

81st Legislative Session

Summary of bills affecting Motorcyclists

🏍️ SB1967 - PASSED:

Relating to the safe operation of motorcycles and other vehicles in this state; providing penalties:

- 521.001: Motorcycle definition now includes an enclosed three-wheeled passenger vehicle that meets specific requirements.
- 521.085: Motorcycle operator of a vehicle described in 521.001 does not require a class M.
- 521.148 and 522.034: An applicant for an original class M license must furnish proof of successful completion of a basic operator training course.
- 542.4045: Penalties for failure to yield right-of-way offense resulting in accident.
- 661.001: Motorcycle definition does not include an enclosed three-wheeled passenger vehicle for mandatory helmet requirement.
- 661.001(c): Minimum requirement of \$10,000 medical insurance for helmet law exemption has been removed; see 661.001(c-2).
- 661.001(c-1): A peace officer may not stop or detain a person for the sole purpose of determining helmet exemption requirements.
- 661.001(c-2): Texas Department of Insurance (TDI) has been charged with the task of developing a standard proof of health insurance for helmet exemption. Note: this removes the need for a helmet exemption sticker program; stickers are no longer being issued.
- 680.013: Motorcycle definition as described in 521.001 may be operated in an HOV lane.

Note: see FAQs below as related to MSB-8 and MSB-8R; sent to all Driver License offices

🏍️ HB4449 - PASSED:

Relating to the criminal consequences of operating a motorcycle on which a person younger than five is a passenger:

- 545.416: Motorcycle passengers must be at least five years of age to ride behind operator; may be under five if seated in a sidecar.
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🏍️ SB506 – DID NOT PASS:

Relating to the operation and movement of motorcycles during periods of traffic congestion:

Lane splitting did not pass.

🏍️ SB488 – DID NOT PASS:

Relating to the operation of a motor vehicle in the vicinity of a vulnerable road user; providing penalties:

Adding motorcyclist as a vulnerable road user did not pass.

🏍️ HB4531 – DID NOT PASS:

Relating to the use and safety of certain types of motorcycles and the establishment of a training requirement for the use of such motorcycles; providing a penalty:

Requiring owner and operators of high-performance motorcycles to take a sportbike specific training course did not pass.

FAQ's regarding the Motorcycle Operator Training Program Certificate of Completion (Form MSB-8 and MSB-8R)

1. What if I am a Texas licensed driver who wants to add an I, J, or K restriction to my driver license, do I need to present completion of the Motorcycle Safety Course?

Yes. To obtain any of these restrictions, the applicant must obtain a Class M driver license. To be issued a Class M, the driver must successfully complete the motorcycle knowledge exam and present evidence of completion (MSB-8, MSB-8R) of an approved Motorcycle Safety Course. (TRC §521.148)

2. What if I am an out-of-state licensed driver who has moved to Texas and I do not have a Class M, but would like to obtain a Texas driver license with a Class M. Do I need to present evidence of completion of the Motorcycle Safety Course?

Yes. TAC §15.55(5) provides that if an advance in grade is applied for, the applicant must pass the vision tests and appropriate knowledge tests and skills test. TRC §521.148 provides that an original applicant is required to present completion of the Motorcycle Safety Course prior to the issuance of a Class M driver license.

3. What if am an out-of-state licensed driver who has moved to Texas and I already have a Class M but would like to obtain a Texas driver license with a Class M. Why do I need to present evidence of completion of the Motorcycle Safety Course?

TRC §521.148 provides that all original applicants for a Texas motorcycle license must present evidence of completion. Individuals who have never been previously licensed in Texas are considered original Texas Driver License applicants.

4. If I need to renew my Texas driver license and I have had a Class M prior to September 1, 2009, do I need to present evidence of completion of the Motorcycle Safety Course?

No. TRC §521.148 provides that only original applicants who apply for a Class M on or after September 1, 2009 are required to present completion of the Motorcycle Safety Course.

5. Is it true that I can request to waive the motorcycle skills test if I present completion of the Motorcycle Safety Course?

Yes. TAC §15.55(3) provides that the motorcycle skills test can still be waived upon presenting completion of the Motorcycle Safety Course.

6. Does Texas place an indicator on my driver license alerting law enforcement that I can operate a motorcycle without a helmet?

No. There are no statutory provisions requiring an indicator be placed upon the driver license signifying that the driver may operate a motorcycle without a helmet.

7. Will you accept evidence of completion of the Motorcycle Safety Course if it was completed out-of-state?

Yes. The course that you take must be approved by the Motorcycle Safety Foundation. If you are a military member, a MSF course may be offered on base. If not, you can complete a course through a local college or university.