

By: Thompson of Brazoria

H.B. No. 2495

A BILL TO BE ENTITLED

AN ACT

relating to the considerations when determining whether a person is an employee of a motor carrier or an independent contractor.

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

SECTION 1. Subtitle F, Title 7, Transportation Code, is amended by adding Chapter 644A to read as follows:

CHAPTER 644A. MOTOR CARRIER SAFETY IMPROVEMENT: EMPLOYMENT STATUS

Sec. 644A.001. DEFINITIONS. In this chapter:

(1) "Commercial motor vehicle" has the meaning assigned by Section 644.001.

(2) "Motor carrier" has the meaning assigned by Section 643.001.

(3) "Motor carrier safety improvement" means any device, equipment, software, technology, procedure, training, policy, program, or operational practice reasonably intended to improve or facilitate:

(A) compliance with traffic safety or motor carrier safety laws;

(B) safety of a motor vehicle;

(C) safety of an operator of a motor vehicle; and

(D) safety of third-party users of public roadways.

Sec. 644A.002. EMPLOYMENT STATUS. The deployment, implementation, or use of a motor carrier safety improvement on a

1 person's commercial motor vehicle by or at the request of a motor
2 carrier, including through contract with a motor carrier, may not
3 be considered when determining whether the person is an employee of
4 the motor carrier or an independent contractor for purposes of
5 state law.

6 SECTION 2. This Act takes effect September 1, 2019.