

## **BILL ANALYSIS**

C.S.H.B. 715  
By: Patterson  
Culture, Recreation & Tourism  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

A constituent presented the concern that individuals with mobility issues may not be able to enjoy Texas state parks in light of the fact that only standard bicycles, but not electric bicycles of any class, are permitted on state park trails. C.S.H.B. 715 seeks to address this issue by authorizing the use of certain electric bicycles in state parks in any area where bicycle operation is permitted or if authorized by the park, and unless prohibited by the Parks and Wildlife Department for certain reasons.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 715 amends the Parks and Wildlife Code to authorize a person to operate a Class 1 electric bicycle in an area of a state park in which the operation of a bicycle is permitted and to operate a Class 2 electric bicycle in an area of a state park where the person has been authorized by the park to operate the electric bicycle. However, the Parks and Wildlife Department (TPWD) may prohibit the operation of such a bicycle in an otherwise permitted area of a state park if TPWD determines the prohibition is necessary to protect public safety, state park infrastructure, or state fish or wildlife resources or habitat. The bill requires the Parks and Wildlife Commission by rule to adopt the following:

- forms and procedures for a person to apply to a state park for authorization to operate a Class 2 electric bicycle in the park; and
- criteria for an employee of a state park to use to approve or disapprove an application for that authorization and place limitations, if any, on the area of the park in which operation of a Class 2 electric bicycle is authorized.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 715 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced authorized a person to operate a Class 2 electric bicycle in any area of a state park in which the operation of a bicycle is permitted, the substitute limits that authorized operation to an area where the person has been authorized by the park to operate a Class 2 electric bicycle. Further, the substitute includes a requirement for the Parks and Wildlife Commission by rule to adopt forms, procedures, and criteria regarding the application for use of a Class 2 electric bicycle in a state park, which was not included in the introduced.