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FLOOR AMENDMENT NO. \_\_\_\_\_

BY: M. S. J.

HOUSE OF REPRESENTATIVES

1 Amend H.B. No. 100 (house committee printing) by striking  
2 all below the enacting clause and substituting the following:

3 SECTION 1. Article 62.063(b), Code of Criminal Procedure,  
4 is amended to read as follows:

5 (b) A person subject to registration under this chapter  
6 because of a reportable conviction or adjudication for which an  
7 affirmative finding is entered under Article 42.015(b) or  
8 42A.105(a), as appropriate, may not, for compensation:

- 9 (1) operate or offer to operate a bus;
- 10 (2) provide or offer to provide passenger  
11 transportation through a transportation network company as  
12 defined by Section 215.004, Local Government Code [~~a passenger~~  
13 ~~taxicab or limousine transportation service~~];
- 14 (3) provide or offer to provide any type of service  
15 in the residence of another person unless the provision of  
16 service will be supervised; or

17 (4) operate or offer to operate any amusement ride.

18 SECTION 2. Section 215.004, Local Government Code, is  
19 amended to read as follows:

20 Sec. 215.004. REGULATION OF TRANSPORTATION NETWORK  
21 COMPANIES [~~TAXICABS AND LIMOUSINES~~]. (a) In this section:

22 (1) "Digital network" means any online-enabled  
23 application, website, or system offered or used by a  
24 transportation network company that enables the prearrangement  
25 of rides between passengers and drivers.

26 (2) "Transportation network company" means a  
27 corporation, partnership, sole proprietorship, or other entity  
28 that, for compensation, provides passenger transportation  
29 services for hire, including:

1           (A) transportation services arranged through a  
2 digital network;

3           (B) street-hail taxicab services; and

4           (C) limousine or other car services arranged by  
5 a method other than through a digital network.

6        (b) ~~A [(a) To protect the public health, safety, and~~  
7 ~~welfare, a]~~ municipality may not license, control, or otherwise  
8 regulate a transportation network company or a driver or vehicle  
9 providing transportation services on behalf of a transportation  
10 network company. [by ordinance;

11           ~~[(1) shall license, control, and otherwise regulate~~  
12 ~~each private passenger vehicle, regardless of how it is~~  
13 ~~propelled, that provides passenger taxicab transportation~~  
14 ~~services for compensation and is designed for carrying no more~~  
15 ~~than eight passengers; and~~

16           ~~[(2) may license, control, and otherwise regulate~~  
17 ~~each private passenger vehicle, regardless of how it is~~  
18 ~~propelled, that provides passenger limousine transportation~~  
19 ~~services for compensation and is designed for carrying no more~~  
20 ~~than 15 passengers.~~

21        ~~[(a-1) Subsection (a) applies to a taxicab or limousine~~  
22 ~~service that is operated;~~

23           ~~[(1) within the jurisdiction of the municipality;~~

24           ~~[(2) on property owned by the municipality, singly or~~  
25 ~~jointly with one or more other municipalities or public~~  
26 ~~agencies;~~

27           ~~[(3) on property in which the municipality possesses~~  
28 ~~an ownership interest; or~~

29           ~~[(4) by transporting from the municipality, municipal~~  
30 ~~property, or property in which the municipality has an interest~~  
31 ~~and returning to it.~~

1           ~~[(b) The ordinance may include:~~

2                   ~~[(1) regulation of the entry into the business of~~  
3 ~~providing passenger taxicab or limousine transportation~~  
4 ~~services, including controls, limits, or other restrictions on~~  
5 ~~the total number of persons providing the services;~~

6                   ~~[(2) regulation of the rates charged for the~~  
7 ~~provision of the services;~~

8                   ~~[(3) establishment of safety and insurance~~  
9 ~~requirements; and~~

10                   ~~[(4) any other requirement adopted to ensure safe and~~  
11 ~~reliable passenger transportation service.~~

12           ~~[(c) In regulating passenger taxicab or limousine~~  
13 ~~transportation services under this section, a municipality is~~  
14 ~~performing a governmental function. A municipality may carry out~~  
15 ~~the provisions of this section to the extent the governing body~~  
16 ~~of the municipality considers it necessary or appropriate.~~

17           ~~[(d) The provisions of this section relating to the~~  
18 ~~regulation of limousine transportation services apply only to a~~  
19 ~~municipality with a population of more than 1.9 million.]~~

20           SECTION 3. Section 215.073, Local Government Code, is  
21 amended to read as follows:

22           Sec. 215.073. VEHICLES ~~[FOR HIRE]~~. Except as provided by  
23 Section 215.004, a ~~[The]~~ municipality may license, fix the  
24 charges or fares made by, or otherwise regulate any person who  
25 owns, operates, or controls any type of vehicle used on the  
26 public streets or alleys of the municipality for carrying  
27 passengers or freight for compensation.

28           SECTION 4. Section 22.082, Transportation Code, is amended  
29 to read as follows:

30           Sec. 22.082. RULES. A resolution, rule, or order of a  
31 joint board dealing with a subject authorized by Section 22.014

1 [~~or 22.081~~] is effective only on approval of the governing  
2 authorities of the constituent agencies. On approval, a  
3 resolution, rule, or order of the joint board has the same  
4 effect in the territories or jurisdictions involved as an  
5 ordinance, resolution, rule, or order of the public agency would  
6 have in its own territory or jurisdiction.

7 SECTION 5. Section 22.081, Transportation Code, is  
8 repealed.

9 SECTION 6. (a) The change in law made by this Act in  
10 amending Article 62.063, Code of Criminal Procedure, applies  
11 only to a person who is required to register under Chapter 62,  
12 Code of Criminal Procedure, on the basis of a conviction or  
13 adjudication for an offense committed on or after the effective  
14 date of this Act. An offense committed before the effective date  
15 of this Act is governed by the law in effect on the date the  
16 offense was committed, and the former law is continued in effect  
17 for that purpose.

18 (b) A person who is required to register under Chapter 62,  
19 Code of Criminal Procedure, solely on the basis of a conviction  
20 or adjudication that occurs before the effective date of this  
21 Act is governed by the law in effect when the conviction or  
22 adjudication occurred, and the former law is continued in effect  
23 for that purpose.

24 SECTION 7. This Act takes effect September 1, 2017.