

AN ACT

relating to the operation of certain three-wheeled vehicles in this state.

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

SECTION 1. Section 521.001(a), Transportation Code, is amended by adding Subdivision (6-a) to read as follows:

(6-a) "Motorcycle" includes an enclosed three-wheeled passenger vehicle that:

(A) is designed to operate with three wheels in contact with the ground;

(B) has a minimum unladen weight of 900 lbs.;

(C) has a single, completely enclosed, occupant compartment;

(D) at a minimum, is equipped with:

(i) seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, 49 C.F.R. Section 571.207;

(ii) a steering wheel used to maneuver the vehicle;

(iii) a propulsion unit located in front of or behind the enclosed occupant compartment;

(iv) a seat belt for each vehicle occupant certified by the manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 209, 49 C.F.R. Section 571.209;

1 (v) a windshield and one or more windshield
2 wipers certified by the manufacturer to meet the requirements of
3 Federal Motor Vehicle Safety Standard No. 205, 49 C.F.R. Section
4 571.205, and Federal Motor Vehicle Safety Standard No. 104, 49
5 C.F.R. Section 571.104; and

6 (vi) a vehicle structure certified by the
7 vehicle manufacturer to meet the requirements of Federal Motor
8 Vehicle Safety Standard No. 216, 49 C.F.R. Section 571.216; and

9 (E) is produced by its manufacturer in a minimum
10 quantity of 300 in any calendar year.

11 SECTION 2. Section 521.085, Transportation Code, is amended
12 to read as follows:

13 Sec. 521.085. TYPE OF VEHICLE AUTHORIZED. (a) Unless
14 prohibited by Chapter 522, and except as provided by Subsection
15 (b), the license holder may operate any vehicle of the type for
16 which that class of license is issued and any lesser type of vehicle
17 other than a motorcycle or moped.

18 (b) Subsection (a) does not prohibit a license holder from
19 operating a lesser type of vehicle that is a motorcycle described by
20 Section 521.001(a)(6-a).

21 SECTION 3. Section 661.001(1), Transportation Code, is
22 amended to read as follows:

23 (1) "Motorcycle" means a motor vehicle designed to
24 propel itself with not more than three wheels in contact with the
25 ground, and having a saddle for the use of the rider. The term does
26 not include a tractor or a three-wheeled vehicle equipped with a cab
27 or occupant compartment, seat, and seat belt and designed to

1 contain the operator in the cab or occupant compartment.

2 SECTION 4. Section 680.013, Transportation Code, is amended
3 to read as follows:

4 Sec. 680.013. USE OF PREFERENTIAL LANE BY MOTORCYCLE. A
5 motorcycle, including a motorcycle described by Section
6 521.001(a)(6-a), may be operated in a preferential lane that is not
7 closed to all vehicular traffic.

8 SECTION 5. This Act takes effect September 1, 2009.

H.B. No. 3599

President of the Senate

Speaker of the House

I certify that H.B. No. 3599 was passed by the House on April 28, 2009, by the following vote: Yeas 149, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3599 was passed by the Senate on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor