

1-1 By: Carona S.B. No. 1093
1-2 (In the Senate - Filed February 24, 2009; March 13, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; April 8, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; April 8, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the operation of a commercial motor vehicle.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subdivision (5), Section 522.003,
1-11 Transportation Code, is amended to read as follows:

1-12 (5) "Commercial motor vehicle" means a motor vehicle
1-13 or combination of motor vehicles used to transport passengers or
1-14 property that:

1-15 (A) has a gross combination weight or a gross
1-16 combination weight rating of 26,001 or more pounds, including a
1-17 towed unit with a gross vehicle weight or a gross vehicle weight
1-18 rating of more than 10,000 pounds;

1-19 (B) has a gross vehicle weight or a gross vehicle
1-20 weight rating of 26,001 or more pounds;

1-21 (C) is designed to transport 16 or more
1-22 passengers, including the driver; or

1-23 (D) is transporting hazardous materials and is
1-24 required to be placarded under 49 C.F.R. Part 172, Subpart F.

1-25 SECTION 2. Subsection (a), Section 522.072, Transportation
1-26 Code, as amended by Chapters 13 (S.B. 332) and 424 (S.B. 1372), Acts
1-27 of the 80th Legislature, Regular Session, 2007, is reenacted to
1-28 read as follows:

1-29 (a) An employer may not knowingly permit a person to drive a
1-30 commercial motor vehicle during a period in which:

1-31 (1) the person has been denied the privilege of
1-32 driving a commercial motor vehicle;

1-33 (2) the person is disqualified from driving a
1-34 commercial motor vehicle;

1-35 (3) the person, the person's employer, or the vehicle
1-36 being operated is subject to an out-of-service order in a state; or

1-37 (4) the person has more than one commercial driver's
1-38 license, except during the 10-day period beginning on the date the
1-39 person is issued a driver's license.

1-40 SECTION 3. This Act takes effect September 1, 2009.

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