

BILL ANALYSIS

H.B. 646
By: Raney
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding license requirements for the operation of a moped in Texas. It has been suggested that Texas has unnecessarily stringent requirements and would benefit from less regulation with respect to the operation of a moped. H.B. 646 seeks to address this issue by eliminating certain requirements relating to the operation and inspection of a moped.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTION 10 of this bill.

ANALYSIS

H.B. 646 amends the Transportation Code to include a moped among the types of lesser vehicles that a driver's license holder may operate. The bill authorizes a person 15 years of age or older but under 18 years of age to operate a moped only if the person holds a Class M driver's license or another class of driver's license with an authorization to operate a moped. The bill authorizes the Department of Public Safety (DPS) to issue an authorization to operate a moped to such a person who passes a written examination relating specifically to the traffic laws applicable to the operation of mopeds and removes the specification that a test involving the operation of the vehicle is not required. The bill authorizes DPS to include on a driver's license an authorization for a person younger than 18 years of age to operate a moped as provided by the bill.

H.B. 646 removes the \$8 fee increase for a commercial driver's license that includes an authorization to operate a moped. The bill expressly does not prohibit a person who is issued a commercial driver's license or commercial learner's permit from operating a lesser type of vehicle that is a moped. The bill removes the limitation on the type of moped equipment required to be inspected in the same manner as a motorcycle and increases the vehicle inspection fee for a moped from \$5.75 to \$12.50. The bill repeals a provision that applies certain provisions relating to a restricted Class M license to a moped license, including provisions relating to the application, issuance, duration, suspension, cancellation, or revocation of that license. The bill requires DPS, not later than January 1, 2020, to develop the written examination required by the bill and to adopt the rules necessary to implement the bill's provisions relating to the moped authorization for a person younger than 18 years of age.

H.B. 646 repeals Section 521.225(c), Transportation Code.

EFFECTIVE DATE

September 1, 2019.