

By: Watson  
(Phillips)

S.B. No. 763

Substitute the following for S.B. No. 763:

By: Pickett

C.S.S.B. No. 763

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to motorcycle training, the enforcement of certification  
3 standards for motorcycles, and the license requirements for a  
4 three-wheeled motorcycle; creating an offense.

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

6 SECTION 1. Section 521.148(a), Transportation Code, is  
7 amended to read as follows:

8 (a) An applicant for an original Class M license or Class A,  
9 B, or C driver's license that includes an authorization to operate a  
10 motorcycle must furnish to the department evidence satisfactory to  
11 the department that the applicant has successfully completed a  
12 ~~[basic]~~ motorcycle operator training course approved by the  
13 department under Chapter 662. The department shall issue a Class M  
14 license that is restricted to the operation of a three-wheeled  
15 motorcycle if the motorcycle operator training course completed by  
16 the applicant is specific to the operation of a three-wheeled  
17 motorcycle.

18 SECTION 2. Section 662.002(b), Transportation Code, is  
19 amended to read as follows:

20 (b) The program shall include curricula approved by the  
21 state agency administering the program ~~[developed by the Motorcycle~~  
22 ~~Safety Foundation]~~.

23 SECTION 3. Section 662.006, Transportation Code, is amended  
24 to read as follows:

1           Sec. 662.006. UNAUTHORIZED TRAINING PROHIBITED. (a) A  
2 person may not offer or conduct training in motorcycle operation  
3 for [~~a~~] consideration unless the person is licensed by or contracts  
4 with the designated state agency.

5           (b) A person who violates Subsection (a) commits an offense.  
6 An offense under this subsection is a Class B misdemeanor, except  
7 that the offense is a Class A misdemeanor if it is shown on the trial  
8 of the offense that the defendant has been previously convicted of  
9 an offense under this section.

10           SECTION 4. Section 662.008(b), Transportation Code, is  
11 amended to read as follows:

12           (b) Following denial, suspension, or cancellation of  
13 ~~[Before the designated state agency may deny, suspend, or cancel]~~  
14 the approval of a program sponsor or an instructor, notice and  
15 opportunity for a hearing must be given as provided by:

- 16                   (1) Chapter 2001, Government Code; and  
17                   (2) Chapter 53, Occupations Code.

18           SECTION 5. Section 521.227, Transportation Code, is  
19 repealed.

20           SECTION 6. This Act takes effect September 1, 2013.