

BILL ANALYSIS

H.B. 1147
By: Kacal
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law allows certain agriculture producers, police officers, and utility workers to operate an all-terrain vehicle on a public street, road, or highway that is not an interstate or limited-access highway under certain conditions. Interested parties note that certain emergency medical services providers and firefighters lack such authority to operate an all-terrain vehicle and contend that allowing such entities to use these vehicles could vastly improve emergency response time and services in rural areas. The parties also note that there is a certain requirement to attach a flag on top of a pole of a certain height to the back of an all-terrain vehicle for safety reasons. The parties contend that this requirement is too restrictive when operating the vehicle in or near brush. H.B. 1147 seeks to address these issues.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1147 amends the Transportation Code to remove as a condition of operating an all-terrain vehicle on a public street, road, or highway that is not an interstate or limited-access highway by a person engaged in certain agricultural activities, a utility worker, or a peace officer the attachment of a triangular orange flag on top of an eight-foot-long pole to the back of the vehicle and to instead require as such a condition the attachment of a triangular orange flag that is at least six feet above ground level to the back of the vehicle. The bill extends a peace officer's authority to operate an all-terrain vehicle under certain conditions to a person who provides law enforcement, firefighting, ambulance, medical, or other emergency services and removes the condition restricting such authorized operation to a distance of 25 miles from the point of origin to the destination.

EFFECTIVE DATE

September 1, 2015.