

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/30/2015

Date

Honorable Dan Patrick
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 1756 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Von Taylor
V. TAYLOR

Branch Crighton
CRIGHTON

Bob Hall
Hall

Don Huffines
Huffines

Royce West

On the part of the Senate West

W. G. Phillips
Phillips

Tom Dale
Dale

[Signature]
Keller

[Signature]
Moores

[Signature]
On the part of the House Newarez

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 1756

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the issuance of driver's licenses and personal
3 identification certificates and the classification and operation
4 of certain vehicles; authorizing a fee.

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

6 SECTION 1. Section 521.001, Transportation Code, is amended
7 by amending Subsection (a)(6-a) and adding Subsection (c) to read
8 as follows:

9 (6-a) "Motorcycle" includes an enclosed three-wheeled
10 passenger vehicle that:

11 (A) is designed to operate with three wheels in
12 contact with the ground;

13 (B) [~~has a minimum unladen weight of 900 lbs.~~]

14 [~~(C)~~] has a single, completely enclosed,
15 occupant compartment; and

16 (C) [~~(D)~~] at a minimum, is equipped with:

17 (i) seats that are certified by the vehicle
18 manufacturer to meet the requirements of Federal Motor Vehicle
19 Safety Standard No. 207, 49 C.F.R. Section 571.207;

20 (ii) a steering wheel used to maneuver the
21 vehicle;

22 (iii) a propulsion unit located in front of
23 or behind the enclosed occupant compartment;

24 (iv) a seat belt for each vehicle occupant

1 certified by the manufacturer to meet the requirements of Federal
2 Motor Vehicle Safety Standard No. 209, 49 C.F.R. Section 571.209;

3 (v) a windshield and one or more windshield
4 wipers certified by the manufacturer to meet the requirements of
5 Federal Motor Vehicle Safety Standard No. 205, 49 C.F.R. Section
6 571.205, and Federal Motor Vehicle Safety Standard No. 104, 49
7 C.F.R. Section 571.104; ~~and~~

8 (vi) a vehicle structure certified by the
9 vehicle manufacturer to meet the requirements of Federal Motor
10 Vehicle Safety Standard No. 216, 49 C.F.R. Section 571.216, if:

11 (a) the unladen weight of the vehicle
12 is more than 900 pounds; or

13 (b) the unladen weight of the vehicle
14 is not more than 900 pounds and the vehicle has a maximum speed
15 capability of more than 40 miles per hour; and

16 (vii) an active tilt control system if the
17 unladen weight of the vehicle is not more than 900 pounds and the
18 vehicle has a maximum speed capability of 40 miles per hour or
19 less ~~, and~~

20 ~~[(E) is produced by its manufacturer in a minimum~~
21 ~~quantity of 300 in any calendar year].~~

22 (c) The department by rule may define types of vehicles that
23 are "motorcycles" for the purposes of this chapter, in addition to
24 those defined under Subsection (a)(6-a). The Texas Department of
25 Motor Vehicles by rule may define the types of vehicles that are
26 "motorcycles" for the purposes of Chapters 501, 502, and 503. This
27 subsection applies only to vehicles manufactured by a manufacturer

1 licensed under Chapter 2301, Occupations Code.

2 SECTION 2. The heading to Section 521.008, Transportation
3 Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd
4 Legislature, Regular Session, 2013, is amended to read as follows:

5 Sec. 521.008. [~~PILOT~~] PROGRAM REGARDING THE PROVISION OF
6 RENEWAL AND DUPLICATE DRIVER'S LICENSE AND OTHER IDENTIFICATION
7 CERTIFICATE SERVICES.

8 SECTION 3. Sections 521.008(a) and (a-1), Transportation
9 Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd
10 Legislature, Regular Session, 2013, are amended to read as follows:

11 (a) The department may establish a [~~pilot~~] program for the
12 provision of renewal and duplicate driver's license, election
13 identification certificate, and personal identification
14 certificate services in counties that enter into an agreement with
15 the department under Subsection (a-1) [+

16 [~~(1) not more than three counties with a population of~~
17 ~~50,000 or less,~~

18 [~~(2) not more than three counties with a population of~~
19 ~~more than 50,000 but less than 1,000,001,~~

20 [~~(3) not more than two counties with a population of~~
21 ~~more than one million, and~~

