

## **BILL ANALYSIS**

Senate Research Center

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Transportation & Homeland Security  
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### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The intent of this legislation is to establish a registration designation so that law enforcement can enforce proper operation and safety requirements. It provides some accommodation for constituents who are looking for a lower-priced transportation option while establishing clear standards to protect neighborhood vehicle operators and other motorists.

As proposed, S.B. 2018 creates a new vehicle classification, neighborhood vehicle, to establish safety requirements and limited use of public roads by golf carts and neighborhood electric vehicles. This bill requires a person to pay an annual \$30 fee for registration of a neighborhood vehicle. S.B. 2018 authorizes the operation of golf carts during the daytime without titling or registering of the vehicle as long as that operation occurs within an approved planned community with a plat, or on a public or private beach. This bill authorizes a county, municipality, or the Texas Department of Transportation to continue to prohibit operation of such vehicles on a street or highway in the interest of safety.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Department of Transportation is modified in SECTION 8 (Section 551.302, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 502.001(14-a), Transportation Code, to define "neighborhood vehicle."

SECTION 2. Amends Section 502.0071, Transportation Code, by adding Subsections (a) and (b), as follows:

Sec. 502.0071. GOLF CARTS. (a) Creates this subsection from existing text. Provides that an owner of a golf cart is not required to title or register the golf cart, rather than register the golf cart, in certain instances. Deletes existing text providing that an owner of a golf cart is not required to register the golf cart if the operation does not exceed a distance of two miles from the point of origin to the destination if driven to and from a golf course. Makes nonsubstantive changes.

(b) Authorizes an owner of a golf cart to title and register a golf cart as a neighborhood vehicle.

SECTION 3. Amends Section 502.0076, Transportation Code, as follows:

Sec. 502.0076. [Bill as drafted does not contain a title for Section 502.0076.] (a) Requires the owner of a neighborhood vehicle, to operate on a street or highway, to register the neighborhood vehicle.

(b) Provides that this section does not authorize the operation of a neighborhood vehicle on a public road where it is otherwise prohibited by law.

SECTION 4. Amends Subchapter D, Chapter 502, Transportation Code, by adding Section 502.1695, as follows:

Sec. 502.1695. FEE: NEIGHBORHOOD VEHICLE. Provides that the fee for registration of a neighborhood vehicle is \$30.

SECTION 5. Amends Section 504.510(a), [Bill as drafted does not cite a code.], as follows:

Sec. 504.510. New heading: NEIGHBORHOOD VEHICLE LICENSE PLATES. (a) Requires the Texas Department of Transportation (TxDOT) to issue specialty license [plates] (*sic*) for an eligible neighborhood vehicle, rather than golf cart.

SECTION 6. Amends Section 547.002, Transportation Code, as follows:

Sec. 547.002. APPLICABILITY. Provides that unless a provision is specifically made applicable, this chapter and the rules of TxDOT adopted under this chapter do not apply to a golf cart not required to be registered under Section 502.0071, rather than 502.284. Makes a nonsubstantive change.

SECTION 7. Amends the heading to Subchapter D and amends Section 551.301, Chapter 551, Transportation Code, as amended by Section 2.86, Chapter 281 (H.B. 2702), [Bill as drafted does not cite a legislative session for H.B. 2702.] as follows:

#### SUBCHAPTER D. NEIGHBORHOOD VEHICLES

Sec. 551.301. DEFINITIONS. Defines "neighborhood vehicle" rather than "neighborhood electric vehicle."

SECTION 8. Amends Section 551.302, Transportation Code, and adds Subsection (d), as follows:

Sec. 551.302. REGISTRATION. Authorizes TxDOT to adopt rules relating to the registration and issuance of license plates to neighborhood vehicles, rather than neighborhood electric vehicles.

(d) [Bill as drafted does not add Subsection (d) to Section 551.302]

SECTION 9. Amends Section 551.303, Transportation Code, and adds Subsection (d), as follows:

Sec. 551.303. OPERATION ON ROADWAYS. (a) Requires that a neighborhood vehicle, to be operated on a street or highway, be registered under Section 502.0076. Authorizes a neighborhood vehicle, rather than a neighborhood electric vehicle, to be operated only on a street or highway for which the posted speed limit is 35 miles per hour or less. Authorizes a neighborhood vehicle to cross a road or street where the posted speed limit is more than 35 miles per hour only at an intersection, rather than at an intersection where the road or street has a posted speed limit of more than 35 miles per hour. Makes a conforming change.

(b) Makes a conforming change.

(c) Authorizes TxDOT to prohibit the operation of a neighborhood vehicle on a public highway, as defined by Section 502.001, if TxDOT determines that the prohibition is necessary in the interest of safety. Makes a conforming change.

(d) Requires the owner of a neighborhood vehicle to comply with the licensing requirement of Chapter 521 (Driver's Licenses and Certificates), and the requirements of Chapters 547 (Vehicle Equipment) and 548 (Compulsory Inspection of Vehicles), as applicable.

SECTION 10. Amends Section 601.052(a), Transportation Code, to provide that Section 601.051 does not apply to the operation of a golf cart not required to be registered under Section 502.0071, rather than 502.284.

SECTION 11. Repealer: Sections 504.510(b) (relating to the fee for golf cart license plates), (c) (relating to waiving all fees but license plate fee), and (d) (relating to this section applying only to an owner of a golf cart who resides in certain areas), Transportation Code.

Repealer: Section 551.301 (Definition), Transportation Code.

Repealer: Section 551.301(2), Transportation Code. [The Texas Transportation Code does not contain a Section 551.301(2).]

SECTION 12. Effective date: upon passage or September 1, 2009.