

# Memorandum



CITY OF DALLAS

DATE June 1, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Motor Assisted Scooter Ordinance Discussion**

On Wednesday, June 6, 2018, you will be briefed on Motor Assisted Scooters and possible amendments to the city ordinance. The briefing material is attached for your review.

Please feel free to contact either Michael Rogers, Director of Transportation, or myself if you have any questions or need additional information.

A handwritten signature in blue ink, appearing to read 'Majed Al-Ghafry'.

**Majed Al-Ghafry**  
Assistant City Manager

c: T.C. Broadnax, City Manager  
Larry Casto, City Attorney  
Craig D. Kinton, City Auditor  
Billierae Johnson, City Secretary  
Daniel F. Solis, Administrative Judge  
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager  
Jo M. (Jody) Puckett, Assistant City Manager (Interim)

Jon Fortune, Assistant City Manager  
Joey Zapata, Assistant City Manager  
M. Elizabeth Reich, Chief Financial Officer  
Nadia Chandler Hardy, Chief of Community Services  
Raquel Favela, Chief of Economic Development & Neighborhood Services  
Theresa O'Donnell, Chief of Resilience  
Directors and Assistant Directors

# Motor Assisted Scooter Ordinance Discussion

City Council Briefing  
June 6, 2018

Michael Rogers, PWLF  
Director  
Department of Transportation



# Presentation Overview

- Definition
- Motor Assisted Scooters
- Comparison Cities
- Dallas City Code Impacts
- Motor Assisted Scooter FAQs
- Next Steps

# Definition

- Per Dallas City Code Chapter 28 SEC. 28-41.1 motor assisted scooter means a self-propelled device with:
  - At least two wheels in contact with the ground during operation
  - A braking system capable of stopping the device under typical operating conditions
  - A gas or electric motor not exceeding 40 cubic centimeters
  - A deck designed to allow a person to stand or sit while operating the device
  - The ability to be powered by human power alone

# Motor Assisted Scooters

- Industry approached staff to include scooters as part of the mobility plan
- The mobility industry has additional options in their fleets such as motor assisted scooters



Bird



Spin



Lime

# Comparison Cities

- Motor assisted scooters have been deployed in:

Atlanta

Austin

Charlotte

Denver

Logan, Utah

Nashville

Los Angeles

Miami

Oakland

San Diego

San Francisco

San Jose

Santa Monica

Scottsdale

Tempe

Washington D.C

Few other sub markets

# Current Dallas City Code Chapter 28 SEC. 28-41.1

- Dallas City Code restricts the use of motor assisted scooters on any city-owned or city-operated property.
  - It is an offense to operate or ride a motor assisted scooter on any city-owned or city-operated property
  - It is an offense if a parent permits or otherwise allows their child to operate or ride a motor assisted scooter on any city-owned or city-operated property
  - It is an offense if a parent permits or otherwise allows their child to operate or ride a motor assisted scooter on any city-owned or city-operated property when the child is not wearing a helmet
  - Motor assisted scooters are only allowed on a public path or trail set aside for the exclusive use of bicycles

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# Current Texas Transportation Code Chapter 551

- A motor-assisted scooter may be operated only on a street or highway for which the posted speed limit is 35 miles per hour or less
- A county or municipality may prohibit the operation of a motor-assisted scooter on a street, highway, or sidewalk
- A person may operate a motor-assisted scooter on a path set aside for the exclusive operation of bicycles or **on a sidewalk.**



# Code's Impact

- Amending SEC. 28-41.1 from the Dallas City Code will allow use of motor assisted scooters in public rights-of-way
- Chapter 551 of the Texas Transportation Code remains the guiding code on the use of motor assisted scooters
- Dockless vehicle companies providing motor assisted scooters will be able to apply for dockless vehicle permits (motor assisted scooters are included in the dockless vehicle ordinance)

# Motor Assisted Scooter FAQs

- If the motor assisted scooter section of the Dallas City Code is repealed or otherwise amended, what is the process?
  - Language in that section will be struck through and the section will be marked “Reserved” in the City Code. Scooters would then be regulated under the Texas Transportation Code.
- What rules apply to scooters?
  - The Texas Transportation Code and the proposed dockless vehicle ordinance provide rules for use.
- Are helmets required?
  - Persons under 18 years of age will be required to wear helmets. Scooter providers prohibit persons under 18 from riding a scooter.

