

## **BILL ANALYSIS**

Senate Research Center  
87R25749 JXC-F

C.S.H.B. 1281  
By: Wilson (Schwertner)  
Administration  
5/19/2021  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The 86th Legislature passed H.B. 1548, requiring golf carts and other off-road vehicles to obtain license plates to operate on roads. The bill applied statewide, but addressed an issue in coastal towns where these vehicles were driving on highways and causing an increasing number of accidents.

Many master-planned communities, some of which fall in Senate District 5, were strategically planned with golf carts in mind. These communities are built to accommodate golf cart drivers, ensuring safe operation with slow speed limits, golf paths, and other targeted measures. However, the new law requiring all golf carts to obtain license plates has created an unintentional burden for residents who do not face the same risk as coastal towns with frequent tourist activity.

H.B. 1281 would remove this license plate requirement for golf carts only operating in master planned communities, while maintaining the intent of the legislature when it passed H.B. 1548 last session.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 1281 amends current law relating to the operation of golf carts in certain areas.

### **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. Amends Section 551.403, Transportation Code, as follows:

Sec. 551.403. OPERATION AUTHORIZED IN CERTAIN AREAS. (a) Authorizes an operator to operate a golf cart:

(1) in a master planned community that is a residential subdivision as defined by Section 209.002(9) (relating to the definition of "residential subdivision" or "subdivision"), Property Code, or has in place a uniform set of restrictive covenants, and for which a county or municipality has approved one or more plats, rather than a plat;

(2) makes no changes to this subdivision;

(3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated during the daytime, and not more than five, rather than two, miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

(b) Authorizes a person, notwithstanding Section 551.402(b) (relating to authorizing a person to operate a golf cart on a highway in a certain manner only if the vehicle displays a certain license plate), to operate a golf cart in a master

planned community described by Subsection (a) without a golf cart license plate on a highway for which the posted speed limit is not more than 35 miles per hour, including through an intersection of a highway for which the posted speed limit is more than 35 miles per hour.

SECTION 2. Amends Section 551.4031, Transportation Code, as follows:

Sec. 551.4031. PROHIBITION OF OPERATION ON HIGHWAY BY MUNICIPALITY, COUNTY, OR DEPARTMENT. (a) Authorizes a county or municipality to prohibit the operation of a golf cart on a highway under Section 551.403, rather than Section 551.404 (Operation on Highway Authorized by Municipality or Certain Counties), if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

(b) Authorizes the Texas Department of Transportation to prohibit the operation of a golf cart on a highway under Section 551.403, rather than Section 551.404, if the Department of Public Safety determines that the prohibition is necessary in the interest of safety.

SECTION 3. Effective date: upon passage or September 1, 2021.