

AN ACT

relating to certain regulations regarding commercial driver's licenses.

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

SECTION 1. Section 522.003(5), Transportation Code, is amended to read as follows:

(5) "Commercial motor vehicle" has the meaning assigned by 49 C.F.R. Section 383.5 ~~[means a motor vehicle or combination of motor vehicles used to transport passengers or property that:~~

~~[(A) has a gross combination weight or a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight or a gross vehicle weight rating of more than 10,000 pounds,~~

~~[(B) has a gross vehicle weight or a gross vehicle weight rating of 26,001 or more pounds,~~

~~[(C) is designed to transport 16 or more passengers, including the driver, or~~

~~[(D) is transporting hazardous materials and is required to be placarded under 49 C.F.R. Part 172, Subpart F].~~

SECTION 2. Section 522.021(a-1), Transportation Code, is amended to read as follows:

(a-1) If the application is for a non-domiciled commercial driver's license and the applicant is domiciled in a foreign

1 jurisdiction that does not meet the testing and licensing standards  
2 established by 49 C.F.R. Part 383, the applicant must present:

- 3 (1) a social security card issued to the applicant;  
4 (2) an unexpired foreign passport issued to the  
5 applicant;

- 6 (3) ~~[either:~~  
7 ~~[(A)]~~ a Form I-94 Arrival/Departure record or a  
8 successor document ~~[+]~~ or  
9 ~~[(B)]~~ an unexpired employment authorization  
10 document; and

- 11 (4) documentation demonstrating proof of Texas  
12 residence as provided by Section 522.0225.

13 SECTION 3. The heading to Section 522.0235, Transportation  
14 Code, is amended to read as follows:

15 Sec. 522.0235. ALTERNATIVE ~~[WAIVER OF]~~ VISUAL STANDARDS FOR  
16 INTRASTATE DRIVER.

17 SECTION 4. Section 522.0235(a), Transportation Code, is  
18 amended to read as follows:

19 (a) Except as provided by Subsection (b), the department by  
20 rule may use the alternative visual acuity standard prescribed by  
21 49 C.F.R. Section 391.44 if an individual does not meet ~~[provide for~~  
22 ~~a waiver of]~~ the visual acuity standard ~~[standards]~~ for a  
23 commercial driver's license prescribed by ~~[in]~~ 49 C.F.R. Section  
24 391.41 ~~[Part 391, Subpart E,]~~ if the person who is applying for a  
25 commercial driver's license or who has been issued a commercial  
26 driver's license is a person who drives a commercial motor vehicle  
27 only in this state.

1           SECTION 5. The changes in law made by this Act apply only to  
2 an application for a commercial driver's license submitted on or  
3 after the effective date of this Act. An application for a  
4 commercial driver's license submitted before the effective date of  
5 this Act is governed by the law in effect on the date the  
6 application was submitted, and the former law is continued in  
7 effect for that purpose.

8           SECTION 6. This Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3646 was passed by the House on May 2, 2023, by the following vote: Yeas 138, Nays 6, 3 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3646 was passed by the Senate on May 21, 2023, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor