

By: Garza

H.B. No. 3106

Substitute the following for H.B. No. 3106:

By: Edwards

C.S.H.B. No. 3106

A BILL TO BE ENTITLED

AN ACT

relating to the registration of certain vehicles and the issuance of specially designed license plates by the Texas Department of Transportation; providing penalties.

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

SECTION 1. Subtitle A, Title 7, Transportation Code, is amended by adding Chapter 504 to read as follows:

CHAPTER 504. SPECIALTY LICENSE PLATES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 504.001. DEFINITIONS. (a) In this chapter, "commission" and "director" have the meanings assigned by Section 201.001.

(b) A word or phrase that is not defined by this chapter but is defined by Section 502.001 has the meaning in this chapter that is assigned by that section.

Sec. 504.002. PROVISIONS OF GENERAL APPLICABILITY. Unless expressly provided by this chapter or by department rule:

(1) any vehicle is eligible to be issued specialty license plates, provided that the department may vary the design of a plate to accommodate or reflect its use on a motor vehicle other than a passenger car or light truck;

(2) an application for specialty license plates must be submitted in the manner specified by the department, provided that if issuance of a specialty license plate is limited to

1 particular persons or motor vehicles, the application must be
2 accompanied by evidence satisfactory to the department that the
3 applicant or the applicant's vehicle is eligible;

4 (3) the fee for issuance of a speciality license plate
5 is in addition to each other fee that is paid for or at the time of
6 the registration of the motor vehicle and shall be deposited to the
7 credit of the state highway fund;

8 (4) each fee described by this chapter is an annual
9 fee, provided that the department may prorate the fee for a
10 specialty license plate fee on a monthly basis to align the license
11 plate fee to the registration period for the motor vehicle for which
12 the license plate was issued, and if a fee is prorated, the
13 allocation of the fee by this chapter to an account or fund shall be
14 prorated in proportion;

15 (5) the department is the exclusive owner of the
16 design of each specialty license plate;

17 (6) the director may refuse to issue a specialty
18 license plate with a design or alphanumeric pattern that the
19 director considers potentially objectionable to one or more
20 members of the public and the director's refusal may not be
21 overturned in the absence of an abuse of discretion;

22 (7) for each specialty license plate that is issued
23 through a county tax assessor-collector and for which the
24 department is allocated a portion of a fee for administrative
25 costs, the department shall credit 50 cents from its administrative
26 costs to the county treasurer of the applicable county, who shall
27 credit the money to the general fund of the county to defray the

1 costs to the county of administering this chapter;

2 (8) if a speciality license plate is lost, stolen, or
3 mutilated, an application for a replacement plate must be
4 accompanied by the fee prescribed by Section 502.184(a)(2);

5 (9) if the owner of a motor vehicle for which a
6 specialty license plate is issued disposes of the vehicle or for any
7 reason ceases to be eligible for that specialty license plate, the
8 owner shall return the specialty license plate to the department;
9 and

10 (10) a person who is issued a specialty license plate
11 may not transfer it to another person or vehicle without first
12 receiving approval from the department.

13 Sec. 504.003. SOUVENIR LICENSE PLATES. (a) The department
14 may issue a souvenir version of any specialty license plate.

15 (b) The fee for a single souvenir license plate is \$10. If
16 the souvenir license plate is personalized, the fee for the plate is
17 \$30.

18 (c) A souvenir license plate may not be used on a motor
19 vehicle and is not an insignia of registration for a motor vehicle.
20 Each souvenir license plate must be identified by the department in
21 a way that identifies it to law enforcement officers and others as a
22 souvenir license plate.

23 Sec. 504.004. RULES AND FORMS. The commission may adopt
24 rules and the department may issue forms to implement and
25 administer this chapter.

26 [Sections 504.005-504.100 reserved for expansion]

27 SUBCHAPTER B. PERSONALIZED LICENSE PLATES

1 Sec. 504.101. PERSONALIZED LICENSE PLATES. (a) The
2 department shall issue personalized license plates. The department
3 may not issue more than one set of license plates with the same
4 alphanumeric pattern.

5 (b) A personalized license plate may be issued for a
6 registration period only if the applicant submits an application
7 and pays the required fee for the applicable registration period. A
8 person who is issued a personalized license plate has first
9 priority on that license plate for each subsequent registration
10 period for which the person submits a new application for that
11 plate.

12 (c) The fee for issuance of a personalized license plate is
13 \$40.

14 (d) The department may not issue a replacement set of
15 personalized license plates to the same person before the sixth
16 anniversary of the date of issuance unless the applicant for
17 issuance of replacement plates pays an additional fee of \$30.

18 (e) Of each fee collected by the department under this
19 section:

20 (1) \$1.25 shall be used to defray the cost of
21 administering this section; and

22 (2) the remainder shall be deposited to the credit of
23 the general revenue fund.

24 Sec. 504.102. PERSONALIZATION OF OTHER SPECIALTY LICENSE
25 PLATES. Unless expressly prohibited by this chapter or department
26 rule, any specialty license plate issued under this chapter may be
27 personalized. If another specialty license plate is personalized,

1 the fee established by Section 504.101(c) shall be added to the fee
2 for issuance of that specialty license plate.

3 Sec. 504.103. DESIGN AND ALPHANUMERIC PATTERN. The
4 department has sole control over the design, typeface, color, and
5 alphanumeric pattern for a personalized license plate.

6 [Sections 504.104-504.200 reserved for expansion]

7 SUBCHAPTER C. LICENSE PLATES FOR VEHICLES USED BY PERSONS WITH
8 DISABILITIES

9 Sec. 504.201. PERSONS WITH DISABILITIES. (a) In this
10 section:

11 (1) "Disability" and "mobility problem that
12 substantially impairs a person's ability to ambulate" have the
13 meanings assigned by Section 681.001.

14 (2) "Legally blind" means a condition described by
15 Section 681.001(2)(B) or (C).

16 (b) The department shall issue specialty license plates for
17 a motor vehicle that:

18 (1) has a manufacturer's rated carrying capacity of
19 two tons or less; and

20 (2) is regularly operated for noncommercial use by or
21 for the transportation of a person with a permanent disability.

22 (c) An owner of a motor vehicle regularly operated by or for
23 the transportation of a person described by Subsection (a) may
24 apply to the department for registration under this section.

25 (d) The initial application for specialty license plates
26 under this section must be accompanied by a written statement from a
27 physician who is licensed to practice medicine in this state or in a

1 state adjacent to this state or who is authorized by applicable law
2 to practice medicine in a hospital or other health facility of the
3 Department of Veterans Affairs. If the applicant has a mobility
4 problem caused by a disorder of the foot, the written statement may
5 be issued by a person licensed to practice podiatry in this state or
6 a state adjacent to this state. In this subsection, "podiatry" has
7 the meaning assigned by Section 681.001. The statement must
8 certify that the person making the application or on whose behalf
9 the application is made is legally blind or has a mobility problem
10 that substantially impairs the person's ability to ambulate. The
11 statement must also certify whether a mobility problem is temporary
12 or permanent. A written statement is not required as acceptable
13 medical proof if:

14 (1) the person with a disability:

15 (A) has had a limb, hand, or foot amputated; or

16 (B) must use a wheelchair; and

17 (2) the applicant and the county assessor-collector
18 processing the application execute an affidavit attesting to the
19 person's disability.

20 (e) A person with a disability may receive:

21 (1) one disabled parking placard under Section 681.002
22 if the person receives a set of license plates under this section;
23 or

24 (2) two disabled parking placards under Section
25 681.002 if the person does not receive a set of license plates under
26 this section.

27 (f) A license plate issued under this section must include

1 the symbol of access adopted by Rehabilitation International in
2 1969 at its Eleventh World Congress on Rehabilitation of the
3 Disabled. The symbol must be the same size as the numbers on the
4 license plate.

5 (g) In addition to a license plate issued under this
6 section, an eligible person is entitled to be issued a set of the
7 license plates for each motor vehicle owned by the person that has a
8 carrying capacity of two tons or less and is equipped with special
9 equipment that:

10 (1) is designed to allow a person who has lost the use
11 of one or both of the person's legs to operate the vehicle; and

12 (2) is not standard equipment on that type of vehicle
13 for use by a person who has use of both legs.

14 Sec. 504.202. VETERANS WITH DISABILITIES. (a) A person
15 entitled to specialty license plates under this section may
16 register, for the person's own use, one eligible motor vehicle
17 without payment of any fee other than the registration fee for the
18 vehicle. Registration under this section is valid for one year.

19 (b) The department shall issue a specialty license plate for
20 a motor vehicle that has a manufacturer's rated carrying capacity
21 of two tons or less and that is owned by a veteran of the United
22 States armed forces. A veteran is entitled to register, for the
23 person's own use, two motor vehicles under this section if the
24 person:

25 (1) has suffered, as a result of military service:

26 (A) at least a 60 percent service-connected
27 disability; or

1 (B) a 40 percent service-connected disability
2 because of the amputation of a lower extremity; and

3 (2) receives compensation from the United States
4 because of the disability.

