

By: Murphy

H.B. No. 3103

A BILL TO BE ENTITLED

AN ACT

relating to the operation of a golf cart or a commercial utility vehicle.

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

SECTION 1. Subchapter F, Transportation Code, is amended to read as follows:

Sec. 551.401. DEFINITIONS. In this subchapter:

(1) "Golf cart" and "public highway" have the meanings assigned by Section 502.001.

(2) "Commercial Utility vehicle" means a motor vehicle that is not a golf cart or lawn mower and is:

(A) equipped with side-by-side seating for the use of the operator and a passenger;

(B) designed to propel itself with at least four tires in contact with the ground;

(C) designed by the manufacturer for on or off-highway use only; and

(D) designed by the manufacturer primarily for utility commercial work and not for recreational purposes.

Sec. 551.402. REGISTRATION NOT AUTHORIZED FOR GOLF CARTS.

(a) The Texas Department of Motor Vehicles may not register a golf cart for operation on a public highway regardless of whether any alteration has been made to the golf cart.

(b) The Texas Department of Motor Vehicles may issue license

plates for a golf cart as authorized by Subsection (c).

(c) The Texas Department of Motor Vehicles shall by rule establish a procedure to issue the license plates to be used for operation in accordance with Sections 551.403 and 551.404.

(d) The Texas Department of Motor Vehicles may charge a fee not to exceed \$10 for the cost of the license plate.

Sec. 551.4021. REGISTRATION AUTHORIZED FOR COMMERCIAL UTILITY VEHICLES. (a) The Texas Department of Motor Vehicles may register a commercial utility vehicle for operation on a public highway.

(b) The Texas Department of Motor Vehicles may issue license plates for a commercial utility vehicle as authorized by Subsection (c).

(c) The Texas Department of Motor Vehicles shall by rule establish a procedure to issue the license plates to be used for operation in accordance with Sections 551.403 and 551.404.

(d) The Texas Department of Motor Vehicles may charge a fee not to exceed \$25 for the cost of the license plate.

Sec. 551.403. LIMITED OPERATION OF A GOLF CART. (a) An operator may operate a golf cart:

(1) in a master planned community:

(A) that has in place a uniform set of restrictive covenants; and

(B) for which a county or municipality has approved a plat;

(2) on a public or private beach; or

(3) on a public highway for which the posted speed

limit is not more than 35 miles per hour, if the golf cart is operated:

(A) during the daytime; and

(B) not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

(b) The Texas Department of Transportation or a county or municipality may prohibit the operation of a golf cart on a public highway if the department or the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

Sec. 551.4031. LIMITED OPERATION OF A COMMERCIAL UTILITY VEHICLE. An operator may operate a commercial utility vehicle:

(a) in a master planned community:

(1) that has in place a uniform set of restrictive covenants; and

(2) for which a county or municipality has approved a plat;

(b) on a public or private beach; or

(c) on a public highway or public roadway for which the posted speed limit is not more than 35 miles per hour.

Sec. 551.404. OPERATION IN MUNICIPALITIES AND CERTAIN COUNTIES. (a) In addition to the operation authorized by Sections 551.403 and 551.4031, the governing body of a municipality may allow an operator to operate a golf cart or a commercial utility vehicle on all or part of a public highway that:

(1) is in the corporate boundaries of the

1 municipality; and

2 (2) has a posted speed limit of not more than 35 miles
3 per hour.

4 (a-1) In addition to the operation authorized by Sections
5 551.403 and 551.4031, the commissioners court of a county described
6 by Subsection (a-2) may allow an operator to operate a golf cart or
7 commercial utility vehicle on all or part of a public highway that:

8 (1) is located in the unincorporated area of the
9 county; and

10 (2) has a speed limit of not more than 35 miles per
11 hour.

12 (a-2) Subsection (a-1) applies only to a county that:

13 (1) borders or contains a portion of the Red River;

14 (2) borders or contains a portion of the Guadalupe
15 River and contains a part of a barrier island that borders the Gulf
16 of Mexico; or

17 (3) is adjacent to a county described by Subdivision
18 (2) and:

19 (A) has a population of less than 30,000; and

20 (B) contains a part of a barrier island that
21 borders the Gulf of Mexico.

22 (b) A golf cart or commercial utility vehicle operated under
23 this section must have the following equipment:

24 (1) headlamps;

25 (2) taillamps;

26 (3) reflectors;

27 (4) parking brake; and

1 (5) mirrors.

2 Sec. 551.405. CROSSING CERTAIN ROADWAYS. A golf cart or a
3 commercial utility vehicle may cross intersections, including a
4 road or street that has a posted speed limit of more than 35 miles
5 per hour.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2015.