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# Motor Assisted Scooter FAQs

- Can scooters be deployed on sidewalks?
  - Yes
- Can scooters be ridden on sidewalks?
  - Yes
- How fast can the scooters go?
  - Scooters can reach speeds of approximately 15mph
- If scooters can be ridden on downtown sidewalks, why can't bicycles?
  - Section 9-1 of the City Code prohibits sidewalk bicycle riding in specified areas of downtown. This section would need to be modified to allow sidewalk bicycle riding, or prohibit scooter sidewalk riding in specified areas

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# Next Steps

- City Council consideration of the proposed motorized scooter code amendments on June 13, 2018.

# Motor Assisted Scooter Ordinance Discussion

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Director  
Department of Transportation



# Appendix

- Proposed Dallas City Code Chapter 28 SEC. 28-41.1 amendments
- Texas Transportation Code Chapter 551 Subchapter E

## ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Section 28-41.1; providing that motor-assisted scooters may be operated on city owned and city operated property and in the public right-of-way; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (b) of Section 28-41.1, "Restrictions on the Use of Motor Assisted Scooters, Pocket Bikes, and Minimotorbikes," of Division 1, "Generally," of Article IV, "Operation of Vehicles," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code is amended to read as follows:

"(b) A person commits an offense if he:

(1) ~~operates or rides a motor assisted scooter on any city owned or city operated property or any public path, trail, alley, street, highway, or sidewalk within the city, except on a public path or trail set aside for the exclusive use of bicycles;~~

(2) ~~is a parent of a child or is an adult with care, custody, or control of a child, and he knowingly permits, or by insufficient control allows, the child to operate or ride a motor assisted scooter on any city owned or city operated property or any public path, trail, alley, street, highway, or sidewalk within the city, except on a public path or trail set aside for the exclusive use of bicycles;~~

(3) ~~is a child and operates or rides a motor assisted scooter without wearing a helmet while on any city owned or city operated property or on any [a] public path, [a] trail, alley, street, highway, or sidewalk within the city [set aside for the exclusive use of bicycles];~~

(2[4]) ~~is a parent of a child or is an adult with care, custody, or control of a child, and he knowingly permits, or by insufficient control allows, the child to operate or ride a motor assisted scooter on any city owned or city operated property or on any [a] public path, [a] trail, alley, street, highway, or sidewalk within the city [set aside for the exclusive use of bicycles] when the child is not wearing a helmet;~~

~~(3[5]) operates or rides a motor assisted scooter at nighttime on any city owned or city operated property or on any [a] public path, [or] trail, alley, street, highway, or sidewalk within the city [set aside for the exclusive use of bicycles];~~

(4[6]) transports any passenger on a motor assisted scooter while on any city owned or city operated property or on any [a] public path, [or] trail, alley, street, highway, or sidewalk within the city [set aside for the exclusive use of bicycles], unless the scooter is equipped with a seat and a set of foot rests for the passenger; or

(5[7]) while operating a motor assisted scooter on a sidewalk or a public path or trail set aside for the exclusive use of bicycles, fails to yield the right-of-way to any pedestrian on the sidewalk, path, or trail.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 3. That Chapter 28 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_



TRANSPORTATION CODE

TITLE 7. VEHICLES AND TRAFFIC

SUBTITLE C. RULES OF THE ROAD

CHAPTER 551. OPERATION OF BICYCLES, MOPEDS, AND PLAY VEHICLES

SUBCHAPTER A. APPLICATION OF CHAPTER

Sec. 551.001. PERSONS AFFECTED. Except as provided by Subchapter C, this chapter applies only to a person operating a bicycle on:

- (1) a highway; or
- (2) a path set aside for the exclusive operation of bicycles.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.  
Amended by Acts 2003, 78th Leg., ch. 1318, Sec. 4, eff. Sept. 1, 2003.

