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By:  Buckley H.B. No. 2291

A BILL TO BE ENTITLED

AN ACT

relating to the operation of a gas-powered bicycle.

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

SECTION 1.  Section 502.143, Transportation Code, is amended to read as follows:

Sec. 502.143.  OTHER VEHICLES. An owner may not register the following vehicles for operation on a public highway:

(1)  power sweepers;

(2)  motorized mobility devices;

(3)  electric personal assistive mobility devices; [~~and~~]

(4)  electric bicycles; and

(5)  gas-powered bicycles, as defined by Section 541.201.

SECTION 2.  Section 521.225, Transportation Code, is amended by adding Subsection (e) to read as follows:

(e)  For the purposes of this section, a gas-powered bicycle, as defined by Section 541.201, is not a moped.

SECTION 3.  Section 541.201, Transportation Code, is amended by adding Subdivision (4-a) and amending Subdivisions (8) and (11) to read as follows:

(4-a)  "Gas-powered bicycle" means a bicycle that:

(A)  is designed to be propelled by a gas motor, exclusively or in combination with the application of human power;

(B)  cannot attain a speed of more than 20 miles per hour without the application of human power; and

(C)  does not exceed 100 pounds.

(8)  "Moped" means a motor-driven cycle that cannot attain a speed in one mile of more than 30 miles per hour, has an [~~and the~~] engine that [~~of which:~~

[~~(A)~~]  cannot produce more than two-brake horsepower, [~~;~~] and

[~~(B)~~]  if the engine is an internal combustion engine, has a piston displacement of 50 cubic centimeters or less and connects to a power drive system that does not require the operator to shift gears. The term does not include a gas-powered bicycle.

(11)  "Motor vehicle" means a self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle, a gas-powered bicycle, or an electric personal assistive mobility device, as defined by Section 551.201.

SECTION 4.  Section 551.002, Transportation Code, is amended to read as follows:

Sec. 551.002.  MOPED, [~~AND~~] ELECTRIC BICYCLE, AND GAS-POWERED BICYCLE INCLUDED. A provision of this subtitle applicable to a bicycle also applies to:

(1)  a moped, other than a provision that by its nature cannot apply to a moped; [~~and~~]

(2)  an electric bicycle, other than a provision that by its nature cannot apply to an electric bicycle; and

(3)  a gas-powered bicycle, other than a provision that by its nature cannot apply to a gas-powered bicycle.

SECTION 5.  Section 551.351(2), Transportation Code, is amended to read as follows:

(2)  "Pocket bike or minimotorbike" means a self-propelled vehicle that is equipped with an electric motor or internal combustion engine having a piston displacement of less than 50 cubic centimeters, is designed to propel itself with not more than two wheels in contact with the ground, has a seat or saddle for the use of the operator, is not designed for use on a highway, and is ineligible for a certificate of title under Chapter 501.  The term does not include:

(A)  a moped or motorcycle;

(B)  an electric bicycle, gas-powered bicycle, or motor-driven cycle, as defined by Section 541.201;

(C)  a motorized mobility device, as defined by Section 542.009;

(D)  an electric personal assistive mobility device, as defined by Section 551.201; or

(E)  a neighborhood electric vehicle, as defined by Section 551.301.

SECTION 6.  This Act takes effect September 1, 2019.