

By: Louderback

H. B. No. 5040

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the operation of a motor vehicle while another person
3 rides in or on a portion of the vehicle not for passenger use;
4 creating a criminal offense.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter I, Chapter 545, Transportation Code,
7 is amended by adding Section 545.4135 to read as follows:

8 Sec. 545.4135. RIDING IN OR ON PORTION OF MOTOR VEHICLE NOT
9 FOR PASSENGER USE. (a) A person commits an offense if the person
10 operates a motor vehicle while another person rides in or on a
11 portion of the vehicle not designated or intended for the use of a
12 passenger.

13 (b) It is a defense to prosecution of an offense under this
14 section that at the time of the offense the person:

22 (c) It is a defense to prosecution of an offense under this
23 section involving a person occupying the bed of an open-bed pickup
24 truck that at the time of the offense:

H.B. No. 5040

1 (1) the actor was operating the vehicle under a
2 circumstance described by Section 545.414(c); or
3 (2) the person occupying the bed of the truck was 18
4 years of age or older.

5 SECTION 2. This Act takes effect September 1, 2025.