

By: Fallon

S.B. No. 2359

A BILL TO BE ENTITLED

AN ACT

relating to the operation of off-highway vehicles on a public street, road, or highway.

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

SECTION 1. Section 502.001, Transportation Code, is amended by adding Subdivision (44-a) to read as follows:

(44-a) "Utility vehicle" has the meaning assigned by Section 663.001.

SECTION 2. Section 502.140, Transportation Code, is amended to read as follows:

Sec. 502.140. CERTAIN OFF-HIGHWAY VEHICLES. (a) Except as otherwise provided by Subsection (b), a person may not register an all-terrain vehicle, ~~or~~ a recreational off-highway vehicle, or a utility vehicle, with or without design alterations, for operation on a public highway.

(b) The state, a county, or a municipality may register an all-terrain vehicle, ~~or~~ a recreational off-highway vehicle, or a utility vehicle that is owned by the state, county, or municipality for operation on a public beach or highway to maintain public safety and welfare.

(c) ~~(d)~~ Section 504.401 does not apply to an all-terrain vehicle, ~~or~~ a recreational off-highway vehicle, or a utility vehicle.

~~(c) An all-terrain vehicle or recreational off-highway~~

1 ~~vehicle that is owned by the state, a county, or a municipality and~~  
2 ~~operated in compliance with Section 663.037 does not require~~  
3 ~~registration under Subsection (b).]~~

4 SECTION 3. The heading to Section 663.037, Transportation  
5 Code, is amended to read as follows:

6 Sec. 663.037. OPERATION ON PUBLIC ROADWAY [~~PROHIBITED~~].

7 SECTION 4. Sections 663.037(a) and (f), Transportation  
8 Code, are amended to read as follows:

9 (a) A person may [~~not~~] operate an off-highway vehicle on a  
10 public street, road, or highway only [~~except~~] as provided by this  
11 section and Section 663.0372.

12 (f) This [~~Except as provided by Subsection (g), this~~]  
13 section does not apply to the operation of an off-highway vehicle  
14 that is registered under Section 502.140(b) [~~owned by the state, a~~  
15 ~~county, or a municipality by a person who is an authorized operator~~  
16 ~~of the vehicle~~].

17 SECTION 5. Subchapter C, Chapter 663, Transportation Code,  
18 is amended by adding Section 663.0372 to read as follows:

19 Sec. 663.0372. OPERATION ON PUBLIC ROADWAY IN CERTAIN  
20 COUNTIES. (a) In addition to operation authorized by Sections  
21 663.037 and 502.140(b), an off-highway vehicle may be operated on a  
22 public street, road, or highway in a county with a population of  
23 less than 150,000 in a manner authorized in that location for the  
24 operation of a neighborhood electric vehicle.

25 (b) If the Texas Department of Motor Vehicles adopts rules  
26 relating to the registration of and issuance of license plates for  
27 neighborhood electric vehicles under Section 551.302, the

1 department must adopt corresponding rules for off-highway vehicles  
2 operating under this section.

3           SECTION 6. The change in law made by this Act applies only  
4 to an offense committed on or after the effective date of this Act.  
5 An offense committed before the effective date of this Act is  
6 governed by the law in effect on the date the offense was committed,  
7 and the former law is continued in effect for that purpose. For  
8 purposes of this section, an offense was committed before the  
9 effective date of this Act if any element of the offense occurred  
10 before that date.

11           SECTION 7. This Act takes effect September 1, 2019.