

By: Ellzey

H.B. No. 3275

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the exclusion of the operation of certain vehicles used
3 to transport property from commercial driver's license
4 requirements.

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

6 SECTION 1. Section 522.004(a), Transportation Code, is
7 amended to read as follows:

8 (a) This chapter does not apply to:

9 (1) a vehicle that is controlled and operated by a
10 farmer and:

11 (A) used to transport agricultural products,
12 farm machinery, or farm supplies to or from a farm;

13 (B) used within 150 miles of the person's farm;
14 and

15 (C) not used in the operations of a common or
16 contract motor carrier;

17 (2) a fire-fighting or emergency vehicle necessary to
18 the preservation of life or property or the execution of emergency
19 governmental functions, whether operated by an employee of a
20 political subdivision or by a volunteer fire fighter;

21 (3) a military vehicle or a commercial motor vehicle,
22 when operated for military purposes by military personnel,
23 including:

24 (A) active duty military personnel, including

1 personnel serving in the United States Coast Guard; and

2 (B) members of the reserves and national guard on
3 active duty, including personnel on full-time national guard duty,
4 personnel engaged in part-time training, and national guard
5 military technicians;

6 (4) a recreational vehicle that is driven for personal
7 use;

8 (5) a vehicle that is owned, leased, or controlled by
9 an air carrier, as defined by Section 21.155, and that is driven or
10 operated exclusively by an employee of the air carrier only on the
11 premises of an airport, as defined by Section 22.001, on service
12 roads to which the public does not have access;

13 (6) a vehicle used exclusively to transport seed
14 cotton modules or cotton burrs;

15 (7) a vehicle, including a vehicle described by
16 Section 504.502(i), that is:

17 (A) operated intrastate; and

18 (B) driven by an individual not for compensation
19 and not in the furtherance of a commercial enterprise; [~~or~~]

20 (8) a covered farm vehicle as defined by 49 C.F.R.
21 Section 390.5; or

22 (9) a vehicle that is operated intrastate:

23 (A) at an actual gross vehicle weight or a gross
24 vehicle weight rating, whichever is greater, of less than 48,000
25 pounds;

26 (B) to transport property in the furtherance of a
27 primary business other than transportation; and

1 (C) by a person whose primary business is the
2 business for which the property is being transported.

3 SECTION 2. This Act takes effect September 1, 2021.