

1-1 By: Miles S.B. No. 2102  
 1-2 (In the Senate - Filed March 9, 2023; March 21, 2023, read  
 1-3 first time and referred to Committee on Transportation;  
 1-4 April 11, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 11, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Nichols	X			
1-9 West			X	
1-10 Alvarado	X			
1-11 Eckhardt	X			
1-12 Hancock	X			
1-13 King	X			
1-14 Miles	X			
1-15 Parker	X			
1-16 Perry	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2102 By: Miles

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the initial registration and inspection period for  
 1-22 certain rental vehicles; authorizing fees.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 382.0622(a), Health and Safety Code, is  
 1-25 amended to read as follows:

1-26 (a) Clean Air Act fees consist of:

1-27 (1) fees collected by the commission under Sections  
 1-28 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided  
 1-29 by law;

1-30 (2) \$2 from the portion of each fee collected for  
 1-31 inspections of vehicles other than mopeds and remitted to the state  
 1-32 under Sections 548.501 and 548.503, Transportation Code;

1-33 (3) \$6 from the portion of each fee collected for an  
 1-34 inspection of a vehicle and remitted to the state under Section  
 1-35 548.5035, Transportation Code; and

1-36 (4) ~~(3)~~ fees collected that are required under  
 1-37 Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

1-38 SECTION 2. Section 382.202, Health and Safety Code, is  
 1-39 amended by amending Subsection (d) and adding Subsection (d-2) to  
 1-40 read as follows:

1-41 (d) Except as provided by Subsection (d-2), on [On] adoption  
 1-42 of a resolution by the commission and after proper notice, the  
 1-43 Department of Public Safety of the State of Texas shall implement a  
 1-44 system that requires, as a condition of obtaining a passing vehicle  
 1-45 inspection report issued under Subchapter C, Chapter 548,  
 1-46 Transportation Code, in a county that is included in a vehicle  
 1-47 emissions inspection and maintenance program under Subchapter F of  
 1-48 that chapter, that the vehicle, unless the vehicle is not covered by  
 1-49 the system, be annually or biennially inspected under the vehicle  
 1-50 emissions inspection and maintenance program as required by the  
 1-51 state's air quality state implementation plan. The Department of  
 1-52 Public Safety shall implement such a system when it is required by  
 1-53 any provision of federal or state law, including any provision of  
 1-54 the state's air quality state implementation plan.

1-55 (d-2) If the state's air quality state implementation plan  
 1-56 provides for a three-year emissions inspection period for a vehicle  
 1-57 described by Section 548.1025(a), Transportation Code:

1-58 (1) the system implemented by the Department of Public  
 1-59 Safety of the State of Texas under Subsection (d) shall provide for  
 1-60 a three-year emissions inspection period for a vehicle described by

2-1 Section 548.1025(a), Transportation Code; and  
 2-2 (2) the commission shall establish and assess fees for  
 2-3 the emissions inspection of a vehicle described by Section  
 2-4 548.1025(a), Transportation Code, in amounts calculated to provide  
 2-5 the same revenue that would be provided if the vehicle was inspected  
 2-6 annually or biennially.

2-7 SECTION 3. Subchapter A, Chapter 502, Transportation Code,  
 2-8 is amended by adding Section 502.0026 to read as follows:

2-9 Sec. 502.0026. EXTENDED REGISTRATION OF CERTAIN RENTAL  
 2-10 VEHICLES. (a) Notwithstanding Section 502.044, the initial  
 2-11 registration period is three years for a passenger car or light  
 2-12 truck:

2-13 (1) that is sold in this state or purchased by a  
 2-14 commercial fleet buyer described by Section 501.0234(b)(4) for use  
 2-15 in this state;

2-16 (2) that has not been previously registered in this or  
 2-17 another state;

2-18 (3) that on the date of sale is of the current or  
 2-19 preceding model year; and

2-20 (4) for which a rental certificate has been furnished  
 2-21 as described by Section 152.061(b), Tax Code.

2-22 (b) Payment for all applicable fees, including any optional  
 2-23 fee imposed under Subchapter H and other registration fees and the  
 2-24 fee required by Section 548.5035, for the entire registration  
 2-25 period is due at the time of registration.

2-26 SECTION 4. Subchapter C, Chapter 548, Transportation Code,  
 2-27 is amended by adding Section 548.1025 to read as follows:

2-28 Sec. 548.1025. THREE-YEAR INITIAL INSPECTION PERIOD FOR  
 2-29 CERTAIN RENTAL VEHICLES. (a) Notwithstanding any other law, the  
 2-30 initial inspection period is three years for a passenger car or  
 2-31 light truck:

2-32 (1) that is sold in this state or purchased by a  
 2-33 commercial fleet buyer described by Section 501.0234(b)(4) for use  
 2-34 in this state;

2-35 (2) that has not been previously registered in this or  
 2-36 another state;

2-37 (3) that on the date of sale is of the current or  
 2-38 preceding model year; and

2-39 (4) for which a rental certificate has been furnished  
 2-40 as described by Section 152.061(b), Tax Code.

2-41 (b) This section does not affect a requirement that a motor  
 2-42 vehicle emissions inspection be conducted in a county covered by an  
 2-43 inspection and maintenance program approved by the United States  
 2-44 Environmental Protection Agency under Section 548.301 and the Clean  
 2-45 Air Act (42 U.S.C. Section 7401 et seq.).

2-46 SECTION 5. Section 548.501(a), Transportation Code, is  
 2-47 amended to read as follows:

2-48 (a) Except as provided by Sections 548.503, 548.5035, and  
 2-49 548.504, the fee for inspection of a motor vehicle other than a  
 2-50 moped is \$12.50. The fee for inspection of a moped is \$5.75.

2-51 SECTION 6. Subchapter H, Chapter 548, Transportation Code,  
 2-52 is amended by adding Section 548.5035 to read as follows:

2-53 Sec. 548.5035. INITIAL THREE-YEAR INSPECTION OF CERTAIN  
 2-54 RENTAL VEHICLES. (a) The fee for inspection of a passenger car or  
 2-55 light truck under Section 548.1025 shall be set by the department by  
 2-56 rule on or before September 1 of each year.

2-57 (b) A fee set by the department under this section must:

2-58 (1) be based on the costs of providing inspections and  
 2-59 administering the program; and

2-60 (2) be calculated to ensure that the state receives at  
 2-61 least the same amount of revenue from the fee over a three-year  
 2-62 period that the state would have received if the vehicle was subject  
 2-63 to Section 548.102.

2-64 (c) The department by rule shall establish the amount of the  
 2-65 fee for an inspection under this section that shall be remitted to  
 2-66 the state under Section 548.509.

2-67 SECTION 7. (a) As soon as practicable in the Texas  
 2-68 Commission on Environmental Quality's ordinary course of business,  
 2-69 the commission shall submit for the approval of the United States

3-1 Environmental Protection Agency a revision of the state's air  
3-2 quality state implementation plan to provide for a three-year  
3-3 emissions inspection period for a vehicle described by Section  
3-4 548.1025(a), Transportation Code, as added by this Act.

3-5 (b) On the approval of a revision to the state's air quality  
3-6 state implementation plan described by Subsection (a) of this  
3-7 section, rules and processes necessary to implement and administer  
3-8 the revised plan shall be adopted by:

- 3-9 (1) the Texas Commission on Environmental Quality; and
- 3-10 (2) the Public Safety Commission.

3-11 SECTION 8. This Act takes effect September 1, 2023.

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