5 (c) An organization may register a motor vehicle under this
6 section if:

7 (1) the vehicle is used exclusively to transport
8 veterans of the United States armed forces who have suffered, as a
9 result of military service, a service-connected disability; and

10 (2) the veterans are not charged for the
11 transportation.

12 (d) A statement by the veterans county service officer of
13 the county in which a vehicle described by Subsection (b) is
14 registered or by the Department of Veterans Affairs that a vehicle
15 is used exclusively to transport veterans with disabilities without
16 charge is satisfactory proof of eligibility for an organization.

17 (e) License plates issued under this section must include:

18 (1) the letters "DV" as a prefix or suffix to any
19 numeral on the plate; and

20 (2) the words "Disabled Vet."

21 (f) The initial and renewal fee for the first set of license
22 plates is \$3. An applicant may be issued additional license plates
23 without payment of an additional fee. If a license plate is lost,
24 stolen, or mutilated, on payment of a \$1 fee, the department shall
25 issue a set of replacement plates.

26 Sec. 504.203. ISSUANCE OF DISABLED PLATES TO CERTAIN
27 INSTITUTIONS. (a) The department shall issue specialty license

1 plates under this subchapter for a van or bus operated by an
2 institution, facility, or residential retirement community for the
3 elderly or for veterans in which an eligible person resides,
4 including:

5 (1) an institution that holds a license issued under
6 Chapter 242, Health and Safety Code; or

7 (2) a facility that holds a license issued under
8 Chapter 246 or 247 of that code.

9 (b) An application for license plates under this section
10 must be accompanied by a written statement signed by the
11 administrator or manager of the institution, facility, or
12 retirement community certifying that the institution, facility, or
13 retirement community regularly transports, as a part of the
14 services that the institution, facility, or retirement community
15 provides, one or more eligible persons who reside in the
16 institution, facility, or retirement community. The department
17 shall determine the eligibility of the institution, facility, or
18 retirement community on the evidence the applicant provides.

19 (c) The application and eligibility requirements for a
20 license plate under this section are the same as those provided by
21 Sections 504.201 and 504.202, as applicable.

22 [Sections 504.204-504.300 reserved for expansion]

23 SUBCHAPTER D. SPECIALTY LICENSE PLATES FOR THE MILITARY

24 Sec. 504.301. PROVISIONS GENERALLY APPLICABLE TO MILITARY
25 SPECIALTY LICENSE PLATES. Unless expressly provided by this
26 subchapter or department rule:

27 (1) the department shall design specialty license

1 plates for the military; and

2 (2) a person is not eligible to be issued a specialty
3 license plate under this subchapter if the person was discharged
4 from the United States armed forces under conditions less than
5 honorable.

6 Sec. 504.302. SURVIVING SPOUSES OF CERTAIN MILITARY
7 VETERANS. (a) The surviving spouse of a person who would be
8 eligible for a specialty license plate under this subchapter is
9 entitled to continue to register one vehicle under the applicable
10 section as long as the spouse remains unmarried.

11 (b) An applicant for registration under this section must
12 submit proof of the eligibility of the applicant's deceased spouse
13 for the applicable specialty license plate.

14 (c) A surviving spouse applying for specialty license
15 plates under this section must submit a written statement that the
16 spouse is unmarried. If the surviving spouse is applying for Former
17 Prisoner of War, Pearl Harbor Survivor, or Purple Heart specialty
18 license plates, the statement must be sworn to by the surviving
19 spouse.

20 Sec. 504.303. MEMBERS OR FORMER MEMBERS OF UNITED STATES
21 ARMED FORCES. (a) The department shall issue specialty license
22 plates for active or former members of the United States armed
23 forces. The license plates must designate the appropriate branch
24 of the United States armed forces.

25 (b) The fee for issuance of the license plates is:

26 (1) \$10 for the first set of license plates; and

27 (2) \$15 for each additional set of license plates.

1 Sec. 504.304. MEMBERS OF UNITED STATES ARMED FORCES
2 AUXILIARIES. (a) The department shall issue specialty license
3 plates for members of:

4 (1) the United States Air Force Auxiliary, Civil Air
5 Patrol;

6 (2) the United States Coast Guard Auxiliary; and

7 (3) the Marine Corps League or its auxiliary.

8 (b) The license plates must include the words "Texas Wing
9 Civil Air Patrol," the words "Coast Guard Auxiliary," or the emblem
10 of the Marine Corps League and the words "Marine Corps League," as
11 applicable.

