

By: Raney

H.B. No. 646

A BILL TO BE ENTITLED

AN ACT

relating to the operation and inspection of mopeds; increasing a fee.

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

SECTION 1. Sections 521.085(a) and (b), Transportation Code, are amended to read as follows:

(a) Except [~~Unless prohibited by Chapter 522, and except~~] as provided by Subsection (b), Section 521.225, and Chapter 522, the license holder may 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~~].

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

(1) a motorcycle described by Section 521.001(a)(6-a) or an autocycle as defined by Section 501.008; [~~or~~]

(2) a type of motorcycle defined by the department under Section 521.001(c) and designated by the department as qualifying for operation under this section; or

(3) a moped.

SECTION 2. Section 521.122(b), Transportation Code, is amended to read as follows:

(b) The department may include on the driver's license:

(1) an authorization to operate a motorcycle [~~or moped~~] if the license holder has met all requirements for a Class M

1 license; or

2 (2) an authorization for a person younger than 18  
3 years of age to operate a moped as provided by Section 521.225.

4 SECTION 3. The heading to Section 521.225, Transportation  
5 Code, is amended to read as follows:

6 Sec. 521.225. MOPED AUTHORIZATION FOR PERSON YOUNGER THAN  
7 18 YEARS OF AGE [~~LICENSE~~].

8 SECTION 4. Sections 521.225(a) and (b), Transportation  
9 Code, are amended to read as follows:

10 (a) A person 15 years of age or older but under 18 years of  
11 age may [~~not~~] operate a moped only if [~~unless~~] the person holds:

12 (1) a Class M license; or

13 (2) another class of [a] driver's license with an  
14 authorization to operate a moped. [~~An applicant for a moped license~~  
15 ~~must be 15 years of age or older.~~]

16 (b) The department may issue an authorization to operate a  
17 moped to a person who:

18 (1) is 15 years of age or older but under 18 years of  
19 age; and

20 (2) passes [~~The department shall administer to an~~  
21 ~~applicant for a moped license~~] a written examination relating  
22 specifically to the traffic laws applicable to the operation of  
23 mopeds. [~~A test involving the operation of the vehicle is not~~  
24 ~~required.~~]

25 SECTION 5. Section 522.029(f), Transportation Code, is  
26 amended to read as follows:

27 (f) If a commercial driver's license includes an

1 authorization to operate a motorcycle [~~or moped~~], the fee for the  
2 driver's license is increased by \$8.

3 SECTION 6. Section 522.041(e), Transportation Code, is  
4 amended to read as follows:

5 (e) The holder of a commercial driver's license or  
6 commercial learner's permit may drive any vehicle in the class for  
7 which the license or permit is issued and lesser classes of vehicles  
8 except a motorcycle [~~or moped~~]. The holder may drive a motorcycle  
9 only if authorization to drive a motorcycle is shown on the  
10 commercial driver's license and the requirements for issuance of a  
11 motorcycle license have been met. This subsection does not  
12 prohibit a person from operating a lesser type of vehicle that is a  
13 moped.

14 SECTION 7. Section 548.051(b), Transportation Code, is  
15 amended to read as follows:

16 (b) A moped is subject to inspection in the same manner as a  
17 motorcycle[~~, except that the only items of equipment required to be~~  
18 ~~inspected are the brakes, headlamps, rear lamps, and reflectors,~~  
19 ~~which must comply with the standards prescribed by Sections 547.408~~  
20 ~~and 547.801].~~

21 SECTION 8. Section 548.501(a), Transportation Code, is  
22 amended to read as follows:

23 (a) Except as provided by Sections 548.503 and 548.504, the  
24 fee for inspection of a motor vehicle [~~other than a moped~~] is  
25 \$12.50. [~~The fee for inspection of a moped is \$5.75.~~]

26 SECTION 9. Section 521.225(c), Transportation Code, is  
27 repealed.

1           SECTION 10. Not later than January 1, 2020, the Department  
2 of Public Safety of the State of Texas shall:

3                   (1) develop the written examination required by  
4 Section [521.225\(b\)](#), Transportation Code, as amended by this Act;  
5 and

6                   (2) adopt the rules necessary to implement Section  
7 [521.225](#), Transportation Code, as amended by this Act.

8           SECTION 11. This Act takes effect September 1, 2019.