

BILL ANALYSIS

S.B. 449
By: Bettencourt
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the current definition of motorcycle in state law is too narrow, which could prevent innovation from the private sector. S.B. 449 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 449 amends the Transportation Code to establish that an autocycle is considered to be a motorcycle for the purposes of issuing a title to a vehicle and registering a vehicle. The bill defines "autocycle" as a motor vehicle, other than a tractor, that is designed to have when propelled not more than three wheels on the ground, that is equipped with a steering wheel, that is equipped with seating that does not require the operator to straddle or sit astride the seat, and that is manufactured and certified to comply with federal safety requirements for a motorcycle.

S.B. 449 clarifies the definitions of motorcycle and moped that apply to the authorization of the holder of a Class M driver's license to operate those vehicles. The bill specifies that the authorization of a driver's license holder to operate any vehicle of the type for which that class of license is issued and any lesser type of vehicle other than a motorcycle or moped does not prohibit the license holder from operating an autocycle. The bill establishes that an autocycle is considered a motorcycle for purposes of statutory provisions relating to the seat on which a motorcycle passenger may ride and the minimum age of a motorcycle passenger.

S.B. 449 exempts an autocycle and certain enclosed three-wheeled passenger vehicles from the requirement that a motorcycle designed to carry more than one person be equipped with footrests and handholds for use by the passenger. The bill establishes that an autocycle is considered a motorcycle for purposes of statutory provisions relating to protective headgear for motorcycle operators and passengers.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.