Sec. 551.002. MOPED AND ELECTRIC BICYCLE INCLUDED. A provision of this subtitle applicable to a bicycle also applies to:

- (1) a moped, other than a provision that by its nature cannot apply to a moped; and
- (2) an electric bicycle, other than a provision that by its nature cannot apply to an electric bicycle.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.  
Amended by Acts 2001, 77th Leg., ch. 1085, Sec. 9, eff. Sept. 1, 2001.

SUBCHAPTER B. REGULATION OF OPERATION

Sec. 551.101. RIGHTS AND DUTIES. (a) A person operating a bicycle has the rights and duties applicable to a driver operating a vehicle under this subtitle, unless:

- (1) a provision of this chapter alters a right or duty; or
- (2) a right or duty applicable to a driver operating a vehicle cannot by its nature apply to a person operating a bicycle.

(b) A parent of a child or a guardian of a ward may not knowingly permit the child or ward to violate this subtitle.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 551.102. GENERAL OPERATION. (a) A person operating a bicycle shall ride only on or astride a permanent and regular seat attached to the bicycle.

(b) A person may not use a bicycle to carry more persons than the bicycle is designed or equipped to carry.

(c) A person operating a bicycle may not use the bicycle to carry an object that prevents the person from operating the bicycle with at least one hand on the handlebars of the bicycle.

(d) A person operating a bicycle, coaster, sled, or toy vehicle or using roller skates may not attach either the person or the bicycle, coaster, sled, toy vehicle, or roller skates to a streetcar or vehicle on a roadway.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 551.103. OPERATION ON ROADWAY. (a) Except as provided by Subsection (b), a person operating a bicycle on a roadway who is moving slower than the other traffic on the roadway shall ride as near as practicable to the right curb or edge of the roadway, unless:

(1) the person is passing another vehicle moving in the same direction;

(2) the person is preparing to turn left at an intersection or onto a private road or driveway;

(3) a condition on or of the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal, or surface hazard prevents the person from safely riding next to the right curb or edge of the roadway; or

(4) the person is operating a bicycle in an outside lane that is:

(A) less than 14 feet in width and does not have a designated bicycle lane adjacent to that lane; or

(B) too narrow for a bicycle and a motor vehicle to safely travel side by side.

(b) A person operating a bicycle on a one-way roadway with two or more marked traffic lanes may ride as near as practicable to the left curb or edge of the roadway.

(c) Persons operating bicycles on a roadway may ride two abreast. Persons riding two abreast on a laned roadway shall ride in a single lane. Persons riding two abreast may not impede the normal and reasonable flow of traffic on the roadway. Persons may not ride more than two abreast unless they are riding on a part of a roadway set aside for the exclusive operation of bicycles.

(d) Repealed by Acts 2001, 77th Leg., ch. 1085, Sec. 13, eff. Sept. 1, 2001.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 2001, 77th Leg., ch. 1085, Sec. 10, 13, eff. Sept. 1, 2001.

Sec. 551.104. SAFETY EQUIPMENT. (a) A person may not operate a bicycle unless the bicycle is equipped with a brake capable of making a braked wheel skid on dry, level, clean pavement.

(b) A person may not operate a bicycle at nighttime unless the bicycle is equipped with:

(1) a lamp on the front of the bicycle that emits a white light visible from a distance of at least 500 feet in front of the bicycle; and

(2) on the rear of the bicycle:

(A) a red reflector that is:

(i) of a type approved by the department;  
and

(ii) visible when directly in front of lawful upper beams of motor vehicle headlamps from all distances from 50 to 300 feet to the rear of the bicycle; or

(B) a lamp that emits a red light visible from a distance of 500 feet to the rear of the bicycle.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 2001, 77th Leg., ch. 1085, Sec. 11, eff. Sept. 1, 2001.

Sec. 551.105. COMPETITIVE RACING. (a) In this section, "bicycle" means a nonmotorized vehicle propelled by human power.

(b) A sponsoring organization may hold a competitive bicycle race on a public road only with the approval of the appropriate local law enforcement agencies.

