

1-1 By: Brown of Brazos (Senate Sponsor - Ellis) H.B. No. 3599
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 1, 2009, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 23, 2009, reported
1-5 favorably by the following vote: Yeas 7, Nays 0; May 23, 2009, sent
1-6 to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the operation of certain three-wheeled vehicles in this
1-10 state.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 521.001(a), Transportation Code, is
1-13 amended by adding Subdivision (6-a) to read as follows:

1-14 (6-a) "Motorcycle" includes an enclosed three-wheeled
1-15 passenger vehicle that:

1-16 (A) is designed to operate with three wheels in
1-17 contact with the ground;

1-18 (B) has a minimum unladen weight of 900 lbs.;

1-19 (C) has a single, completely enclosed, occupant
1-20 compartment;

1-21 (D) at a minimum, is equipped with:

1-22 (i) seats that are certified by the vehicle
1-23 manufacturer to meet the requirements of Federal Motor Vehicle
1-24 Safety Standard No. 207, 49 C.F.R. Section 571.207;

1-25 (ii) a steering wheel used to maneuver the
1-26 vehicle;

1-27 (iii) a propulsion unit located in front of
1-28 or behind the enclosed occupant compartment;

1-29 (iv) a seat belt for each vehicle occupant
1-30 certified by the manufacturer to meet the requirements of Federal
1-31 Motor Vehicle Safety Standard No. 209, 49 C.F.R. Section 571.209;

1-32 (v) a windshield and one or more windshield
1-33 wipers certified by the manufacturer to meet the requirements of
1-34 Federal Motor Vehicle Safety Standard No. 205, 49 C.F.R. Section
1-35 571.205, and Federal Motor Vehicle Safety Standard No. 104, 49
1-36 C.F.R. Section 571.104; and

1-37 (vi) a vehicle structure certified by the
1-38 vehicle manufacturer to meet the requirements of Federal Motor
1-39 Vehicle Safety Standard No. 216, 49 C.F.R. Section 571.216; and

1-40 (E) is produced by its manufacturer in a minimum
1-41 quantity of 300 in any calendar year.

1-42 SECTION 2. Section 521.085, Transportation Code, is amended
1-43 to read as follows:

1-44 Sec. 521.085. TYPE OF VEHICLE AUTHORIZED. (a) Unless
1-45 prohibited by Chapter 522, and except as provided by Subsection
1-46 (b), the license holder may operate any vehicle of the type for
1-47 which that class of license is issued and any lesser type of vehicle
1-48 other than a motorcycle or moped.

1-49 (b) Subsection (a) does not prohibit a license holder from
1-50 operating a lesser type of vehicle that is a motorcycle described by
1-51 Section 521.001(a)(6-a).

1-52 SECTION 3. Section 661.001(1), Transportation Code, is
1-53 amended to read as follows:

1-54 (1) "Motorcycle" means a motor vehicle designed to
1-55 propel itself with not more than three wheels in contact with the
1-56 ground, and having a saddle for the use of the rider. The term does
1-57 not include a tractor or a three-wheeled vehicle equipped with a cab
1-58 or occupant compartment, seat, and seat belt and designed to
1-59 contain the operator in the cab or occupant compartment.

1-60 SECTION 4. Section 680.013, Transportation Code, is amended
1-61 to read as follows:

1-62 Sec. 680.013. USE OF PREFERENTIAL LANE BY MOTORCYCLE. A
1-63 motorcycle, including a motorcycle described by Section
1-64 521.001(a)(6-a), may be operated in a preferential lane that is not

2-1 closed to all vehicular traffic.

2-2 SECTION 5. This Act takes effect September 1, 2009.

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