

TRANSPORTATION CODE

TITLE 7. VEHICLES AND TRAFFIC

SUBTITLE G. MOTORCYCLES AND ELECTRIC BICYCLES

CHAPTER 662. MOTORCYCLE OPERATOR TRAINING AND SAFETY

Sec. 662.0005. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Commission of Licensing and Regulation.

(2) "Department" means the Texas Department of Licensing and Regulation.

(3) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(4) "Instructor" means an individual who holds a license issued under this chapter that entitles the individual to provide instruction on motorcycle operation and safety as an employee of or under contract with a motorcycle school.

(5) "Motorcycle school" means a person who holds a license issued under this chapter that entitles the person to offer and conduct courses on motorcycle operation and safety for consideration as part of the motorcycle operator training and safety program.

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.001, eff. September 1, 2020.

Sec. 662.001. ADMINISTRATION OF PROGRAM. The department shall administer a motorcycle operator training and safety program and enforce the laws governing the program.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.002, eff. September 1, 2020.

Sec. 662.002. PURPOSE OF PROGRAM. (a) The purpose of the motorcycle operator training and safety program is:

(1) to make available to motorcycle operators:

(A) information relating to the operation of motorcycles; and

(B) 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.

(b) Repealed by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.025, eff. September 1, 2020.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.003, eff. September 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.025, eff. September 1, 2020.

Sec. 662.0033. MINIMUM CURRICULUM STANDARDS. (a) The commission by rule shall establish minimum curriculum standards for courses provided under the motorcycle operator training and safety program.

(b) The department shall approve all courses that meet the curriculum standards established under Subsection (a).

(c) In establishing the minimum curriculum standards for entry-level courses, the commission shall consider the standards for motorcycle operator training and safety courses adopted by the National Highway Traffic Safety Administration.

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.004, eff. September 1, 2020.

Sec. 662.0035. FEES. The commission may set fees in amounts reasonable and necessary to cover the costs of administering this chapter, including fees for:

(1) the issuance and renewal of a motorcycle school license and instructor license; and

(2) courses provided under the motorcycle operator training and safety program.

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.004, eff. September 1, 2020.

Sec. 662.0037. MOTORCYCLE SAFETY ADVISORY BOARD. (a) The

commission shall establish an advisory board to advise the department on matters related to the motorcycle operator training and safety program established under this chapter.

(b) The advisory board must consist of nine members appointed by the presiding officer of the commission, on approval of the commission, as follows:

(1) three members:

(A) each of whom must be a licensed instructor or represent a licensed motorcycle school; and

(B) who must collectively represent the diversity in size and type of the motorcycle schools licensed under this chapter;

(2) one member who represents the motorcycle dealer retail industry;

(3) one representative of a law enforcement agency;

(4) one representative of the Texas A&M Transportation Institute;

(5) one representative of the Texas A&M Engineering Extension Service; and

(6) two public members who hold a valid Class M driver's license issued under Chapter 521.

(c) The advisory board members serve staggered six-year terms. The terms of three members expire September 1 of each odd-numbered year.

(d) If a vacancy occurs on the advisory board, the presiding officer of the commission, on approval of the commission, shall appoint a replacement who meets the qualifications for the vacant position to serve for the remainder of the term.

(e) The presiding officer of the commission, on approval of the commission, shall designate a member of the advisory board to serve as the presiding officer of the advisory board for a one-year term. The presiding officer of the advisory board may vote on any matter before the advisory board.

(f) The advisory board shall meet at the call of the executive director or the presiding officer of the commission.

(g) An advisory board member may not receive compensation for service on the advisory board but is entitled to reimbursement

for actual and necessary expenses incurred in performing the functions as a member of the advisory board, subject to the General Appropriations Act.

(h) Chapter 2110, Government Code, does not apply to the advisory board.

(i) The department may call a joint meeting of the advisory board and the advisory committee established under Section 1001.058, Education Code, for the committees to collaborate on matters determined by the department.

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.004, eff. September 1, 2020.

Sec. 662.005. CONTRACTS. (a) The department may contract with qualified persons, including institutions of higher education, to:

(1) offer and conduct motorcycle operator training and safety courses under the program; or

(2) research motorcycle safety in this state.

