

- SUBJECT:** Regulating lightweight vehicles used for package delivery
- COMMITTEE:** Transportation — committee substitute recommended
- VOTE:** 11 ayes — Morrison, Martinez, Burkett, Y. Davis, Goldman, Israel, Minjarez, Phillips, Simmons, E. Thompson, Wray
- 2 absent — Pickett, S. Thompson
- WITNESSES:** For — Danny Smith, UPS, Inc.; (*Registered, but did not testify:* John Esparza, Texas Trucking Association)
- Against — None
- On — (*Registered, but did not testify:* Jeremiah Kuntz, Texas Department of Motor Vehicles)
- BACKGROUND:** Transportation Code, sec. 643.001 defines a “motor carrier” as an individual or entity that controls, operates, or directs the operation of a vehicle that transports persons or cargo over a road or highway.
- DIGEST:** CSHB 561 would allow the Department of Motor Vehicles (DMV) to issue distinguishing license plates for certain vehicles used by motor carriers to pick up and deliver mail, parcels, and packages. The types of vehicles that would qualify for these license plates would include all-terrain vehicles, golf carts, neighborhood electric vehicles, and others listed in the bill.
- License plates issued for such vehicles would have to include the words "Package Delivery." DMV could charge an annual license plate fee of up to \$25 and would adopt rules to establish a procedure for their issuance. The bill would prohibit DMV from requiring the registration of these vehicles unless required by other law.
- A motor carrier could operate a vehicle with these plates, for the purpose of picking up or delivering mail, parcels, or packages, on public

highways, other than interstates or controlled- or limited-access roads, with speed limits of not more than 35 miles per hour. A package delivery vehicle could cross intersections on a road or street with a speed limit greater than 35 miles per hour.

Municipalities could allow motor carriers to operate package delivery vehicles on public highways with speed limits of 35 miles per hour or less located within the boundaries of the municipality or county. A commissioners court also could allow package delivery vehicles to operate on a public highway with a speed limit of 35 miles per hour or less located in the unincorporated area of a county.

A property owners' association could adopt rules for the operation of package delivery vehicles on property regulated by the association.

The bill would control over other statutes in the event of conflict, including those governing vehicle registration and certain off-highway vehicles.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**SUPPORTERS
SAY:**

CSHB 561 would regulate the operation of package delivery vehicles in Texas. It would establish regulatory conditions to allow for the expanded use of these vehicles, which are quieter and smaller than the trucks they increasingly are replacing in certain settings. Their use is beneficial because compared to traditional delivery trucks, they cause less road damage, have lower emissions levels, and optimize carriers' delivery networks.

CSHB 561 also would allow property owners' associations, municipalities, and counties to establish local regulations on package delivery vehicles, rather than mandating a set of statewide requirements. This would allow individual communities to craft rules they felt were most appropriate for

the local operation of package delivery vehicles.

OPPONENTS
SAY: No apparent opposition.

NOTES: CSHB 561 differs from the bill as filed in that the committee substitute would regulate package delivery vehicles, while HB 561 as introduced would have created a subchapter regulating commercial utility vehicles in a category distinct from golf carts and would have allowed DMV to register commercial utility vehicles for operation on public highways.