

By: Phillips

H.B. No. 2470

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the regulation of sport bikes and certain other
3 motorcycles.

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

5 SECTION 1. This Act shall be known as Malorie's Law.

6 SECTION 2. Section 521.084, Transportation Code, is amended
7 to read as follows:

8 Sec. 521.084. CLASS M LICENSE. A Class M driver's license
9 authorizes the holder of the license to operate a motorcycle,
10 including a sport bike as defined by Section 541.201, or a moped.

11 SECTION 3. Section 541.201, Transportation Code, is amended
12 by adding Subdivision (18-a) to read as follows:

13 (18-a) "Sport bike" means a motorcycle:

14 (A) that is optimized for speed, acceleration,
15 braking, and maneuverability on paved roads;

16 (B) that has a lightweight frame;

17 (C) on which the operator leans forward over the
18 gas tank during operation; and

19 (D) that is not a touring, cruising, standard, or
20 dual-sport motorcycle.

21 SECTION 4. Subchapter I, Chapter 545, Transportation Code,
22 is amended by adding Section 545.4161 to read as follows:

23 Sec. 545.4161. OPERATION OF SPORT BIKE. (a) In addition to
24 the requirements and prohibitions under Section 545.416, an

1 operator may not carry another person on a sport bike unless the
2 sport bike is designed to carry more than one person and:

3 (1) the operator:

4 (A) is at least 18 years of age; and

5 (B) has had a Class M license for at least two
6 years; or

7 (2) the other person:

8 (A) is at least 18 years of age and holds a Class
9 M license; or

10 (B) is a motorcycle operator training and safety
11 course instructor certified under Chapter 662.

12 (b) An operator of a sport bike shall ensure that a
13 passenger on the sport bike complies with all department
14 regulations relating to motorcycle safety.

15 SECTION 5. The heading to Subchapter M, Chapter 547,
16 Transportation Code, is amended to read as follows:

17 SUBCHAPTER M. ADDITIONAL OR ALTERNATIVE EQUIPMENT REQUIREMENTS FOR
18 MOTORCYCLES, ~~[AND]~~ MOTOR-DRIVEN CYCLES, AND SPORT BIKES

19 SECTION 6. Subchapter M, Chapter 547, Transportation Code,
20 is amended by adding Section 547.803 to read as follows:

21 Sec. 547.803. SAFETY EQUIPMENT. If a motorcycle, including
22 a sport bike, is designed to carry more than one person, the
23 motorcycle must be equipped with foot pegs and handholds for use by
24 a passenger on the motorcycle.

25 SECTION 7. Section 661.001(1), Transportation Code, is
26 amended to read as follows:

27 (1) "Motorcycle" means a motor vehicle designed to

1 propel itself with not more than three wheels in contact with the
2 ground, and having a saddle for the use of the rider. The term
3 includes a sport bike, as defined by Section 541.201. The term does
4 not include a tractor or a three-wheeled vehicle equipped with a cab
5 or occupant compartment, seat, and seat belt and designed to
6 contain the operator in the cab or occupant compartment.

7 SECTION 8. This Act takes effect September 1, 2011.