22 [~~(4) notwithstanding Subdivisions (1)-(3), any county~~
23 ~~in which the department operates a driver's license office as a~~
24 ~~scheduled or mobile office)].~~

25 (a-1) Under the [~~pilot~~] program, the department may enter
26 into an agreement with the commissioners court of a county to permit
27 county employees to provide services at a county office relating to

1 the issuance of renewal and duplicate driver's licenses, election
2 identification certificates, and personal identification
3 certificates, including:

4 (1) taking photographs;

5 (2) administering vision tests;

6 (3) updating a driver's license, election
7 identification certificate, or personal identification certificate
8 to change a name, address, or photograph;

9 (4) distributing and collecting information relating
10 to donations under Section 521.401;

11 (5) collecting fees; and

12 (6) performing other basic ministerial functions and
13 tasks necessary to issue renewal and duplicate driver's licenses,
14 election identification certificates, and personal identification
15 certificates.

16 SECTION 4. Section 521.085(b), Transportation Code, is
17 amended to read as follows:

18 (b) Subsection (a) does not prohibit a license holder from
19 operating a lesser type of vehicle that is:

20 (1) a motorcycle described by Section
21 521.001(a)(6-a); or

22 (2) a type of motorcycle defined by the department
23 under Section 521.001(c) and designated by the department as
24 qualifying for operation under this section.

25 SECTION 5. Subchapter I, Chapter 545, Transportation Code,
26 is amended by adding Section 545.4165 to read as follows:

27 Sec. 545.4165. OPERATION OF CERTAIN MOTORCYCLES. A person

1 may not operate a motorcycle described by Section
2 521.001(a)(6-a)(C)(vii) on a public highway for which the posted
3 speed limit is more than 45 miles per hour, except that the operator
4 may cross an intersection with a public highway that has a posted
5 speed limit of more than 45 miles per hour.

6 SECTION 6. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2015.

Senate Bill 1756
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

No equivalent provision.

HOUSE VERSION (IE)

SECTION __. Section 521.001(a)(6-a), Transportation Code, is amended to read as follows:

(6-a) "Motorcycle" includes an enclosed three-wheeled passenger vehicle that:

(A) is designed to operate with three wheels in contact with the ground;

(B) ~~has a minimum unladen weight of 900 lbs.;~~

~~(C)~~ has a single, completely enclosed, occupant compartment; and

~~(C)~~ ~~(D)~~ at a minimum, is equipped with:

(i) seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, 49 C.F.R. Section 571.207;

(ii) a steering wheel used to maneuver the vehicle;

(iii) a propulsion unit located in front of or behind the enclosed occupant compartment;

(iv) a seat belt for each vehicle occupant certified by the manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 209, 49 C.F.R. Section 571.209;

(v) a windshield and one or more windshield wipers certified by the manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 205, 49 C.F.R. Section 571.205, and Federal Motor Vehicle Safety Standard No. 104, 49 C.F.R. Section 571.104; ~~and~~

(vi) a vehicle structure certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 216, 49 C.F.R. Section 571.216, if:

(a) the unladen weight of the vehicle is more than 900 pounds; or

(b) the unladen weight of the vehicle is not more than 900 pounds and the vehicle has a maximum speed capability of more than 40 miles per hour; and

CONFERENCE

SECTION 1. Substantially the same as House version.

Senate Bill 1756
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

(vii) an active tilt control system if the unladen weight of the vehicle is not more than 900 pounds and the vehicle has a maximum speed capability of 40 miles per hour or less; ~~and~~
~~[(E) is produced by its manufacturer in a minimum quantity of 300 in any calendar year].~~ [FA2,3rd]

No equivalent provision.

SECTION __. Section 521.001, Transportation Code, is amended by adding Subsection (c) to read as follows:

Substantially the same as House version.

(c) The department by rule may define types of vehicles that are "motorcycles" for the purposes of this chapter, in addition to those defined under Subsection (a)(6-a). The Texas Department of Motor Vehicles by rule may define the types of vehicles that are "motorcycles" for the purposes of Chapters 501, 502, and 503. This subsection applies only to vehicles manufactured by a manufacturer licensed under Chapter 2301, Occupations Code. [FA3,3rd]

SECTIONS 1-2. The heading to Section 521.008, and Sections 521.008(a) and (a-1), Transportation Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd Legislature, Regular Session, 2013, are amended.

