

## **BILL ANALYSIS**

Senate Research Center  
83R25292 SLB-D

H.B. 3838  
By: Phillips (Hancock)  
Transportation  
5/14/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Motorcycles have become an increasingly popular mode of transportation for Texans, but the inherent risks associated with riding on a motorcycle have prompted observers to note the importance of properly equipping motorcycles to support passengers and properly educating motorcycle operators on how to safely carry passengers. H.B. 3838 establishes Malorie's Law, in remembrance of Malorie Bullock, to increase motorcycle safety for passengers. This bill says that a sport bike, if designed for more than one person, shall be equipped with foot pegs and handholds for the passenger. It also states that a motorcycle training course shall contain material regarding operating a bike while carrying a passenger.

H.B. 3838 amends current law relating to motorcycle equipment and training requirements.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Requires that this Act be known as Malorie's Law.

SECTION 2. Amends Section 545.416(b), Transportation Code, as follows:

(b) Prohibits an operator from carrying another person on a motorcycle, and a person who is not operating the motorcycle from riding on the motorcycle, unless the motorcycle is designed to carry more than one person, and equipped with footrests and handholds for use by the passenger. Makes nonsubstantive changes.

SECTION 3. Amends, effective January 1, 2015, Subchapter K, Chapter 547, Transportation Code, by adding Section 547.617, as follows:

Sec. 547.617. MOTORCYCLE FOOTRESTS AND HANDHOLDS REQUIRED. Requires that a motorcycle that is designed to carry more than one person be equipped with footrests and handholds for use by the passenger.

SECTION 4. Amends Section 662.002(b), Transportation Code, as follows:

(b) Provides that the motorcycle operator training and safety program:

(1) is required to contain information regarding operating a motorcycle while carrying a passenger; and

(2) is authorized, rather than required, to include curricula developed by the Motorcycle Safety Foundation.

SECTION 5. Effective date, except as otherwise provided by this Act: September 1, 2013.