

BILL ANALYSIS

Senate Research Center

S.B. 129
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Transportation & Homeland Security
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, drivers of neighborhood electric vehicles (NEVs) are allowed to drive at a maximum speed of 25 miles per hour on roads with a posted speed limit of 35 miles per hour. NEVs have up to a 245-mile range on the electrical equivalent of a single gallon of gas, at an average cost of one to two cents per mile. These fuel-efficient vehicles travel 30 to 50 miles on a single electric charge even while using optional air conditioning.

This legislation would allow NEV drivers more flexibility in selecting which streets and roadways to utilize. As they produce no emissions, more widespread usage of NEVs could potentially reduce auto emissions in urban and suburban areas. Presently, the following eight states allow NEVs to operate at speeds up to 35 miles per hour: Georgia, Kansas, Kentucky, Maine, Montana, Oklahoma, Tennessee, and Washington.

S.B. 129 amends current law relating to the maximum speed limit for a neighborhood electric vehicle being operated on a street or highway and to the operation of a motorcycle.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts Section 551.301(1), Transportation Code, as amended by Chapters 281 (H.B. 2702) and 1242 (H.B. 1596), Acts of the 79th Legislature, Regular Session, 2005, and amends it to redefine "neighborhood electric vehicle" as a vehicle that can attain a maximum speed of 35 miles per hour on a paved level surface and otherwise complies with, rather than a vehicle subject to, Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500).

SECTION 2. Amends Section 551.303(a), Transportation Code, to authorize a neighborhood electric vehicle to be operated only on a street or highway for which the posted speed limit is 45, rather than 35, miles per hour or less. Authorizes a neighborhood electric vehicle to cross a road or street at an intersection where the road or street has a posted speed limit of more than 45, rather than 35, miles per hour. Prohibits a neighborhood electric vehicle from operating on a street or highway at a speed that exceeds the lesser of the posted speed limit; or 35 miles per hour.

SECTION 3. Amends Section 521.001(a), Transportation Code, by adding Subdivision (6-a) to define "motorcycle."

SECTION 4. Amends Section 521.085, Transportation Code, as follows:

Section 521.085. TYPE OF VEHICLE AUTHORIZED. (a) Creates this section from existing text. Authorizes the license holder, unless prohibited by Chapter 522 (Commercial Driver's Licenses), and except as provided by Subsection (b), to operate any vehicle of the type for which that class of license is issued and any lesser type of vehicle other than a motorcycle or moped.

(b) Provides that Subsection (a) does not prohibit a license holder from operating a lesser type of vehicle that is a motorcycle described by Section 521.001(a)(6-a).

SECTION 5. Amends Section 661.001(1), Transportation Code, to redefine "motorcycle" as a term that does not include a tractor or a three-wheeled vehicle equipped with a cab or occupant compartment, seat, and seat belt and designed to contain the operator in the cab or occupant compartment.

SECTION 6. Amends Section 680.013, Transportation Code, to authorize a motorcycle, including a motorcycle described by Section 521.001(a)(6-a), to be operated in a preferential lane that is not closed to all vehicular traffic.

SECTION 7. Effective date: September 1, 2009.