

By: Kacal, Cyrier, Guillen

H.B. No. 1147

A BILL TO BE ENTITLED

AN ACT

relating to the operation of all-terrain vehicles and recreational off-highway vehicles.

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

SECTION 1. Sections 663.037(d) and (g), Transportation Code, are amended to read as follows:

(d) The operator of an all-terrain vehicle may drive the vehicle on a public street, road, or highway that is not an interstate or limited-access highway if:

(1) the transportation is in connection with:

(A) the production, cultivation, care, harvesting, preserving, drying, processing, canning, storing, handling, shipping, marketing, selling, or use of agricultural products, as defined by Section 52.002, Agriculture Code; or

(B) utility work performed by a utility;

(2) the operator attaches to the back of the vehicle ~~[on top of an eight-foot-long pole]~~ a triangular orange flag that is at least six feet above ground level;

(3) the vehicle's headlights and taillights are illuminated;

(4) the operator holds a driver's license, as defined by Section 521.001;

(5) the operation of the all-terrain vehicle occurs in the daytime; and

1 (6) the operation of the all-terrain vehicle does not
2 exceed a distance of 25 miles from the point of origin to the
3 destination.

4 (g) A peace officer or other person who provides law
5 enforcement, firefighting, ambulance, medical, or other emergency
6 services, including a volunteer firefighter, may operate an
7 all-terrain vehicle on a public street, road, or highway that is not
8 an interstate or limited-access highway only if:

9 (1) the transportation is in connection with the
10 performance of the operator's ~~[officer's]~~ official duty;

11 (2) the operator ~~[officer]~~ attaches to the back of the
12 vehicle ~~[on top of an eight-foot-long pole]~~ a triangular orange
13 flag that is at least six feet above ground level;

14 (3) the vehicle's headlights and taillights are
15 illuminated; and

16 (4) the operator ~~[officer]~~ holds a driver's license,
17 as defined by Section 521.001~~[, and~~

18 ~~[(5) the operation of the all-terrain vehicle does not~~
19 ~~exceed a distance of 25 miles from the point of origin to the~~
20 ~~destination].~~

21 SECTION 2. This Act takes effect September 1, 2015.