

**SUBJECT:** Allowing younger license holders to drive larger motorcycles

**COMMITTEE:** Transportation — favorable, without amendment

**VOTE:** 8 ayes — Alexander, Siebert, Y. Davis, Edwards, Hamric, Hawley, Hill, Uher  
0 nays  
1 absent — Noriega

**WITNESSES:** For — H.W. Strain, Texas Motorcycle Rights Association  
Against — None  
On — Clifton Burdette, Texas Department of Public Safety

**BACKGROUND:** Texans between ages 15 and 18 years may obtain special, restricted licenses to operate small motorcycles. Class M licenses are for cycles defined as having not more than 125 cubic centimeter piston displacement.

**DIGEST:** HB 1492 would increase the maximum piston displacement on a motorcycle eligible for use by holders of Class M restricted licenses from 125 to 250 cubic centimeters. The bill also would change from 125 to 250 cubic centimeters the size restriction on cycles that may be removed from the Class M licenses of riders on their 16th birthdays.

The bill would repeal Section 521.226 of the Transportation Code, which requires the Texas Department of Transportation (TxDOT) to certify motorcycles that have 125 cubic centimeters of piston displacement or less.

The bill also would require TxDOT to certify whether a vehicle is a moped. TxDOT would have to establish a procedure for certifying whether a vehicle is a moped, compile a list of mopeds that meet certification standards, and make a list of certified mopeds available to the public on request.

The bill would take effect on September 1, 1999.

**SUPPORTERS  
SAY:**

HB 1492 would revise the size limits for small motorcycles that younger licensees may drive to reflect existing reality. There are very few, if any, motorcycles in the stores as small as those with less than 125 cubic centimeters in piston displacement. It is difficult to conduct motorcycle rider education programs for Texans under the age of 18 because it is difficult to find cycles that are eligible for such education programs.

Operators of training programs often ask dealers to lend them cycles for the training programs for six months to one year, after which the dealers reclaim possession of the cycles to sell. Currently, dealers have no incentive to loan cycles to these programs because there is little chance that cycles with less than 125 cubic centimeters of displacement will be sold. By increasing the size of the motorcycles that younger licensed riders may use, HB 1492 would increase the availability of vehicles for these programs.

The bill would not adversely affect the safety of young motorcycle drivers. Young drivers are capable of driving 250 cubic centimeter cycles safely, once they have taken a mandatory rider education program designed for a Class M restricted license. Because these are the kind of smaller cycles that would be for sale in most outlets, it would be more realistic and safer to allow young riders to train on them.

The current law requiring TxDOT to certify motorcycles with less than 125 cubic centimeters of displacement is out of date because of the limited number of such cycles available. TxDOT should be given the discretion to establish a more realistic definition of mopeds to determine which low-power motorcycles are eligible for use by Class M restricted license holders.

**OPPONENTS  
SAY:**

No apparent opposition.