

- SUBJECT:** Licensing and safety requirements for sports motorcycles
- COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended
- VOTE:** 8 ayes — S. Miller, Fletcher, Beck, Burnam, Driver, Flynn, Mallory Caraway, Walle
0 nays
1 absent — Peña
- WITNESSES:** For — Linda Sue Brinkley; Melissa Bullock; Rick Bullock; (*Registered, but did not testify*: Nicole Crumpley)
Against — None
- BACKGROUND:** Transportation Code, sec. 521.084 allows the holder of a Class M driver’s license to operate a motorcycle or moped.
Transportation Code, sec. 545.416 requires a motorcycle carrying a passenger to be designed to carry more than one person and a motorcycle passenger to ride on a regular and permanent seat and be older than five years of age.
- DIGEST:** CSHB 2470 would amend the Transportation Code to define certain types of motorcycles as “sports bikes,” allow a holder of a Class M driver’s license to operate a sports bike, and create safety standards for sports bikes.
The bill would define a sports bike as a motorcycle:
- that was optimized for speed, acceleration, braking, and maneuverability on paved roads;
 - that had a lightweight frame;
 - on which an operator leaned forward over the gas tank during operation; and
 - that was not a touring, cruising, standard, or dual-sport motorcycle.

CSHB 2470 would require any sports bike designed to carry more than one person to be equipped with foot pegs and handholds for the passenger.

In addition, a sports bike operator could not carry a passenger unless the sports bike was designed to carry more than one person and:

- the operator was older than 18 and had a Class M license for at least two years; or
- the passenger was a Class M license holder older than 18 or a certified motorcycle training and safety course instructor.

The bill would require the operator to ensure that the passenger complied with motorcycle safety rules.

The bill would be known as “Malorie’s Law” and would take effect on September 1, 2011.

**SUPPORTERS
SAY:**

CSHB 2470 would establish easily comprehensible standards for the safe operation of light but high-powered motorcycles that are becoming very popular in Texas. The bill would help ensure that sports bikes were equipped to hold passengers and that both the operator and passenger had the experience and knowledge to handle these potentially dangerous vehicles.

The bill would help prevent tragedies such as the one involving Malorie Bullock, a 19-year-old college student from Sherman who was killed in April 2010 when she was a passenger on a sports bike. Under current law, passengers in cars must wear seat belts, but passengers on sports bikes are not required to have safety equipment. The bill would end this discrepancy in safety standards by requiring that sports bikes be equipped with foot pegs and handholds for use by a passenger.

CSHB 2470 would narrowly define sports bikes and differentiate them from larger touring bikes such as those manufactured by Harley-Davidson.

**OPPONENTS
SAY:**

While well-intentioned, CSHB 2470 would create another government infringement on the personal liberty of Texans. Operating any motorcycle poses risks, and the operator and passenger should take personal responsibility for their own safety and well-being.