(c) The local law enforcement agencies and the sponsoring organization may agree on safety regulations governing the movement of bicycles during a competitive race or during training for a competitive race, including the permission for bicycle operators to ride abreast.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 551.106. REGULATION OF ELECTRIC BICYCLES. (a) The department or a local authority may not prohibit the use of an electric bicycle on a highway that is used primarily by motor vehicles. The department or a local authority may prohibit the

use of an electric bicycle on a highway used primarily by pedestrians.

(b) The department shall establish rules for the administration of this section.

Added by Acts 2001, 77th Leg., ch. 1085, Sec. 12, eff. Sept. 1, 2001.

#### SUBCHAPTER C. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

Sec. 551.201. DEFINITION. In this subchapter, "electric personal assistive mobility device" means a two non-tandem wheeled device designed for transporting one person that is:

- (1) self-balancing; and
- (2) propelled by an electric propulsion system with an average power of 750 watts or one horsepower.

Added by Acts 2003, 78th Leg., ch. 1318, Sec. 5, eff. Sept. 1, 2003.

Sec. 551.202. OPERATION ON ROADWAY. (a) A person may operate an electric personal assistive mobility device on a residential street, roadway, or public highway with a speed limit of 30 miles per hour or less only:

- (1) while making a direct crossing of a highway in a marked or unmarked crosswalk;
- (2) where no sidewalk is available; or
- (3) when so directed by a traffic control device or by a law enforcement officer.

(b) A person may operate an electric personal assistive mobility device on a path set aside for the exclusive operation of bicycles.

(c) Any person operating an electric personal assistive mobility device on a residential street, roadway, or public highway shall ride as close as practicable to the right-hand edge.

(d) Except as otherwise provided by this section, provisions of this title applicable to the operation of bicycles apply to the operation of electric personal assistive mobility devices.

Added by Acts 2003, 78th Leg., ch. 1318, Sec. 5, eff. Sept. 1, 2003.

Sec. 551.203. SIDEWALKS. A person may operate an electric personal assistive mobility device on a sidewalk.

Added by Acts 2003, 78th Leg., ch. 1318, Sec. 5, eff. Sept. 1, 2003.

#### SUBCHAPTER D. NEIGHBORHOOD ELECTRIC VEHICLES

Sec. 551.301. DEFINITION. In this subchapter, "neighborhood electric vehicle" means a vehicle that can attain a maximum speed of 35 miles per hour on a paved level surface and otherwise complies with Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500).

Added by Acts 2003, 78th Leg., ch. 1320, Sec. 7, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1325, Sec. 19.07, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 281 (H.B. [2702](#)), Sec. 2.86, eff. June 14, 2005.

Acts 2005, 79th Leg., Ch. 1242 (H.B. [1596](#)), Sec. 2, eff. June 18, 2005.

Acts 2009, 81st Leg., R.S., Ch. 722 (S.B. [129](#)), Sec. 1, eff. September 1, 2009.

Reenacted by Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 24.014, eff. September 1, 2011.

Sec. 551.302. REGISTRATION. The Texas Department of Motor Vehicles may adopt rules relating to the registration and issuance of license plates to neighborhood electric vehicles.

Added by Acts 2003, 78th Leg., ch. 1320, Sec. 7, eff. Sept. 1, 2003.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 933 (H.B. [3097](#)), Sec. 2I.01, eff. September 1, 2009.

Sec. 551.303. OPERATION ON ROADWAYS. (a) A neighborhood electric vehicle may be operated only on a street or highway for which the posted speed limit is 45 miles per hour or less. A neighborhood electric vehicle may cross a road or street at an intersection where the road or street has a posted speed limit of more than 45 miles per hour. A neighborhood electric vehicle may not be operated on a street or highway at a speed that exceeds the lesser of:

- (1) the posted speed limit; or
- (2) 35 miles per hour.

(b) A county or municipality may prohibit the operation of a neighborhood electric vehicle on a street or highway if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

(c) The Texas Department of Transportation may prohibit the operation of a neighborhood electric vehicle on a highway if that department determines that the prohibition is necessary in the interest of safety.

Added by Acts 2003, 78th Leg., ch. 1320, Sec. 7, eff. Sept. 1, 2003.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 722 (S.B. [129](#)), Sec. 2, eff. September 1, 2009.

