

BILL ANALYSIS

Senate Research Center
88R10019 JAM-F

H.B. 4122
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Transportation
5/18/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law is silent regarding the operation and movement of motorcycles on a roadway lane for the purpose of decongesting traffic. This can lead to injuries or vehicular damage due to motorcyclists not being visible in the road, as well as longer periods of traffic congestion. H.B. 4122 seeks to address the operation of motorcycles on a roadway laned for traffic and make such roadways safer for both motorcyclists and non-motorcyclists by entitling the operator of a motorcycle to full use of a lane, authorizing motorcycles to operate two abreast in a single lane, and prohibiting certain conduct by motorcycle operators.

H.B. 4122 amends the Transportation Code to entitle the operator of a motorcycle to full use of a lane and to prohibit the operator of a motor vehicle from driving in a manner that deprives a motorcycle of such use. H.B. 4122 authorizes the operator of a motorcycle to operate the motorcycle two abreast in a single lane with another motorcycle.

H.B. 4122 prohibits the operator of a motorcycle from doing the following:

- operating the motorcycle more than two abreast in a single lane with other motorcycles;
- operating the motorcycle between lanes of traffic moving in the same direction; or
- passing a motor vehicle while in the same lane as the vehicle being passed.

These prohibitions do not apply to a police officer in the performance of the officer's official duties.

H.B. 4122 amends current law relating to the operation and movement of motorcycles on a roadway laned for traffic.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 545, Transportation Code, by adding Section 545.0605, as follows:

Sec. 545.0605. OPERATION OF MOTORCYCLES ON ROADWAY LANED FOR TRAFFIC. (a) Provides that the operator of a motorcycle:

- (1) is entitled to full use of a lane and, except as otherwise provided by Subdivision (2), a motor vehicle is prohibited from being driven in a manner that deprives a motorcycle of the full use of a lane;
- (2) is authorized to operate the motorcycle two abreast in a single lane with another motorcycle; and
- (3) is prohibited from:

(A) operating the motorcycle more than two abreast in a single lane with other motorcycles;

(B) operating the motorcycle between lanes of traffic moving in the same direction; or

(C) passing a motor vehicle while in the same lane as the vehicle being passed.

(b) Provides that Subsection (a)(3) does not apply to a police officer in the performance of the officer's official duties.

SECTION 2. Effective date: September 1, 2023.