

# DISCLAIMER

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It is the readers responsibility to further their education by doing their own research into Texas Law.

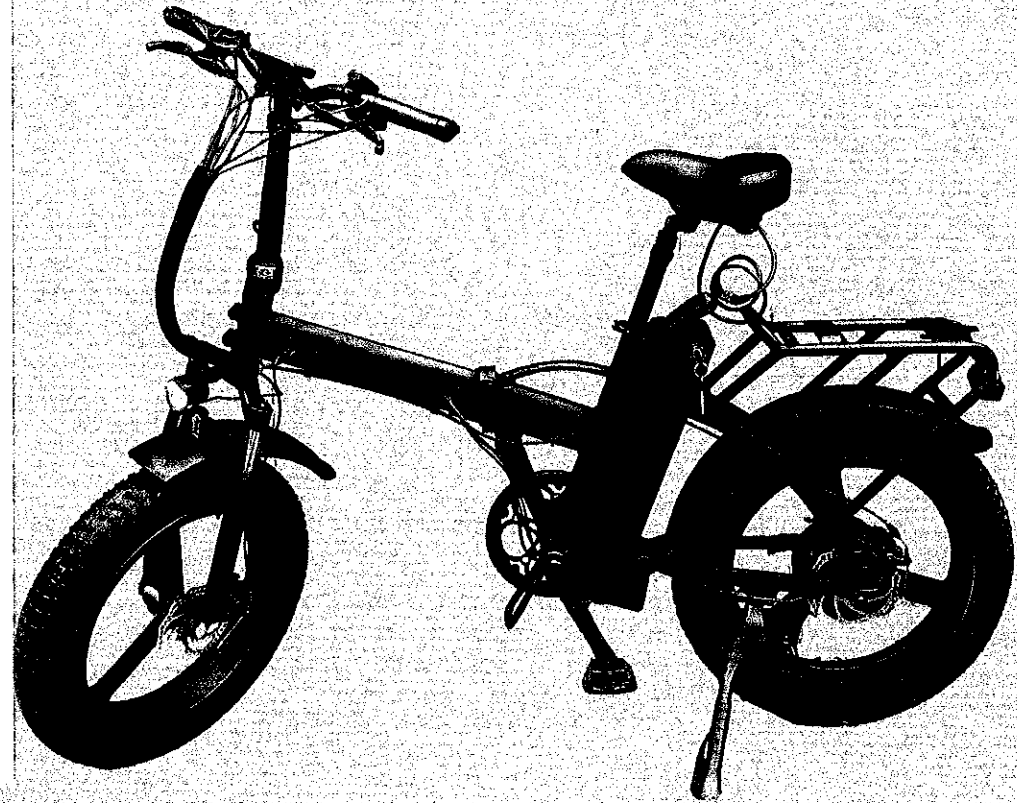
# Ongoing complaints

- Damage to trails
- Damage to signage
- Disregarding traffic law
- Disregarding safety of pedestrians
- Unsafe riding within the village and roadways, leading to disturbances.