Sec. 551.304. LIMITED OPERATION. (a) An operator may operate a neighborhood electric vehicle:

(1) in a master planned community:

(A) that has in place a uniform set of restrictive covenants; and

(B) for which a county or municipality has approved a plat;

(2) on a public or private beach; or

(3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the neighborhood electric vehicle is operated:

(A) during the daytime; and

(B) not more than two miles from the location where the neighborhood electric vehicle is usually parked and for transportation to or from a golf course.

(b) A person is not required to register a neighborhood electric vehicle operated in compliance with this section.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1135 (H.B. [2741](#)), Sec. 94, eff. September 1, 2013.

#### SUBCHAPTER E. MOTOR-ASSISTED SCOOTERS

Sec. 551.351. DEFINITIONS. In this subchapter:

(1) "Motor-assisted scooter":

(A) means a self-propelled device with:

(i) at least two wheels in contact with the ground during operation;

(ii) a braking system capable of stopping the device under typical operating conditions;

(iii) a gas or electric motor not exceeding 40 cubic centimeters;

(iv) a deck designed to allow a person to stand or sit while operating the device; and

(v) the ability to be propelled by human power alone; and



(B) does not include a pocket bike or a minimotorbike.

(2) "Pocket bike or minimotorbike" means a self-propelled vehicle that is equipped with an electric motor or internal combustion engine having a piston displacement of less than 50 cubic centimeters, is designed to propel itself with not more than two wheels in contact with the ground, has a seat or saddle for the use of the operator, is not designed for use on a highway, and is ineligible for a certificate of title under Chapter [501](#). The term does not include:

(A) a moped or motorcycle;

(B) an electric bicycle or motor-driven cycle, as defined by Section [541.201](#);

(C) a motorized mobility device, as defined by Section [542.009](#);

(D) an electric personal assistive mobility device, as defined by Section [551.201](#); or

(E) a neighborhood electric vehicle, as defined by Section [551.301](#).

Added by Acts 2005, 79th Leg., Ch. 1242 (H.B. [1596](#)), Sec. 3, eff. June 18, 2005.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 24.015, eff. September 1, 2011.

Sec. 551.352. OPERATION ON ROADWAYS OR SIDEWALKS. (a) A motor-assisted scooter may be operated only on a street or highway for which the posted speed limit is 35 miles per hour or less. The motor-assisted scooter may cross a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(b) A county or municipality may prohibit the operation of a motor-assisted scooter on a street, highway, or sidewalk if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

(c) The department may prohibit the operation of a motor-assisted scooter on a highway if it determines that the prohibition is necessary in the interest of safety.

(d) A person may operate a motor-assisted scooter on a path set aside for the exclusive operation of bicycles or on a sidewalk. Except as otherwise provided by this section, a provision of this title applicable to the operation of a bicycle applies to the operation of a motor-assisted scooter.

(e) A provision of this title applicable to a motor vehicle does not apply to a motor-assisted scooter.

Added by Acts 2005, 79th Leg., Ch. 1242 (H.B. [1596](#)), Sec. 3, eff. June 18, 2005.

Sec. 551.353. APPLICATION OF SUBCHAPTER TO POCKET BIKE OR MINIMOTORBIKE. This subchapter may not be construed to authorize the operation of a pocket bike or minimotorbike on any:

- (1) highway, road, or street;
- (2) path set aside for the exclusive operation of bicycles; or
- (3) sidewalk.

Transferred and redesignated from Transportation Code, Section 551.304 by Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 27.001(64), eff. September 1, 2011.

#### SUBCHAPTER F. GOLF CARTS

Sec. 551.401. DEFINITIONS. In this subchapter:

(1) "Golf cart" and "public highway" have the meanings assigned by Section [502.001](#).

(2) Repealed by Acts 2017, 85th Leg., R.S., Ch. 1052 (H.B. [1956](#)), Sec. 22(1), eff. September 1, 2017.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1296 (H.B. [2357](#)), Sec. 239, eff. January 1, 2012.

