

CHAPTER 104

S.B. No. 213

AN ACT

relating to the operation of golf carts on public streets and roads.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsection (j), Section 1, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-1, Vernon's Texas Civil Statutes), is amended to read as follows:

(j) "Passenger Car" means any motor vehicle other than a motor cycle, *golf cart*, or a bus, as defined in this Act, designed or used primarily for the transportation of persons.

SECTION 2. Section 2, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-2, Vernon's Texas Civil Statutes), is amended by adding Subsection (k) to read as follows:

(k)(1) *In this section, "golf cart" means a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.*

(2) *An owner of a golf cart driven to and from a golf course is not required to register the golf cart.*

SECTION 3. Subdivision 3, Section 139b, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes), is amended to read as follows:

Subd. 3. (a) A ~~[From and after January 1, 1970, no]~~ "slow-moving vehicle" *may not* ~~[shall]~~ be operated or drawn upon any public street or highway in this state unless the same shall be equipped with and unless there shall be displayed at the rear thereof a "slow-moving-vehicle emblem" conforming to the standards and specifications adopted by the Director of the Department of Public Safety as above directed; provided that this requirement shall not apply to any such vehicle when being used in actual construction or maintenance work and while traveling within the limits of a construction area which is marked as such in accordance with requirements of the State Highway Commission. Such emblem shall be mounted base down on the rear of the vehicle, not less than three (3) feet nor more than five (5) feet above the road surface, and shall be maintained in a clean, reflective condition. The requirement of such emblem shall be in addition to any other lighting or reflective devices required by law.

(b) When a motor vehicle displaying a slow-moving-vehicle emblem is drawing or towing an implement of husbandry or other machinery, and the visibility of the emblem on the pulling unit is not obstructed by the implement or machinery being towed, it shall not be necessary to display a similar emblem on the towed unit.

*(c) A golf cart, as defined by Subdivision (1) of Subsection (k) of Section 2, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-2, Vernon's Texas Civil Statutes), is not required to display a slow-moving-vehicle emblem unless the golf cart is being operated on an arterial street.*

SECTION 4. Section 1A, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes), is amended by adding Subsection (b-1) to read as follows:

*(b-1) Golf carts are exempt from the requirement of Subsection (a) of this section.*

SECTION 5. (a) A vehicle to which this Act applies that was registered on the effective date of this Act is not required to meet the requirements of any other law if that law's application to the vehicle is predicated merely on the vehicle's registration.

(b) The elimination of a registration fee for golf carts by this Act does not entitle a golf cart owner to all or part of a license fee paid before the effective date of this Act. A license fee delinquent on the effective date of this Act is governed by the law that existed on the day before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 2, 1987, by the following vote: Yeas 31, Nays 0. Passed the House on May 7, 1987, by a non-record vote.

Approved May 18, 1987.

Effective 90 days after date of adjournment.