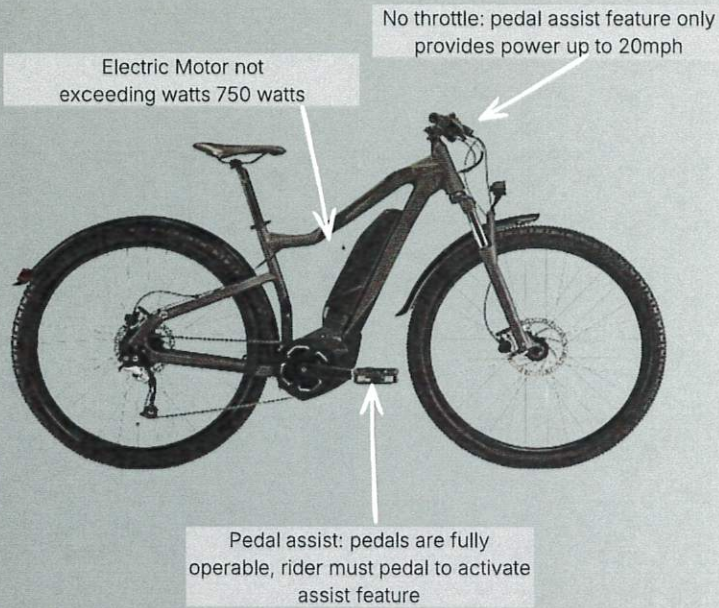
# ELECTRIC BYCICLES

Electric bicycle definition—  
equipped with operable pedals, has  
an electric motor of fewer than 750  
watts, and with a top assisted speed  
of 28mph or less

TRANSP CODE 664.001



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**Class 1 Electric Bicycle** 664.001(1) Equipped with a motor that provides assistance only when the rider is pedaling and stops when the bike reaches 20mph, no throttle.

Requires **continuous pedaling to engage motor.**



**Class 2 Electric Bicycle** 664.001(2) Equipped with a **motor that may be used without pedaling** and stops when the bike reaches 20mph.



**Class 3 Electric Bicycle** 664.001(3) Equipped with a motor that provides assistance only when the rider is pedaling and stops when the rider stops pedaling or when the bike reaches **28mph** Must be equipped with a speedometer 664.004 Rider must be at least **15** to operate 551.107(c)

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# ELECTRIC DIRT BIKE

These are motor-driven cycles that:

Typically exceed 750 watts

Do not have functional pedals

Can reach higher speeds.

Meaning they no longer fall into the  
definition of an electric bicycle.



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# RECREATIONAL OFF-HIGHWAY VEHICLES

TRANSP CODE 551A.001

means a motor vehicle that is equipped with a seat or seats for the use of the rider; and a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers; designed to propel itself with four or more tires in contact with the ground, designed by the manufacturer for off-highway use by the operator only.

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Although, there are multiple “ aftermarket kits” available to mimic dirt bikes.

Typically the e-dirt bikes will come from the manufacturer to appear like the images as above.

This is merely for a quick image reference for e-dirt bikes and e-bikes that fall outside of the standard classifications.

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**Standard dirt bikes are not street-legal.**

To make a dirt bike street-legal, it must be equipped with lights (headlight, taillight, brake light), turn signals, a horn, and mirrors, and then be titled and registered.

**What's Required: Class M driver's license**

**Vehicle registration and insurance**

Use is limited to roadways — they are not permitted on sidewalks, trails, or bike lanes.

Bottom Line:

**If it has pedals and follows the class system, it's likely an e-bike.**

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# Transportation Code subchapter E

## Sec. 551.331 POCKET BIKE OR MINI MOTORBIKE

Self-propelled vehicle that is equipped with an electric motor or internal combustion engine having a piston displacement of less than 50 cubic centimeters, is designed to propel itself with not more than two wheels in contact with the ground, has a seat for the use of the operator, is not designed for use on a highway, and ineligible for registration title. The term does not include: moped or motorcycle, electric bicycle.

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# Transportation Code

## Sec. 521.148 AUTHORIZATION TO OPERATE MOTORCYCLE

Motorized scooters with more than a 50cc engine, riders must hold a motorcycle license or motorcycle license endorsement – which requires a written test and a road test.

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# Motorcycle DL Requirements

## Requirements for All Ages:

- Meets **REAL ID** Requirements
- Complete a Texas Department of Public Safety **approved motorcycle safety course**.

