

BILL ANALYSIS

Senate Research Center

H.B. 2585
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State Affairs
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Engrossed

DIGEST AND PURPOSE

Currently, peace officers may stop a motorcyclist to inspect the person's protective headgear. H.B. 2585 provides that such stops may be made only if the officer reasonably believes that the motorcyclist or passenger not wearing protective headgear is under the age of 21. H.B. 2585 also provides for more reports relating to motorcycle training.

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 Section 661.004, Transportation Code, as follows:

Sec. 661.004. New heading: **AUTHORITY OF PEACE OFFICER TO STOP AND DETAIN CERTAIN MOTORCYCLE OPERATORS AND PASSENGERS.** Authorizes a peace officer, if the officer reasonably believes a motorcycle operator or passenger is under the age of 21 and not wearing a helmet, to stop and detain the person to determine whether the person is in violation of Section 661.003. Deletes text that authorized the inspection of the person's protective headgear for compliance with safety standards.

SECTION 2. Amends Section 662.011, Transportation Code, to require the comptroller to report to the governor and legislature not later than the first Monday in November of each even-numbered year on the condition of the Motorcycle Education Fund Account (account.) Requires the report to contain certain information regarding the monies in the account.

SECTION 3. Amends Chapter 662, Transportation Code, by adding Section 662.012, as follows:

Sec. 662.012. **REPORTS.** Requires the designated state agency (agency) to require each provider of a motorcycle operator training and safety program to compile and forward to the agency each month a report on the provider's programs. Requires the report to include certain information. Requires the agency to maintain a compilation of the reports submitted under this section on a by-site basis. Requires the agency to update the compilation as soon as practicable after the beginning of each month. Requires the agency to provide without charge a copy of the most recent compilation under this section to any member of the legislature on request.

SECTION 4. Amends Section 1701.253, Occupations Code, by adding Subsection (e) requiring the Law Enforcement Officer Standards and Education Commission (commission), as part of the minimum curriculum requirements relating to the vehicle and traffic laws of this state, to require an education and training program on laws relating to the operation of motorcycles and to the wearing of protective headgear by motorcycle operators and passengers. Requires the commission to require education and training on motorcycle operator profiling awareness and sensitivity training.

SECTION 5. Effective date: September 1, 2001.