

House Bill 1281
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 551.304(a), Transportation Code, is amended to read as follows:

- (a) An operator may operate a neighborhood electric vehicle:
 - (1) in a master planned community:
 - (A) that is a residential subdivision as defined by Section 209.002(9), Property Code;
 - ~~(B) that has in place a uniform set of restrictive covenants; or~~
 - ~~(C) [and~~
 - ~~[(B)]~~ for which a county or municipality has approved one or more plats [a plat];
 - (2) on a public or private beach; or
 - (3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the neighborhood electric vehicle is operated:
 - (A) during the daytime; and
 - (B) not more than five [two] miles from the location where the neighborhood electric vehicle is usually parked and for transportation to or from a golf course.

SECTION 2. Section 551.403, Transportation Code, is amended to read as follows:

- Sec. 551.403. OPERATION AUTHORIZED IN CERTAIN AREAS. (a) An operator may operate a golf cart:
- (1) in a master planned community:
 - (A) that is a residential subdivision as defined by Section 209.002(9), Property Code;
 - ~~(B) that has in place a uniform set of restrictive covenants; or~~
 - ~~(C) [and~~
 - ~~[(B)]~~ for which a county or municipality has approved one or more plats [a plat];
 - (2) on a public or private beach that is open to vehicular

SENATE VERSION (CS)

No equivalent provision.

CONFERENCE

SECTION 1. Section 551.403, Transportation Code, is amended to read as follows:

- Sec. 551.403. OPERATION AUTHORIZED IN CERTAIN AREAS. (a) An operator may operate a golf cart:
- (1) in a master planned community:
 - (A) that is a residential subdivision as defined by Section 209.002(9), Property Code, or has in place a uniform set of restrictive covenants; and
 - ~~(B) for which a county or municipality has approved one or more plats [a plat]~~;
 - (2) on a public or private beach that is open to vehicular

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traffic; or
(3) on a highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:
(A) during the daytime; and
(B) not more than five [~~two~~] miles from the location where the golf cart is usually parked and for transportation to or from a golf course.
(b) Notwithstanding Section 551.402(b), a person may operate a golf cart in a master planned community described by Subsection (a) without a golf cart license plate.

SECTION 3. Section 551.4031, Transportation Code, is amended to read as follows:
Sec. 551.4031. PROHIBITION OF OPERATION ON HIGHWAY BY MUNICIPALITY, COUNTY, OR DEPARTMENT. (a) A county or municipality may prohibit the operation of a golf cart on a highway under Section 551.403 [~~551.404~~] if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.
(b) The Texas Department of Transportation may prohibit the operation of a golf cart on a highway under Section 551.403 [~~551.404~~] if the department determines that the prohibition is necessary in the interest of safety.

SECTION 4. This Act takes effect immediately if it receives

SENATE VERSION (CS)

traffic; or
(3) on a highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:
(A) during the daytime; and
(B) not more than five [~~two~~] miles from the location where the golf cart is usually parked and for transportation to or from a golf course.
(b) Notwithstanding Section 551.402(b), a person may operate a golf cart in a master planned community described by Subsection (a) without a golf cart license plate on a highway for which the posted speed limit is not more than 35 miles per hour, including through an intersection of a highway for which the posted speed limit is more than 35 miles per hour.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

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HOUSE VERSION

a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

SENATE VERSION (CS)

CONFERENCE