## Additional Requirements for Minors (15-17):

- **Age Restrictions: You can apply at 15, but with a limitation on engine size (up to 250cc) until you turn 16.**
- **Provisional License or Learner License with Driver Education:** A Class C Provisional License or a Class C Learner License and completion of the classroom portion of driver education (24 hours).
- **Parent or legal guardian must be present for the application process.**
- **School Verification:** Provide a high school diploma, its equivalent (GED) or the **Verification of Enrollment and Attendance**

## VOE Requirements:

- **Enrolled in a public, private, or home school with at least 90% attendance in the past semester.**
- **Actively enrolled in a high school equivalency exam prep program for the last 45 days**
- **If applying in summer and still enrolled, show your last report card with your name, attendance record, and grades.**
- **Pass Motorcycle Skills Test:** Applicants under the age of 18 must pass a practical riding skills test without exception.

## Applying for Motorcycle License - Minor

- **Visit Driver License Services:** Appointments to schedule an appointment at your local driver license office. Minors are required to bring a parent or guardian,
- **Complete the application,** available online or at the driver license office,
- **Provide Motorcycle Safety Course (MSB-9 or MSB-8R) completion certificate,**
- **Present a:**
  - Class C Provisional License or
  - Class C Learner License and a **DE-964/DEF-964 showing completion of a 24-hour driver education course** or completion certificate,
- **Provide a high school diploma, its equivalent (GED) or the Verification of Enrollment and Attendance**
- **Pay the application fee,**
- **Pass the mandatory skills exam**
- **Provide biometric information (signature and thumbprints)**
- **Have your picture taken**
- **Verify information is correct on the temporary license before your leave.**

Your official license will usually arrive by mail with 2-3 weeks. You can track it on our [mailing status](#) webpage.

**Note:** Applicant must provide a motorcycle, a car, and driver to follow the applicant during the driving test.

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# Transportation Code

Bicyclists must adhere to essentially the same rules of the road as a vehicle 551.101

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## **Sec. 551.101. RIGHTS AND DUTIES.**

- (a) A person operating a bicycle has the rights and duties applicable to a driver operating a vehicle under this subtitle, unless:
- (b) **A parent of a child or a guardian of a ward may not knowingly permit the child or ward to violate this subtitle.**

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## **Sec. 551.103. OPERATION ON ROADWAY.**

A person operating a bicycle on a roadway who is moving slower than the other traffic on the roadway shall ride as near as practicable to the right curb or edge of the roadway, *unless*:

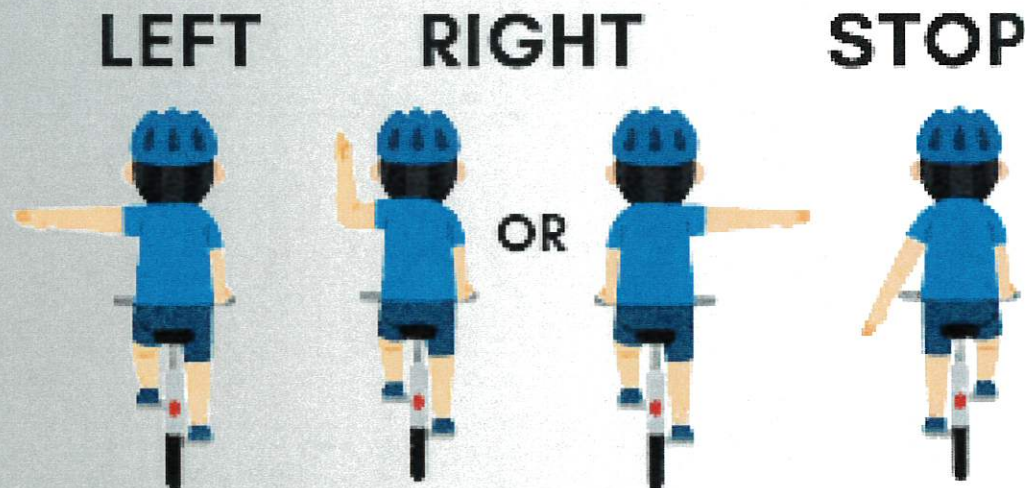
The person is preparing to turn left at an intersection or onto a private road or driveway;

A condition on or of the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal, or surface hazard prevents the person from safely riding next to the right curb or edge of the roadway.

