

SUBJECT: Driving golf carts and other vehicles on municipal streets or county roads

COMMITTEE: Transportation — favorable, without amendment

VOTE: 9 ayes — Krusee, Phillips, Harper-Brown, Deshotel, Haggerty, Harless, Hill, Macias, Murphy

0 nays

WITNESSES: For — Darrell Bush, city of Nederland; (*Registered but did not testify*: Bill Blaydes for Rachel Scoggin, Beaumont Westbrook High School soccer coach)

Against — None

On — Steve Simmons, Texas Department of Transportation

BACKGROUND: Transportation Code, sec. 551 governs the operation on roadways of bicycles, mopeds, and “play vehicles,” including “pocket bikes” and Segway personal transporters. Sec. 551.303 authorizes a county or municipality to permit the use of a “neighborhood electric vehicle” on a street or highway where the speed limit is no greater than 35 miles per hour.

The Transportation Code defines “neighborhood electric vehicle” as a vehicle subject to Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500), which sets standards for “low-speed” vehicles that operate on “public streets, roads, and highways.” The specifications for such vehicles include a top speed of 25 miles per hour and the presence of headlamps, turn signals, mirrors, reflectors, and other safety equipment.

Transportation Code, sec. 502.001 defines a “golf cart” as a motor vehicle designed primarily to transport people on a golf course.

Transportation Code, sec. 504.510 requires the Texas Department of Transportation (TxDOT) to issue specialty license plates to certain golf carts. It applies only to the owner of a golf cart who resides on United States Corps of Engineers property in a county that borders another state and has a population of more than 110,000 but less than 111,000, currently

Grayson County. The \$10 fee constitutes the only registration fee required of the owner, and the provision does not permit the operation of a golf cart anywhere where it is otherwise prohibited by law.

DIGEST:

HB 227 would amend Transportation Code, sec. 504.510 to authorize municipalities and counties to allow the operation of golf carts and side-by-side utility vehicles on municipal streets and county roads.

The bill would define a “side-by-side vehicle” as one designed:

- with side-by-side seating for the driver and passenger;
- to operate with at least four wheels on the ground; and
- for off-highway use only and primarily for farming, ranching, or utility work.

HB 227 would require TxDOT to issue specialty license plates for the registration of side-by-side utility vehicles. The fee would be \$10.

HB 227 would require the driver of the golf cart or side-by-side utility vehicle to:

- have a class A, B, C, or M driver’s license or a commercial driver’s license;
- equip the vehicle with a horn and illuminated headlights and taillights;
- register the vehicle by obtaining a specialty license plate;
- establish financial responsibility for the vehicle; and
- display a slow-moving vehicle emblem;

The bill would take effect September 1, 2007.

**SUPPORTERS
SAY:**

HB 227 would make it clear that counties and municipalities are authorized to allow the use of golf carts and side-by-side utility vehicles on local roads. Texas law already allows the use of neighborhood electric vehicles on local roads with municipal or county permission. This bill simply would allow local governments to extend this permission to drivers of similar low-speed vehicles.

Golf carts and side-by-side utility vehicles — such as the John Deere Gator, which is commonly used in the maintenance of golf courses and

sporting fields — increasingly are driven safely in a variety of settings, including parades and on neighborhood streets in many golfing and retirement communities. In addition, golf carts are allowed on Texas beaches. CSHB 227 would make it clear that, with the permission of local authorities, a person could transport one of these low-speed vehicles to the beach, golf course, or other appropriate setting without the use of a car or truck.

Golf carts and side-by-side utility vehicles are significantly safer than two-wheeled and single seat vehicles of a similar nature. Helmets are not required for golf carts and side-by-side vehicles because of their stability, and only licensed drivers can operate such vehicles on public roads. The bill contains clear safety specifications for the proper use of golf carts and side-by-side vehicles, and the federal safety standard for “low-speed vehicles” includes a long list of safety specifications, including proper lights, brakes, and seatbelts.

**OPPONENTS
SAY:**

As the use of golf carts and other low-speed vehicles becomes increasingly common, it important to ensure the such vehicles can be operated safely in settings for which they were not necessarily designed. For example, golf carts can travel at speeds up to 25 miles per hour, which is fast enough to injure passengers if they are not wearing seatbelts, which the bill would not require. On the other hand, 25 miles per hour is a relatively slow speed on many roadways, and studies show that speed differential between vehicles is one of the leading causes of traffic accidents.