Acts 2017, 85th Leg., R.S., Ch. 1052 (H.B. [1956](#)), Sec. 22(1), eff. September 1, 2017.

Sec. 551.402. REGISTRATION NOT AUTHORIZED. (a) The Texas Department of Motor Vehicles may not register a golf cart for operation on a public highway regardless of whether any alteration has been made to the golf cart.

(b) The Texas Department of Motor Vehicles may issue license plates for a golf cart as authorized by Subsection (c).

(c) The Texas Department of Motor Vehicles shall by rule establish a procedure to issue the license plates to be used for operation in accordance with Sections [551.403](#) and [551.404](#).

(d) The Texas Department of Motor Vehicles may charge a fee not to exceed \$10 for the cost of the license plate.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 877 (H.B. [719](#)), Sec. 1, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1135 (H.B. [2741](#)), Sec. 95, eff. September 1, 2013.

Sec. 551.403. LIMITED OPERATION. (a) An operator may operate a golf cart:

(1) in a master planned community:

(A) that has in place a uniform set of restrictive covenants; and

(B) for which a county or municipality has approved a plat;

(2) on a public or private beach; or  
(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:

(A) during the daytime; and  
(B) not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

(b) The Texas Department of Transportation or a county or municipality may prohibit the operation of a golf cart on a public highway if the department or the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Sec. 551.404. OPERATION IN MUNICIPALITIES AND CERTAIN COUNTIES. (a) In addition to the operation authorized by Section [551.403](#), the governing body of a municipality may allow an operator to operate a golf cart on all or part of a public highway that:

(1) is in the corporate boundaries of the municipality; and

(2) has a posted speed limit of not more than 35 miles per hour.

(a-1) In addition to the operation authorized by Section [551.403](#), the commissioners court of a county described by Subsection (a-2) may allow an operator to operate a golf cart on all or part of a public highway that:

(1) is located in the unincorporated area of the county; and

(2) has a speed limit of not more than 35 miles per hour.

(a-2) Subsection (a-1) applies only to a county that:

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

(2) borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico; 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.

(b) A golf cart operated under this section must have the following equipment:

(1) headlamps;

(2) taillamps;

(3) reflectors;

(4) parking brake; and

(5) mirrors.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1296 (H.B. [2357](#)), Sec. 240, eff. January 1, 2012.

Acts 2011, 82nd Leg., R.S., Ch. 1296 (H.B. [2357](#)), Sec. 241, eff. January 1, 2012.

Acts 2013, 83rd Leg., R.S., Ch. 877 (H.B. [719](#)), Sec. 2, eff. June 14, 2013.

Acts 2017, 85th Leg., R.S., Ch. 171 (H.B. [2968](#)), Sec. 1, eff. May 26, 2017.

Acts 2017, 85th Leg., R.S., Ch. 1052 (H.B. [1956](#)), Sec. 2, eff. September 1, 2017.

Sec. 551.405. CROSSING CERTAIN ROADWAYS. A golf cart may cross intersections, including a road or street that has a posted speed limit of more than 35 miles per hour.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

SUBCHAPTER G. PACKAGE DELIVERY VEHICLES

Sec. 551.451. DEFINITIONS. In this subchapter:

- (1) "All-terrain vehicle" has the meaning assigned by Section [502.001](#).
- (2) "Golf cart" has the meaning assigned by Section [502.001](#).
- (3) "Motor carrier" has the meaning assigned by Section [643.001](#).
- (4) "Neighborhood electric vehicle" has the meaning assigned by Section [551.301](#).
- (5) "Public highway" has the meaning assigned by Section [502.001](#).
- (6) "Recreational off-highway vehicle" has the meaning assigned by Section [502.001](#).
- (7) "Utility vehicle" has the meaning assigned by Section [551.401](#).

Added by Acts 2017, 85th Leg., R.S., Ch. 119 (H.B. [561](#)), Sec. 1, eff. May 26, 2017.