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## Sec. 545.107. METHOD OF GIVING HAND AND ARM SIGNALS.

An operator who is permitted to give a hand and arm signal shall give the signal from the left side of the vehicle as follows:



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## Sec. 551.104. SAFETY EQUIPMENT.

A person may not operate a bicycle unless the bicycle is equipped with a brake.

A person may not operate a bicycle at nighttime unless the bicycle is equipped with: a lamp on the front of the bicycle that emits a white light visible from a distance of at least 500 feet in front of the bicycle; and on the rear of the bicycle a red reflector.

Headlamps from all distances from 50 to 300 feet to the rear of the bicycle; or a lamp that emits a red light visible from a distance of 500 feet to the rear of the bicycle.

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## Sec. 545.107 OPERATION ON ROADWAY

Persons operating bicycles on a roadway may ride two abreast.

Persons riding two abreast may not impede the normal and reasonable flow of traffic on the roadway.

Persons may not ride more than two abreast unless they are riding on a part of a roadway set aside for the exclusive operation of bicycles.

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# OFFENSES

## **551A.052 OPERATING AN OFF-HIGHWAY VEHICLE ON A STREET OR HIGHWAY PROHIBITED**

Charge under Operating an Unregistered Motor Vehicle

### **Sec. 545.422. CROSSING SIDEWALK OR HIKE AND BIKE TRAIL.**

A person may not drive a motor vehicle on a sidewalk, sidewalk area, or hike and bike trail.

### **Sec. 551A.073. RECKLESS OR CARELESS OPERATION PROHIBITED.**

A person may not operate an off-highway vehicle on public off-highway vehicle land or a beach in a careless or reckless manner that endangers, injures, or damages any person or property.

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# OFFENSES

## Sec. 38.04. EVADING ARREST OR DETENTION.

A person commits an offense if he **intentionally flees** from a person he **knows is a peace officer attempting lawfully to arrest or detain him.**

This section is a **Class A misdemeanor**, except this offense can increase to a **state jail felony** if the actor has been **previously convicted** or if another suffers **serious bodily injury** as a direct result of an attempt.

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## OFFENSES

### Sec. 521.458. PERMITTING UNAUTHORIZED PERSON TO DRIVE.

Charge under permitted unlicensed driver to drive.

A person may not knowingly permit or cause the person's child or ward who is under 18 years of age to operate a motor vehicle on a highway in violation of this chapter.

A person may not authorize or knowingly permit a motor vehicle owned by or under the control of the person to be operated on a highway by any person in violation of this chapter.

This offense is generally a class C misdemeanor, with penalties ranging from a \$200 fine to potential jail time for repeat offenses or if an accident causes serious injury.

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# WATER CODE OFFENSES

## Sec. 49.217. OPERATION OF CERTAIN MOTOR VEHICLES ON OR NEAR PUBLIC FACILITIES.

In this section, "motor vehicle" means a self-propelled device in, upon, or by which a person or property is or may be transported or drawn on a road or highway.

A person may not operate a motor vehicle on a levee, in a drainage ditch, or on land adjacent to a levee, canal, ditch, exposed conduit, pipeline, pumping plant, storm water facility, or other facility for the transmission, storage, treatment, or distribution of water, sewage, or storm water owned or controlled by a district.

A district may authorize the use of motor vehicles on land that it owns or controls by posting signs on the property.

An offense under this section is a **Class C Misdemeanor, punishable by a fine of up to \$500**. Except that this offense can increase if a person has been convicted of an offense under this section, a subsequent offense is a **Class B misdemeanor**.

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# WATER CODE OFFENSES

## Sec. 49.228. DAMAGE TO PROPERTY.

A person who willfully destroys, defaces, damages, or interferes with district or water supply corporation property is **guilty of a Class B misdemeanor** punishable by up to 180 days of confinement, a fine of as much as \$2,000, or both.

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