

1-1 By: Guillen (Senate Sponsor - LaMantia) H.B. No. 3646
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on
 1-4 Transportation; May 17, 2023, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to certain regulations regarding commercial driver's
 1-20 licenses.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 522.003(5), Transportation Code, is
 1-23 amended to read as follows:

1-24 (5) "Commercial motor vehicle" has the meaning
 1-25 assigned by 49 C.F.R. Section 383.5 [~~means a motor vehicle or~~
 1-26 ~~combination of motor vehicles used to transport passengers or~~
 1-27 ~~property that:~~

1-28 [~~(A) has a gross combination weight or a gross~~
 1-29 ~~combination weight rating of 26,001 or more pounds, including a~~
 1-30 ~~towed unit with a gross vehicle weight or a gross vehicle weight~~
 1-31 ~~rating of more than 10,000 pounds;~~

1-32 [~~(B) has a gross vehicle weight or a gross~~
 1-33 ~~vehicle weight rating of 26,001 or more pounds;~~

1-34 [~~(C) is designed to transport 16 or more~~
 1-35 ~~passengers, including the driver; or~~

1-36 [~~(D) is transporting hazardous materials and is~~
 1-37 ~~required to be placarded under 49 C.F.R. Part 172, Subpart F].~~

1-38 SECTION 2. Section 522.021(a-1), Transportation Code, is
 1-39 amended to read as follows:

1-40 (a-1) If the application is for a non-domiciled commercial
 1-41 driver's license and the applicant is domiciled in a foreign
 1-42 jurisdiction that does not meet the testing and licensing standards
 1-43 established by 49 C.F.R. Part 383, the applicant must present:

1-44 (1) a social security card issued to the applicant;

1-45 (2) an unexpired foreign passport issued to the
 1-46 applicant;

1-47 (3) ~~either:~~

1-48 [~~(A)~~] a Form I-94 Arrival/Departure record or a
 1-49 successor document [~~+~~] or

1-50 [~~(B)~~] an unexpired employment authorization
 1-51 document; and

1-52 (4) documentation demonstrating proof of Texas
 1-53 residence as provided by Section 522.0225.

1-54 SECTION 3. The heading to Section 522.0235, Transportation
 1-55 Code, is amended to read as follows:

1-56 Sec. 522.0235. ALTERNATIVE [~~WAIVER OF~~] VISUAL STANDARDS FOR
 1-57 INTRASTATE DRIVER.

1-58 SECTION 4. Section 522.0235(a), Transportation Code, is
 1-59 amended to read as follows:

1-60 (a) Except as provided by Subsection (b), the department by
 1-61 rule may use the alternative visual acuity standard prescribed by

2-1 49 C.F.R. Section 391.44 if an individual does not meet [~~provide for~~
2-2 ~~a waiver of~~] the visual acuity standard [~~standards~~] for a
2-3 commercial driver's license prescribed by [~~in~~] 49 C.F.R. Section
2-4 391.41 [~~Part 391, Subpart E,~~] if the person who is applying for a
2-5 commercial driver's license or who has been issued a commercial
2-6 driver's license is a person who drives a commercial motor vehicle
2-7 only in this state.

2-8 SECTION 5. The changes in law made by this Act apply only to
2-9 an application for a commercial driver's license submitted on or
2-10 after the effective date of this Act. An application for a
2-11 commercial driver's license submitted before the effective date of
2-12 this Act is governed by the law in effect on the date the
2-13 application was submitted, and the former law is continued in
2-14 effect for that purpose.

2-15 SECTION 6. This Act takes effect September 1, 2023.

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