

AN ACT

relating to the issuance of driver's licenses and personal identification certificates and the classification and operation of certain vehicles; authorizing a fee.

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

SECTION 1. Section 521.001, Transportation Code, is amended by amending Subsection (a)(6-a) and adding Subsection (c) to read as follows:

(6-a) "Motorcycle" includes an enclosed three-wheeled passenger vehicle that:

(A) is designed to operate with three wheels in contact with the ground;

(B) ~~[has a minimum unladen weight of 900 lbs.]~~

~~[(C)]~~ has a single, completely enclosed, occupant compartment; and

(C) ~~[(D)]~~ at a minimum, is equipped with:

(i) seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, 49 C.F.R. Section 571.207;

(ii) a steering wheel used to maneuver the vehicle;

(iii) a propulsion unit located in front of or behind the enclosed occupant compartment;

(iv) a seat belt for each vehicle occupant

1 certified by the manufacturer to meet the requirements of Federal
2 Motor Vehicle Safety Standard No. 209, 49 C.F.R. Section 571.209;

3 (v) a windshield and one or more windshield
4 wipers certified by the manufacturer to meet the requirements of
5 Federal Motor Vehicle Safety Standard No. 205, 49 C.F.R. Section
6 571.205, and Federal Motor Vehicle Safety Standard No. 104, 49
7 C.F.R. Section 571.104; ~~and~~

8 (vi) a vehicle structure certified by the
9 vehicle manufacturer to meet the requirements of Federal Motor
10 Vehicle Safety Standard No. 216, 49 C.F.R. Section 571.216, if:

11 (a) the unladen weight of the vehicle
12 is more than 900 pounds; or

13 (b) the unladen weight of the vehicle
14 is not more than 900 pounds and the vehicle has a maximum speed
15 capability of more than 40 miles per hour; and

16 (vii) an active tilt control system if the
17 unladen weight of the vehicle is not more than 900 pounds and the
18 vehicle has a maximum speed capability of 40 miles per hour or
19 less~~, and~~

20 ~~[(E) is produced by its manufacturer in a minimum~~
21 ~~quantity of 300 in any calendar year].~~

22 (c) The department by rule may define types of vehicles that
23 are "motorcycles" for the purposes of this chapter, in addition to
24 those defined under Subsection (a)(6-a). The Texas Department of
25 Motor Vehicles by rule may define the types of vehicles that are
26 "motorcycles" for the purposes of Chapters 501, 502, and 503. This
27 subsection applies only to vehicles manufactured by a manufacturer

1 licensed under Chapter 2301, Occupations Code.

2 SECTION 2. The heading to Section 521.008, Transportation
3 Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd
4 Legislature, Regular Session, 2013, is amended to read as follows:

5 Sec. 521.008. [~~PILOT~~] PROGRAM REGARDING THE PROVISION OF
6 RENEWAL AND DUPLICATE DRIVER'S LICENSE AND OTHER IDENTIFICATION
7 CERTIFICATE SERVICES.

8 SECTION 3. Sections 521.008(a) and (a-1), Transportation
9 Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd
10 Legislature, Regular Session, 2013, are amended to read as follows:

11 (a) The department may establish a [~~pilot~~] program for the
12 provision of renewal and duplicate driver's license, election
13 identification certificate, and personal identification
14 certificate services in counties that enter into an agreement with
15 the department under Subsection (a-1) [+

16 [~~(1) not more than three counties with a population of~~
17 ~~50,000 or less;~~

18 [~~(2) not more than three counties with a population of~~
19 ~~more than 50,000 but less than 1,000,001;~~

20 [~~(3) not more than two counties with a population of~~
21 ~~more than one million; and~~

22 [~~(4) notwithstanding Subdivisions (1)-(3), any county~~
23 ~~in which the department operates a driver's license office as a~~
24 ~~scheduled or mobile office].~~

25 (a-1) Under the [~~pilot~~] program, the department may enter
26 into an agreement with the commissioners court of a county to permit
27 county employees to provide services at a county office relating to

1 the issuance of renewal and duplicate driver's licenses, election
2 identification certificates, and personal identification
3 certificates, including:

- 4 (1) taking photographs;
- 5 (2) administering vision tests;
- 6 (3) updating a driver's license, election
7 identification certificate, or personal identification certificate
8 to change a name, address, or photograph;
- 9 (4) distributing and collecting information relating
10 to donations under Section 521.401;
- 11 (5) collecting fees; and
- 12 (6) performing other basic ministerial functions and
13 tasks necessary to issue renewal and duplicate driver's licenses,
14 election identification certificates, and personal identification
15 certificates.

16 SECTION 4. Section 521.085(b), Transportation Code, is
17 amended to read as follows:

18 (b) Subsection (a) does not prohibit a license holder from
19 operating a lesser type of vehicle that is:

- 20 (1) a motorcycle described by Section
21 521.001(a)(6-a); or
- 22 (2) a type of motorcycle defined by the department
23 under Section 521.001(c) and designated by the department as
24 qualifying for operation under this section.

25 SECTION 5. Subchapter I, Chapter 545, Transportation Code,
26 is amended by adding Section 545.4165 to read as follows:

27 Sec. 545.4165. OPERATION OF CERTAIN MOTORCYCLES. A person

1 may not operate a motorcycle described by Section
2 521.001(a)(6-a)(C)(vii) on a public highway for which the posted
3 speed limit is more than 45 miles per hour, except that the operator
4 may cross an intersection with a public highway that has a posted
5 speed limit of more than 45 miles per hour.

6 SECTION 6. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1756 passed the Senate on April 28, 2015, by the following vote: Yeas 30, Nays 1; May 28, 2015, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 29, 2015, House granted request of the Senate; May 31, 2015, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 1756 passed the House, with amendments, on May 22, 2015, by the following vote: Yeas 134, Nays 0, three present not voting; May 29, 2015, House granted request of the Senate for appointment of Conference Committee; May 31, 2015, House adopted Conference Committee Report by the following vote: Yeas 142, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor