88R9248 BEE-D

By:  Patterson H.B. No. 715

Substitute the following for H.B. No. 715:

By:  Ashby C.S.H.B. No. 715

A BILL TO BE ENTITLED

AN ACT

relating to the operation of an electric bicycle in a state park.

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

SECTION 1.  Subchapter A, Chapter 13, Parks and Wildlife Code, is amended by adding Section 13.024 to read as follows:

Sec. 13.024.  OPERATION OF ELECTRIC BICYCLE IN STATE PARK. (a) In this section:

(1)  "Bicycle" has the meaning assigned by Section 541.201, Transportation Code.

(2)  "Class 1 electric bicycle" and "Class 2 electric bicycle" have the meanings assigned by Section 664.001, Transportation Code.

(b)  Notwithstanding any other law and except as provided by Subsection (d), a person may operate in a state park:

(1)  a Class 1 electric bicycle in an area where the operation of a bicycle is permitted; and

(2)  a Class 2 electric bicycle in an area where the person has been authorized by the park to operate a Class 2 electric bicycle.

(c)  The commission by rule shall adopt:

(1)  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

(2)  criteria for an employee of a state park to use to:

(A)  approve or disapprove an application under Subdivision (1); and

(B)  place limitations, if any, on the area of the park in which operation of a Class 2 electric bicycle is authorized.

(d)  The department may prohibit the operation of a Class 1 or Class 2 electric bicycle in an area of a state park described by Subsection (b) if the department determines the prohibition is necessary to protect:

(1)  public safety;

(2)  state park infrastructure; or

(3)  state fish or wildlife resources or habitat.

SECTION 2.  This Act takes effect September 1, 2023.