(b) The department shall consult with the motorcycle safety advisory board regarding any proposal to contract under this section.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.005, eff. September 1, 2020.

Sec. 662.006. UNAUTHORIZED TRAINING PROHIBITED. (a) A person may not offer or conduct training in motorcycle operation for consideration unless the person:

(1) is licensed as a motorcycle school under this chapter;

(2) offers and conducts training in accordance with a motorcycle operator training curriculum approved by the department; and

(3) employs or contracts with an instructor licensed under this chapter to conduct the training.

(b) A person who violates Subsection (a) commits an

offense. An offense under this subsection is a Class B misdemeanor, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1111 (H.B. 3838), Sec. 6, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1336 (S.B. 763), Sec. 3, eff. September 1, 2013.

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.006, eff. September 1, 2020.

Sec. 662.0062. ELIGIBILITY; APPLICATION. (a) To be eligible for an instructor license, an applicant must:

(1) have completed a commission-approved training program on motorcycle operator training and safety instruction administered by the Texas A&M Engineering Extension Service;

(2) have held for the two years preceding the date of submitting the application a valid driver's license that entitles the applicant to operate a motorcycle on a public road; and

(3) have accumulated less than 10 points under the driver responsibility program established by Chapter 708.

(b) The commission by rule may adopt additional requirements for issuance of an instructor license.

(c) To be eligible for a motorcycle school license, an applicant must meet the minimum standards established by commission rule for:

(1) health and safety;

(2) the school's facility; and

(3) consumer protection.

(d) The department shall issue a license to an applicant who meets the eligibility requirements established under this chapter and department rule and who pays the required fee.

(e) The department may prescribe an application form for applicants to submit when applying for a license under this section.

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.007, eff. September 1, 2020.

Sec. 662.0064. INSTRUCTOR TRAINING; ADMINISTRATOR. The Texas A&M Engineering Extension Service, in consultation with the department, shall administer the training program required by Section 662.0062(a)(1).

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.007, eff. September 1, 2020.

Sec. 662.0068. PROGRAM CERTIFICATES. The department shall issue a certificate of completion to a person who completes a department-approved motorcycle operator training and safety course conducted by a motorcycle school on receipt of notice from the motorcycle school that conducted the course. The department may develop a process that allows a motorcycle school to issue a certificate of completion to the person.

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.007, eff. September 1, 2020.

Sec. 662.008. DENIAL, SUSPENSION, OR REVOCATION OF INSTRUCTOR OR MOTORCYCLE SCHOOL LICENSE. (a) The executive director or commission may deny an application for, suspend, or revoke a license issued under this chapter if the applicant, instructor, or motorcycle school:

(1) does not satisfy the requirements established under this chapter to receive or retain the license;

(2) permits fraud or engages in a fraudulent practice with reference to an application for the license;

(3) induces or countenances fraud or a fraudulent practice by a person applying for a driver's license or permit;

(4) permits fraud or engages in a fraudulent practice in an action between the applicant or license holder and the public;

or

(5) fails to comply with this chapter or rules adopted under this chapter.

(b) Following denial of an application for a license or the

suspension or revocation of a license issued under this chapter, notice and opportunity for a hearing must be given as provided by:

- (1) Chapter [2001](#), Government Code; and
- (2) Chapter [53](#), Occupations Code.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.838, eff. Sept. 1, 2001.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1111 (H.B. [3838](#)), Sec. 7, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1336 (S.B. [763](#)), Sec. 4, eff. September 1, 2013.

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. [616](#)), Sec. 8.008, eff. September 1, 2020.

Sec. 662.009. RULES. The commission may adopt rules to administer this chapter.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. [616](#)), Sec. 8.009, eff. September 1, 2020.

Sec. 662.010. NONAPPLICABILITY OF CERTAIN OTHER LAW. Chapter [1001](#), Education Code, does not apply to training offered or conducted under this chapter.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. [616](#)), Sec. 8.010, eff. September 1, 2020.

Sec. 662.011. MOTORCYCLE EDUCATION FUND ACCOUNT. (a) Of each fee collected under Sections [521.421](#)(b) and (g) and Sections [522.029](#)(f) and (g), the Department of Public Safety shall send \$5 to the comptroller for deposit to the credit of the motorcycle education fund account.

(b) Money deposited to the credit of the motorcycle education fund account may be used only to defray the cost of:

- (1) administering the motorcycle operator training

and safety program;

(2) conducting the motorcyclist safety and share the road campaign described by Section [201.621](#); and

(3) administering the grant program under Section [662.0115](#).

(c) The comptroller shall report to the governor and legislature not later than the first Monday in November of each even-numbered year on the condition of the account. The report must contain:

(1) a statement of the amount of money deposited to the credit of the account for the year;

(2) a statement of the amount of money disbursed by the comptroller from the account for the year;

(3) a statement of the balance of money in the account;

(4) a list of persons and entities that have received money from the account, including information for each person or entity that shows the amount of money received; and

(5) a statement of any significant problems encountered in administering the account, with recommendations for their solution.

(d) The department may apply for and accept gifts, grants, and donations from any organization to be deposited in the motorcycle education fund account for the purpose of improving motorcycle safety in this state.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.155, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1156, Sec. 4, eff. Sept. 1, 1997. Amended by Acts 2001, 77th Leg., ch. 657, Sec. 2, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1391 (S.B. [1967](#)), Sec. 9, eff. September 1, 2009.

Acts 2015, 84th Leg., R.S., Ch. 610 (S.B. [754](#)), Sec. 1, eff. September 1, 2015.

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. [616](#)), Sec. 8.011, eff. September 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 882 (H.B. [3171](#)), Sec. 2.19, eff. September 1, 2019.



Sec. 662.0115. MOTORCYCLE SAFETY GRANT PROGRAM. (a) Using money from the motorcycle education fund account, the department may establish and administer a grant program to improve motorcycle safety in this state.

(b) The department may award a person a grant to:

(1) promote the motorcycle operator training and safety program or any other motorcycle safety program in this state;

(2) increase the number of individuals seeking motorcycle operator training or licensure as an instructor to conduct motorcycle operator training; or

(3) support any other goal reasonably likely to improve motorcycle safety in this state.

(c) To administer the grant program, the department shall prescribe:

(1) grant application procedures;

(2) guidelines relating to grant amounts; and

(3) criteria for evaluating grant applications.

(d) The department shall consult with the motorcycle safety advisory board regarding any proposal to award a grant under this section.

(e) An institution of higher education is eligible to receive a grant awarded under this section and, if applicable, may use the grant money awarded to perform a duty imposed under Section [662.0064](#) or [662.013](#).

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. [616](#)), Sec. 8.012, eff. September 1, 2020.

Sec. 662.012. REPORTS. (a) The department shall require each motorcycle school to report on the school's program in the form and manner prescribed by the department. The report must include:

(1) the number and types of courses provided in the reporting period;

(2) the number of persons who took each course in the reporting period;

(3) the number of instructors available to provide

training under the school's program in the reporting period;

(4) information collected by surveying persons taking each course as to the length of any waiting period the person experienced before being able to enroll in the course;

(5) the number of persons on a waiting list for a course at the end of the reporting period; and

(6) any other information the department reasonably requires.

(b) The department shall maintain the reports submitted under Subsection (a) on a by-site basis.

(c) The department shall provide without charge a copy of the most recent reports submitted under Subsection (a) to any member of the legislature on request.

Added by Acts 2001, 77th Leg., ch. 657, Sec. 3, eff. Sept. 1, 2001.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.013, eff. September 1, 2020.

Sec. 662.013. RESEARCH, ADVOCACY, AND EDUCATION. The Texas A&M Transportation Institute, in consultation with the department, shall:

(1) research motorcycle safety in this state;

(2) provide advocacy on motorcycle safety issues in this state; and

(3) provide education to the public on motorcycle safety issues in this state.

Added by Acts 2019, 86th Leg., R.S., Ch. 595 (S.B. 616), Sec. 8.014, eff. September 1, 2020.