

88R9248 BEE-D

By: Patterson

H.B. No. 715

Substitute the following for H.B. No. 715:

By: Ashby

C.S.H.B. No. 715

A BILL TO BE ENTITLED

AN ACT

relating to the operation of an electric bicycle in a state park.

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

SECTION 1. Subchapter A, Chapter 13, Parks and Wildlife Code, is amended by adding Section 13.024 to read as follows:

Sec. 13.024. OPERATION OF ELECTRIC BICYCLE IN STATE PARK.

(a) In this section:

(1) "Bicycle" has the meaning assigned by Section 541.201, Transportation Code.

(2) "Class 1 electric bicycle", "Class 2 electric bicycle", and "Class 3 electric bicycle" have the meanings assigned by Section 664.001, Transportation Code.

(b) Notwithstanding any other law and except as provided by Subsection (d), a person may operate in a state park:

(1) ~~a~~ Class 1 and Class 3 electric bicycles in an area where the operation of a bicycle is permitted; and

(2) a Class 2 electric bicycle in an area where the person has been authorized by the park to operate a Class 2 electric bicycle.

(c) The commission by rule shall adopt:

(1) forms and procedures for a person to apply to a state park for authorization to operate a Class 2 electric bicycle in the park; and

(2) criteria for an employee of a state park to use to:

(A) approve or disapprove an application under Subdivision (1); and

(B) place limitations, if any, on the area of the park in which operation of a Class 2 electric bicycle is authorized.

(d) The department may prohibit the operation of a ~~Class 1~~ **Class 2** electric bicycle in an area of a state park described by Subsection (b) if the department determines the prohibition is necessary to protect:

(1) public safety;

(2) state park infrastructure; or

(3) state fish or wildlife resources or habitat.

(e) The department may prohibit Class 1 and Class 3 electric bicycles from an area of a state park if bicycles are prohibited.

(f) The department may establish speed limits on state park trails that apply to bicycles and electric bicycles.

(g) "Out of class electric vehicles" (OCEV) are prohibited from state parks.

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SECTION 2. This Act takes effect September 1, 2023.