

H.B. No. 1281

AN ACT relating to the operation of **golf carts** in certain areas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 551.403, Transportation Code, is amended to read as follows:

Sec. 551.403. OPERATION AUTHORIZED IN CERTAIN AREAS. (a) **An operator may operate a golf cart:**

(1) **in a master planned community:**

(A) **that is a residential subdivision as defined by Section 209.002(9), Property Code, or has in place a uniform set of restrictive covenants; and**

(B) **for which a county or municipality has approved one or more plats [a plat];**

(2) **on a public or private beach that is open to vehicular traffic; or**

(3) **on a highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:**

(A) **during the daytime; and**

(B) **not more than five [two] miles from the location where the golf cart is usually parked and for transportation to or from a golf course.**

(b) **Notwithstanding Section 551.402(b), a person may 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. Section 551.4031, Transportation Code, is amended to read as follows:

Sec. 551.4031. **PROHIBITION OF OPERATION ON HIGHWAY BY MUNICIPALITY, COUNTY, OR DEPARTMENT.** (a) **A county or municipality may prohibit the operation of a golf cart on a highway under Section 551.403 [551.404] if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.**

(b) **The Texas Department of Transportation may prohibit the operation of a golf cart on a highway under Section 551.403 [551.404] if the department determines that the prohibition is necessary in the interest of safety.**

SECTION 3. Section 551.404(c), Transportation Code, is amended to read as follows:

(c) **Subsection (b) applies only to a county that:**

(1) **borders or contains a portion of the Red River; or**

(2) **[borders or contains a portion of the Guadalupe River and contains a part of a barrier island that] borders the Gulf of Mexico and has a population of less than 500,000 [; or**

[(3) is adjacent to a county described by Subdivision (2) and:

[(A) has a population of less than 37,000; and

[(B) contains a part of a barrier island or peninsula that borders the Gulf of Mexico].

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 1281 was passed by the House on April 27, 2021, by the following vote: Yeas 144, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 1281 on May 27, 2021, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1281 on May 30, 2021, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1281 was passed by the Senate, with amendments, on May 22, 2021, by the following vote: Yeas 29, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1281 on May 29, 2021, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor