

By: Guillen

H.B. No. 3646

A BILL TO BE ENTITLED

AN ACT

relating to certain regulations regarding commercial driver's licenses.

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

SECTION 1. Section 522.003(5), Transportation Code, is amended to read as follows:

(5) "Commercial motor vehicle" has the meaning assigned by 49 C.F.R. Section 383.5 ~~[means a motor vehicle or combination of motor vehicles used to transport passengers or property that:~~

~~[(A) has a gross combination weight or a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight or a gross vehicle weight rating of more than 10,000 pounds,~~

~~[(B) has a gross vehicle weight or a gross vehicle weight rating of 26,001 or more pounds,~~

~~[(C) is designed to transport 16 or more passengers, including the driver, or~~

~~[(D) is transporting hazardous materials and is required to be placarded under 49 C.F.R. Part 172, Subpart F].~~

SECTION 2. Section 522.021(a-1), Transportation Code, is amended to read as follows:

(a-1) If the application is for a non-domiciled commercial driver's license and the applicant is domiciled in a foreign

jurisdiction that does not meet the testing and licensing standards established by 49 C.F.R. Part 383, the applicant must present:

- (1) a social security card issued to the applicant;
- (2) an unexpired foreign passport issued to the applicant;
- (3) ~~[either:~~  
[~~(A)~~] a Form I-94 Arrival/Departure record or a successor document [~~+~~] or  
[~~(B)~~] an unexpired employment authorization document; and
- (4) documentation demonstrating proof of Texas residence as provided by Section 522.0225.

SECTION 3. The heading to Section 522.0235, Transportation Code, is amended to read as follows:

Sec. 522.0235. ALTERNATIVE [~~WAIVER OF~~] VISUAL STANDARDS FOR INTRASTATE DRIVER.

SECTION 4. Section 522.0235(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Subsection (b), the department by rule may use the alternative visual acuity standard prescribed by 49 C.F.R. Section 391.44 if an individual does not meet [~~provide for a waiver of~~] the visual acuity standard [~~standards~~] for a commercial driver's license prescribed by [~~in~~] 49 C.F.R. Section 391.41 [~~Part 391, Subpart E,~~] if the person who is applying for a commercial driver's license or who has been issued a commercial driver's license is a person who drives a commercial motor vehicle only in this state.

1           SECTION 5. The changes in law made by this Act apply only to  
2 an application for a commercial driver's license submitted on or  
3 after the effective date of this Act. An application for a  
4 commercial driver's license submitted before the effective date of  
5 this Act is governed by the law in effect on the date the  
6 application was submitted, and the former law is continued in  
7 effect for that purpose.

8           SECTION 6. This Act takes effect September 1, 2023.