Sec. 551.452. LICENSE PLATES FOR PACKAGE DELIVERY VEHICLES. (a) The Texas Department of Motor Vehicles may issue distinguishing license plates for a vehicle operated by a motor carrier for the purpose of picking up and delivering mail, parcels, and packages if the vehicle:

- (1) is:
  - (A) an all-terrain vehicle;
  - (B) a golf cart;
  - (C) a neighborhood electric vehicle;
  - (D) a recreational off-highway vehicle; or
  - (E) a utility vehicle; and
- (2) is equipped with headlamps, taillamps, reflectors, a parking brake, and mirrors, in addition to any other equipment required by law.

(b) The Texas Department of Motor Vehicles by rule shall establish a procedure to issue the license plates to be used only for operation in accordance with this subchapter.

(c) The license plates must include the words "Package Delivery."

(d) The Texas Department of Motor Vehicles may charge a license plate fee not to exceed \$25 annually to be deposited to the credit of the Texas Department of Motor Vehicles fund.

Added by Acts 2017, 85th Leg., R.S., Ch. 119 (H.B. [561](#)), Sec. 1, eff. May 26, 2017.

Sec. 551.453. LIMITED OPERATION. (a) A motor carrier may operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section [551.452](#) on a public highway that is not an interstate or a limited-access or controlled-access highway and that has a speed limit of not more than 35 miles per hour.

(b) The Department of Motor Vehicles may not require the registration of a vehicle operated under Subsection (a) unless the registration is required by other law.

Added by Acts 2017, 85th Leg., R.S., Ch. 119 (H.B. [561](#)), Sec. 1, eff. May 26, 2017.

Sec. 551.454. OPERATION ON PROPERTY OF SUBDIVISION OR CONDOMINIUM. (a) In this section:

(1) "Condominium" has the meaning assigned by Section [82.003](#), Property Code.

(2) "Declaration" has the meaning assigned by Section [82.003](#), Property Code.

(3) "Property owners' association" has the meaning assigned by Section [202.001](#), Property Code.

(4) "Restrictions" has the meaning assigned by Section [209.002](#), Property Code.

(5) "Subdivision" has the meaning assigned by Section [209.002](#), Property Code.

(b) A property owners' association may adopt reasonable safety and use rules for the operation, for the purpose of picking up or delivering mail, parcels, or packages, of a vehicle bearing license plates issued under Section [551.452](#) on the property of a subdivision or condominium managed or regulated by the association.

(c) A motor carrier may operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section [551.452](#) on the property of a subdivision subject to restrictions or a condominium that has in place a declaration, in a manner that complies with any applicable rules adopted by a property owners' association that manages or regulates the subdivision or condominium.

Added by Acts 2017, 85th Leg., R.S., Ch. 119 (H.B. [561](#)), Sec. 1, eff. May 26, 2017.

Sec. 551.455. OPERATION IN MUNICIPALITIES AND COUNTIES.

(a) In addition to the operation authorized by Sections [551.453](#) and [551.454](#), the governing body of a municipality may allow a motor carrier to operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section [551.452](#) on all or part of a public highway that:

(1) is in the corporate boundaries of the municipality; and

(2) has a speed limit of not more than 35 miles per hour.

(b) In addition to the operation authorized by Sections [551.453](#) and [551.454](#), a county commissioners court may allow a motor carrier to operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license



plates issued under Section [551.452](#) on all or part of a public highway that:

- (1) is located in the unincorporated area of the county; and
- (2) has a speed limit of not more than 35 miles per hour.

Added by Acts 2017, 85th Leg., R.S., Ch. 119 (H.B. [561](#)), Sec. 1, eff. May 26, 2017.

Sec. 551.456. CROSSING CERTAIN ROADWAYS. A vehicle bearing license plates issued under Section [551.452](#) may cross intersections, including on or through a road or street that has a speed limit of more than 35 miles per hour.

Added by Acts 2017, 85th Leg., R.S., Ch. 119 (H.B. [561](#)), Sec. 1, eff. May 26, 2017.

Sec. 551.457. CONFLICTS. In the case of a conflict between this subchapter and other law, including Chapters [502](#) and [663](#), this subchapter controls.

Added by Acts 2017, 85th Leg., R.S., Ch. 119 (H.B. [561](#)), Sec. 1, eff. May 26, 2017.