction Trail.

4 (d) Operation of a motor driven vehicle or equipment under
5 this section is subject to regulation by the department to protect
6 the safety of persons or property.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2017.