

BILL ANALYSIS

Senate Research Center

H.B. 1620
By: Wohlgemuth (Fraser)
State Affairs
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Engrossed

DIGEST

Currently, there is no statutory provision authorizing or prohibiting the operation of a seaplane on lakes and rivers. As a result, the establishment of permitting fees, waterway access, and waterway use rules has been left to local government. Some municipalities and water districts have enacted rules for seaplane operators which conflict with other municipalities' rules, making it difficult for seaplane operators to determine which regulations apply to each location. H.B. 1620 would regulate aircrafts on water.

PURPOSE

As proposed, H.B. 1620 regulates aircrafts on water.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Department of Transportation in SECTION 1 (Section 26.04, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 3, Transportation Code, by adding Chapter 26, as follows:

CHAPTER 26. AQUATIC AIRCRAFT

Sec. 26.001. DEFINITIONS. Defines "aquatic aircraft" and "department."

Sec. 26.002. APPLICATION. Provides that this chapter applies to all navigable bodies of water of this state other than a navigable body of water that the federal government owns, controls, or has jurisdiction over.

Sec. 26.003. REGULATION PROHIBITED. Prohibits a governmental entity that owns, controls, or has jurisdiction over a navigable body of water from taking certain action in an area in which motorized boats are permitted. Authorizes a governmental entity described by Subsection (a) to apply to the Texas Department of Transportation (department) to prohibit or limit the operation of aquatic aircraft on a navigable body of water. Requires the department to approve the prohibition if the department determines that safety concerns justify the prohibition of limitation. Authorizes the prohibition or limitation to apply to the entire body of water or only to a specified area. Requires the department to consider certain information.

Sec. 26.004. RULES. Requires the department to adopt rules to implement and administer this chapter, including rules specifying how notice shall be given of a prohibition or limitation approved under this chapter.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.