

BILL ANALYSIS

Senate Research Center

C.S.S.B. 2018
By: Watson
Transportation & Homeland Security
4/21/2009
Committee Report (Substituted)

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.

C.S.S.B. 2018 amends current law relating to neighborhood vehicles and golf carts.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Department of Transportation is modified in SECTION 14 (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, 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 Subchapter A, Chapter 502, Transportation Code, by adding Section 502.0076, as follows:

Sec. 502.0076. OPERATION OF NEIGHBORHOOD VEHICLE ON STREET OR HIGHWAY. Requires an owner to register a neighborhood vehicle before operating the vehicle on a street or highway. Provides that this section does not authorize the operation of a neighborhood vehicle on a public road on which operation of the vehicle is otherwise prohibited by law.

SECTION 4. Amends Subchapter D, Chapter 502, Transportation Code, by adding Section 502.169, as follows:

Sec. 502.169. FEE: NEIGHBORHOOD VEHICLE. Provides that the fee for registration of a neighborhood vehicle is \$30.

SECTION 5. Amends the heading to Section 504.510, Transportation Code, to read as follows:

Sec. 504.510. NEIGHBORHOOD VEHICLE LICENSE PLATES.

SECTION 6. Amends Section 504.510(a), Transportation Code, to require the Texas Department of Transportation (TxDOT) to issue specialty license plates for an eligible neighborhood vehicle, rather than golf cart.

SECTION 7. Amends Section 547.001, Transportation Code, by adding Subsection (4A), to define "neighborhood vehicle."

SECTION 8. 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 because it is only operated in the manner described by Section 502.0071, rather than under 502.284. Makes a nonsubstantive change.

SECTION 9. Amends the heading to Section 547.703, Transportation Code, to read as follows:

Sec. 547.703. ADDITIONAL EQUIPMENT REQUIREMENTS FOR SLOW-MOVING AND NEIGHBORHOOD VEHICLES.

SECTION 10. Amends Section 547.703(d), Transportation Code, to provide that a neighborhood vehicle that can attain a maximum speed of 25 miles per hour or less on a paved level surface is required to display a slow-moving vehicle emblem when operated on a street or highway. Deletes existing text providing that a golf cart as defined by Section 502.001 is required to display a slow-moving vehicle emblem only when it is operated on an arterial.

SECTION 11. Amends Section 548.051, Transportation Code, by adding Subsections (c) and (d), as follows:

(c) Requires a neighborhood vehicle registered in this state, except as provided in Subsection (d), to have certain items inspected at an inspection station or by an inspector.

(d) Requires a neighborhood vehicle that is subject to Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500), to comply with those equipment standards, notwithstanding Subsection (c).

SECTION 12. Amends the heading to Subchapter D, Chapter 551, Transportation Code, to read as follows:

SUBCHAPTER D. NEIGHBORHOOD VEHICLES

SECTION 13. Amends Section 551.301(1), Transportation Code, as amended by Chapter 281 (H.B. No. 2702), Acts of the 79th Legislature, Regular Session, 2005, to redefine "neighborhood vehicle."

SECTION 14. Amends Section 551.302, Transportation Code, 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.

SECTION 15. Amends Section 551.303, Transportation Code, and adds Subsection (d), as follows:

Sec. 551.303. OPERATION ON ROADWAYS. (a) Requires an owner to register a neighborhood vehicle under Section 502.0076 before operating the vehicle on a street or highway. 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 16. 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 because it is only operated in the manner described by, rather than under, Section 502.0071, rather than 502.284.

SECTION 17. 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 547.703(e) (relating to the definition of "arterial street"), Transportation Code.

Repealer: Section 551.301 (Definition), Transportation Code.

Repealer: Section 551.301(2), as amended by Chapter 281 (H.B. No. 2702), Acts of the 79th Legislature, Regular Session, 2005 (defining "motor assisted scooter.")

SECTION 18. Effective date: upon passage or September 1, 2009.