

BILL ANALYSIS

Senate Research Center
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S.B. 754
By: Watson
Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In keeping with Chapter 662 (Motorcycle Operator Training and Safety) of the Transportation Code, the Texas Department of Public Safety (DPS) currently administers the Motorcycle Operator Training and Safety Program (the "Motorcycle Safety Program"). The purpose of the Motorcycle Safety Program is twofold: "(1) to make available to motorcycle operators . . . information relating to the operation of motorcycles . . . and . . . courses in knowledge, skills, and safety relating to the operation of motorcycles; and (2) to provide information to the public on sharing roadways with motorcycles." As part of this mission, DPS contracts with private individuals to provide motorcycle operator training and safety programs. Under current law, it is a Class B misdemeanor to operate a training program for consideration without DPS approval.

The Transportation Code also requires that \$5 from certain motorcycle license application and renewal fees be deposited in a dedicated general revenue account known as the Motorcycle Safety Account (GR 0501). Although the Transportation Code states that this money "may be used only to defray the cost of administering the motorcycle operator training and safety program," the legislature has not appropriated funds from the account since 2005. As a result, DPS's spending on the Motorcycle Safety Program has decreased by 59 percent since 2004.

This trend is particularly troubling because it corresponds to an increase in Texas motorcycle fatalities. For example, the Texas Department of Transportation (TxDOT) reports that 495 motorcycle fatalities occurred in Texas in 2013, which represents a five percent increase from 2012.

S.B. 754 addresses this situation by raising the motorcycle registration fee by an additional \$3 and sending the new revenue to a subaccount within GR 0501. In turn, S.B. 754 specifically identifies the funds in the subaccount as the minimum amount that the legislature should appropriate to DPS to fund the Motorcycle Safety Program. Lastly, S.B. 754 allows TxDOT to use GR 0501 to fund its "Share the Road" campaign.

As proposed, S.B. 754 amends current law relating to funding for motorcycle training and safety programs, including increasing the motorcycle and moped registration fee.

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 502.196, Transportation Code, as follows:

Sec. 502.196. DEPOSIT OF REGISTRATION FEES IN STATE HIGHWAY FUND. Requires the board of the Texas Department of Motor Vehicles and the Texas Department of Motor Vehicles (TxDMV), except as otherwise provided by this chapter or Section 662.011, to deposit all money received from registration fees in the state treasury to the credit of the state highway fund.

SECTION 2. Amends Section 502.251, Transportation Code, as follows:

Sec. 502.251. FEE: MOTORCYCLE OR MOPED. Provides that the fee for a registration year for registration of a motorcycle or moped is \$33, rather than \$30.

SECTION 3. Amends Section 662.011, Transportation Code, by adding Subsections (a-1) and (b-1) and amending Subsection (b), as follows:

(a-1) Requires TxDMV, of each fee collected under Section 502.251, to send \$3 to the comptroller of public accounts of the State of Texas for deposit to the credit of a subaccount in the motorcycle education fund account.

(b) Requires that money deposited to the credit of the motorcycle education fund account be used only to defray the cost of:

(1) administering the motorcycle operator training and safety program; and

(2) conducting the motorcyclist safety and share the road campaign described by Section 201.621 (Motorcyclist Safety and Share the Road Campaign).

(b-1) Requires the designated state agency to, at a minimum, use funds appropriated to the agency from the subaccount to administer the motorcycle operator training and safety program.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2015.