SECTIONS 1-2. Same as Senate version.

SECTIONS 2-3. Same as Senate version.

No equivalent provision.

SECTION __.Section 521.085(b), Transportation Code, is amended to read as follows:

SECTION 4. Same as House version.

(b) Subsection (a) does not prohibit a license holder from operating a lesser type of vehicle that is:

(1) a motorcycle described by Section 521.001(a)(6-a); or
(2) a type of motorcycle defined by the department under Section 521.001(c) and designated by the department as qualifying for operation under this section. [FA3,3rd]

Senate Bill 1756
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. Subchapter M, Chapter 521, Transportation Code, is amended by adding Section 521.276 to read as follows:

Sec. 521.276. OFFICES FOR ISSUING CERTAIN LICENSES. (a) The department is not required to issue at all driver's license offices a license with an expiration date set under Section 521.271(a-2), (a-3), or (a-4), 521.2711(c), or 521.272(c)(2).

(b) The department may designate offices to issue a license described by Subsection (a). [FA1]

Same as Senate version.

No equivalent provision.

SECTION __. Subchapter I, Chapter 545, Transportation Code, is amended by adding Section 545.4165 to read as follows:

Sec. 545.4165. OPERATION OF CERTAIN MOTORCYCLES. A person may not operate a motorcycle described by Section 521.001(a)(6-a)(C)(vii) on a public highway for which the posted speed limit is more than 45 miles per hour, except that the operator may cross an intersection with a public highway that has a posted speed limit of more than 45 miles per hour. [FA2,3rd]

SECTION 5. Same as House version.

No equivalent provision.

SECTION __.Section 680.013, Transportation Code, is amended to read as follows:

Sec. 680.013. USE OF PREFERENTIAL LANE BY MOTORCYCLE. (a) A motorcycle, including a motorcycle described by Section 521.001(a)(6-a), may be operated in a preferential lane that is not closed to all vehicular traffic.

(b) In addition to a motorcycle described by Subsection (a), the department by rule may designate a type of motorcycle defined by the department under Section 521.001(c) that may be operated in a preferential lane that is not closed to all

Same as Senate version.

Senate Bill 1756
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

SECTION 3. Effective date.

vehicular traffic. [FA3,3rd]

SECTION 3. Same as Senate version.

SECTION 6. Same as Senate version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 30, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1756 by Taylor, Van (Relating to the issuance of driver's licenses and personal identification certificates and the classification and operation of certain vehicles; authorizing a fee.), **Conference Committee Report**

Any costs associated with implementing the bill would depend on the number of counties entering into an agreement with DPS to permit county employees to provide services at a county office relating to the issuance of renewal and duplicate driver's licenses, election identification certificates and personal identification certificates. The upper limit of cost would entail all 254 Texas counties entering into an agreement with DPS, resulting in a cost of \$5,300,472 in fiscal year 2016 and \$2,261,616 in each following fiscal year. The costs would decrease to the degree fewer counties opt to enter into an agreement with DPS.

The bill would amend the Transportation Code to authorize the Department of Public Safety (DPS) to enter into an agreement with a county to permit county employees to provide services at a county office relating to the issuance of renewal and duplicate driver's licenses, election identification certificates and personal identification certificates.

DPS states that should the agency choose to enter into an agreement with a commissioner's court of a county, DPS would be required to provide all equipment, supplies and network connectivity in order to perform such services. DPS estimates the one-time costs per county at \$20,868 and recurring costs at \$8,904 annually for the first workstation in any county. Subsequent workstations at the same location would not require the initial one-time costs.

DPS does not have an estimate of how many counties would participate. However, were all 254 Texas counties to enter into an agreement with DPS, there would be a cost of \$5,300,472 in fiscal year 2016 (254 x \$20,868) and \$2,261,616 in each following fiscal year (254 x \$8,904). The costs would decrease to the degree fewer counties opt to enter into an agreement with DPS.

Local Government Impact

It is assumed a county would enter into an agreement with DPS only if it possessed the required resources to support the county portion of the agreement.

Source Agencies: 405 Department of Public Safety, 608 Department of Motor Vehicles

LBB Staff: UP, ESi, AI, JAW, AG

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on SB 1756 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.



(name)

5-30-15

(date)