

BILL ANALYSIS

Senate Research Center

S.B. 449
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Transportation
6/4/2015
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The popularity of three-wheeled motorcycles is growing in Texas and manufacturers are developing numerous models of these "trikes."

On July 11, 2014, Polaris received approval from the Texas Department of Motor Vehicles to add their new Slingshot model to their existing line of motorcycles they are authorized to sell.

Subsequently, on November 14, 2014, the Texas Department of Motor Vehicles informed Polaris they could not define the Slingshot as a motorcycle because it does not have a "rider's saddle" seat and Polaris could not sell them in Texas.

Polaris dealers across the state now have Slingshot models in their inventory that they are unable to sell because of the reversal of original authorization.

S.B. 449 allows three-wheeled vehicles with seats other than a "rider's saddle" to be classified as a motorcycle.

(Original Author's / Sponsor's Statement of Intent)

S.B. 449 amends current law relating to titling, registration, and operation of an autocycle.

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 A, Chapter 501, Transportation Code, by adding Section 501.008, as follows;

Sec. 501.008. TITLE FOR AUTOCYCLE. (a) Defines, in this section, "autocycle" to mean a motor vehicle, other than a tractor, that is:

- (1) designed to have when propelled not more than three wheels on the ground;
- (2) equipped with a steering wheel;
- (3) equipped with seating that does not require the operator to straddle or sit astride the seat; and
- (4) manufactured and certified to comply with federal safety requirements for a motorcycle.

(b) Provides that, for purposes of issuing a title under this chapter, an autocycle is considered to be a motorcycle.

SECTION 2. Amends Subchapter A, Chapter 502, Transportation Code, by adding Section 502.004, as follows:

Sec. 502.004. REGISTRATION OF AUTOCYCLE. (a) Makes conforming changes regarding the definition of "autocycle."

(b) Provides that, for purposes of issuing a title under this chapter, an autocycle is considered to be a motorcycle.

SECTION 3. Amends Section 521.084, Transportation Code, as follows:

Sec. 521.084. CLASS M LICENSE. Provides that a Class M driver's license authorizes the holder of the license to operate a motorcycle or moped as defined by Section 541.201 (Vehicles).

SECTION 4. Amends Section 521.085(b), Transportation Code, to provide that Subsection (a) (authorizing a license holder to operate any vehicle of the type for which that class of license is issued and any lesser type of vehicle other than a motorcycle or moped) does not prohibit a license holder from operating a lesser type of vehicle that is a motorcycle described by Section 521.001(a)(6-a) (defining "motorcycle") or an autocycle as defined by Section 501.008.

SECTION 5. Amends Section 545.416, Transportation Code, by adding Subsection (f), to provide that, for purposes of Subsections (c) (authorizing a passenger on a motorcycle to ride only on the permanent and regular seat, if designed for two persons, or on another seat firmly attached to the motorcycle behind or to the side of the operator) and (d) (prohibiting the operator of a motorcycle from carrying another person on a motorcycle unless the other person is at least five years of age and providing fees), an autocycle as defined by Section 501.008 is considered to be a motorcycle.

SECTION 6. Amends Section 547.617, Transportation Code, as follows:

Sec. 547.617. MOTORCYCLE FOOTRESTS AND HANDHOLDS REQUIRED. (a) Creates this subsection from existing text.

(b) Provides that this section does not apply to an autocycle as defined by Section 501.008 or a motorcycle as defined by Section 521.001(a)(6-a).

SECTION 7. Amends Chapter 661, Transportation Code, by adding Section 661.0015, as follows:

Sec. 661.0015. PROTECTIVE HEADGEAR FOR AUTOCYCLE. (a) Defines "autocycle" for purposes of this section.

(b) Provides that, for purposes of this chapter, an autocycle is considered to be a motorcycle.

SECTION 8. Effective date: upon passage or September 1, 2015.