

By: Carona

S.B. No. 1093

A BILL TO BE ENTITLED

AN ACT

relating to the operation of a commercial motor vehicle.

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

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

(5) "Commercial motor vehicle" 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. Subsection (a), Section 522.072, Transportation Code, as amended by Chapters 13 (S.B. 332) and 424 (S.B. 1372), Acts of the 80th Legislature, Regular Session, 2007, is reenacted to read as follows:

(a) An employer may not knowingly permit a person to drive a commercial motor vehicle during a period in which:

1           (1) the person has been denied the privilege of  
2 driving a commercial motor vehicle;

3           (2) the person is disqualified from driving a  
4 commercial motor vehicle;

5           (3) the person, the person's employer, or the vehicle  
6 being operated is subject to an out-of-service order in a state; or

7           (4) the person has more than one commercial driver's  
8 license, except during the 10-day period beginning on the date the  
9 person is issued a driver's license.

10           SECTION 3. This Act takes effect September 1, 2009.