

BILL ANALYSIS

H.B. 4767
By: Phelan
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that current state law imposes restrictions on the operation of off-highway vehicles on public lands, including certain safety certifications and operational limitations. The bill author has also informed the committee that some of these restrictions may be outdated and redundant. H.B. 4767 seeks to simplify the legal framework governing the use of these vehicle by clarifying the conditions under which these vehicles may operate on beaches and by repealing certain provisions relating to safety certification requirements and operational restrictions.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4767 amends the Transportation Code to authorize a person to operate an off-highway vehicle on land owned or leased by the state or a political subdivision of the state that is not open to vehicular traffic if the following conditions are met:

- the land is a beach; and
- the operation is in compliance with statutory provisions governing off-highway vehicles and the off-highway vehicle trail and recreational area program.

H.B. 4767 repeals Transportation Code provisions relating to the following with respect to off-highway vehicles:

- the off-highway vehicle operator education and certification program for operation on public land or beach;
- the prohibition against a person operating an off-highway vehicle on public off-highway vehicle land or a beach unless the person, as follows:
 - holds an applicable safety certificate;
 - is taking a safety training course under the direct supervision of a certified off-highway vehicle safety instructor; or
 - is under the direct supervision of an adult who holds such a safety certificate;
- the provision establishing the manner in which such a safety certificate must be carried and displayed;
- the requirement for the Texas Commission of Licensing and Regulation to adopt standards and specifications that apply to the color, size, and mounting position of the flag required under statutory provisions relating to the agricultural or utility operation

- on a highway of an unregistered off-highway vehicle and to the operation of such a vehicle by law enforcement; and
- the authorization for the Texas Department of Licensing and Regulation or its executive director to exempt off-highway vehicles that are participating in certain competitive events from applicable equipment requirements.

H.B. 4767 repeals the following provisions of the Transportation Code:

- Sections 551A.001(1-b) and (1-c);
- Section 551A.002(b);
- Subchapter B of Chapter 551A;
- Sections 551A.031(b) and (c);
- Section 551A.059; and
- Section 551A.071(d).

EFFECTIVE DATE

September 1, 2025.