

1-1 By: Buckley, et al. (Senate Sponsor - Perry) H.B. No. 5624  
1-2 (In the Senate - Received from the House May 19, 2025;  
1-3 May 19, 2025, read first time and referred to Committee on State  
1-4 Affairs; May 25, 2025, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 May 25, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Hughes	X		
1-10	Paxton	X		
1-11	Bettencourt	X		
1-12	Birdwell	X		
1-13	Hall	X		
1-14	Hinojosa of Nueces	X		
1-15	Middleton	X		
1-16	Parker	X		
1-17	Perry		X	
1-18	Schwertner		X	
1-19	Zaffirini	X		

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 5624 By: Perry

1-21 A BILL TO BE ENTITLED  
1-22 AN ACT

1-23 relating to the liability of a motorized off-road vehicle entity  
1-24 for injuries arising from certain activities.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Title 4, Civil Practice and Remedies Code, is  
1-27 amended by adding Chapter 75E to read as follows:

1-28 CHAPTER 75E. LIMITED LIABILITY FOR MOTORIZED OFF-ROAD VEHICLE  
1-29 ACTIVITIES

1-30 Sec. 75E.001. DEFINITIONS. In this chapter:

1-31 (1) "Motorized off-road vehicle" means any vehicle:

1-32 (A) with two to four wheels;

1-33 (B) powered by a combustion engine or an electric  
1-34 motor;

1-35 (C) weighing 8,000 pounds or less; and

1-36 (D) designed to drive on unpaved roads and  
1-37 surfaces.

1-38 (2) "Motorized off-road vehicle activity" means an  
1-39 activity involving motorized off-road vehicles at a motorized  
1-40 off-road vehicle area for recreational or educational purposes.

1-41 (3) "Motorized off-road vehicle activity participant"  
1-42 means an individual, other than an employee of a motorized off-road  
1-43 vehicle entity, who engages in a motorized off-road vehicle  
1-44 activity. The term does not include a spectator of a motorized  
1-45 off-road vehicle activity unless the spectator enters an  
1-46 unauthorized area or intentionally places himself or herself in  
1-47 immediate proximity to the activity.

1-48 (4) "Motorized off-road vehicle activity participant  
1-49 injury" means an injury sustained by a motorized off-road vehicle  
1-50 activity participant, including bodily injury, emotional distress,  
1-51 death, property damage, or any other loss arising from the person's  
1-52 participation in a motorized off-road vehicle activity.

1-53 (5) "Motorized off-road vehicle area" means a  
1-54 commercial property designed to provide recreation or education  
1-55 related to driving a motorized off-road vehicle on unpaved roads or  
1-56 surfaces, including driving instruction, practices, competitions,  
1-57 or performances or group driving activities such as tours, hunts,  
1-58 or races.

1-59 (6) "Motorized off-road vehicle entity" means an  
1-60 individual or an entity, including an employee or a volunteer:

(A) engaged in the business of owning, operating, or leasing a motorized off-road vehicle area; or  
(B) sponsoring, sanctioning, endorsing, or officiating a motorized off-road vehicle activity.

Sec. 75E.002. LIMITED LIABILITY. (a) Except as provided by Subsection (b), a motorized off-road vehicle entity is not liable to any person for a motorized off-road vehicle activity participant injury, if, at the time of the motorized off-road vehicle activity participant injury, the warning prescribed by Section 75E.003 was posted in accordance with that section.

(b) This section does not limit liability for an injury:

(1) proximately caused by:

(A) the motorized off-road vehicle entity's:

(i) gross negligence or intentional misconduct with regard to the safety of the motorized off-road vehicle area or the motorized off-road vehicle activity participant; or

(ii) negligence with regard to a motorized off-road vehicle or related equipment provided by the entity to the participant;

(B) a potentially dangerous condition at the motorized off-road vehicle area, other than a potentially dangerous condition inherent to driving a vehicle in a motorized off-road vehicle area, including unstable roads, surfaces, or subsurfaces or natural or man-made obstacles, of which the motorized off-road vehicle entity knew or reasonably should have known; or

(C) the motorized off-road vehicle entity's failure to train or improper training of an employee of the motorized off-road vehicle entity actively involved in the motorized off-road vehicle area or a motorized off-road vehicle activity; or

(2) intentionally caused by the motorized off-road vehicle entity.

(c) The doctrine of attractive nuisance does not apply to a claim made by a person for an injury that occurred in a motorized off-road vehicle area.

Sec. 75E.003. POSTED WARNING. For the purposes of limitation of liability under Section 75E.002(a), a motorized off-road vehicle entity must post and maintain a sign in a clearly visible location at an entrance to a motorized off-road vehicle area. The sign must contain the following language:

WARNING

TEXAS LAW (CHAPTER 75E, CIVIL PRACTICE AND REMEDIES CODE) LIMITS THE LIABILITY OF A MOTORIZED OFF-ROAD VEHICLE ENTITY FOR INJURIES OR DEATH OF A MOTORIZED OFF-ROAD VEHICLE ACTIVITY PARTICIPANT RESULTING FROM A MOTORIZED OFF-ROAD VEHICLE ACTIVITY.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2025.

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