12 (c) The fee for issuance of the license plates is:

13 (1) \$10 for the first set of license plates; and

14 (2) \$15 for each additional set of license plates.

15 Sec. 504.305. MEMBERS OF TEXAS NATIONAL GUARD, STATE GUARD,
16 OR UNITED STATES ARMED FORCES RESERVES. (a) The department shall
17 issue without charge specialty license plates for:

18 (1) active members of the Texas National Guard or
19 Texas State Guard;

20 (2) retired members of the Texas National Guard or
21 Texas State Guard who have completed 20 or more years of
22 satisfactory federal service; and

23 (3) members of a reserve component of the United
24 States armed forces.

25 (b) The department shall design the license plates in
26 consultation with the adjutant general. The license plates must
27 include the words "Texas Guard" or "Armed Forces Reserve," as

1 applicable.

2 (c) A letter from the United States Department of Defense,
3 the Department of the Army, or the Department of the Air Force
4 stating that a retired guard member has 20 or more years of
5 satisfactory federal service is satisfactory proof of eligibility.

6 Sec. 504.306. PERSONS RETIRED FROM SERVICE IN MERCHANT
7 MARINE OF THE UNITED STATES. (a) The department shall issue
8 specialty license plates for persons retired from service in the
9 merchant marine of the United States. The license plates must
10 include the words "Merchant Marine." A person may be issued only
11 one set of license plates under this section.

12 (b) The fee for issuance of the license plates is \$10.

13 Sec. 504.307. WORLD WAR II VETERANS. The department shall
14 issue without charge specialty license plates for persons who
15 served in the United States armed forces after December 6, 1941, and
16 before January 1, 1947. The license plates must include the words
17 "WWII Veteran."

18 Sec. 504.308. KOREAN WAR VETERANS. (a) The department
19 shall issue without charge specialty license plates for persons who
20 served in the United States armed forces after June 26, 1950, and
21 before February 1, 1955. License plates issued under this section
22 must include the words "Korea Veteran."

23 (b) There is no fee for the license plates.

24 Sec. 504.309. VIETNAM VETERANS. (a) The department shall
25 issue without charge specialty license plates for persons who
26 served in the United States armed forces during:

27 (1) the period beginning on February 28, 1961, and

1 ending on May 7, 1975, in the case of a veteran who served in the
2 Republic of Vietnam during that period; or

3 (2) the period beginning on August 5, 1964, and ending
4 on May 7, 1975, in all other cases.

5 (b) License plates issued under this section must include
6 the words "Vietnam Veteran."

7 Sec. 504.310. DESERT SHIELD OR DESERT STORM VETERANS. The
8 department shall issue without charge speciality license plates for
9 persons who served in the United States armed forces and were
10 deployed to the Middle East, where they participated in Operation
11 Desert Shield or Desert Storm. License plates issued under this
12 section must include the words "Desert Storm."

13 Sec. 504.311. MILITARY SPECIALTY LICENSE PLATES FOR
14 EXTRAORDINARY SERVICE. (a) A person entitled to specialty license
15 plates under this section may register, for the person's own use,
16 one vehicle without payment of any fee paid for or at the time of
17 registration except the fee for the license plates. Registration
18 is valid for one year and may be renewed without charge.

19 (b) The fee for issuance of the license plates is:

20 (1) \$3 for the first set of license plates; and

21 (2) \$15 for each additional set of license plates.

22 (c) The department shall issue specialty license plates for
23 a person who was captured and incarcerated by an enemy of the United
24 States during a period of conflict with the United States. The
25 license plates must show that the recipient is a former prisoner of
26 war.

27 (d) The department shall issue specialty license plates for

1 survivors of the attack on Pearl Harbor on December 7, 1941. The
2 license plates must include the words "Pearl Harbor Survivor" and
3 must be consecutively numbered. A person is eligible if the person:

4 (1) served in the United States armed forces;

5 (2) was stationed in the Hawaiian Islands on December
6 7, 1941; and

7 (3) survived the attack on Pearl Harbor on December 7,
8 1941.

9 (e) The department shall issue specialty license plates to a
10 recipient of a Congressional Medal of Honor awarded under Title 10,
11 United States Code. The department shall assign the license plate
12 number, and the plates may not be personalized.

13 (f) The department shall issue specialty license plates for
14 recipients of the Air Force Cross or Distinguished Service Cross,
15 the Army Distinguished Service Cross, the Navy Cross, or the Medal
16 of Honor. The license plates must include the words "Legion of
17 Valor."

18 (g) The department shall issue specialty license plates for
19 recipients of the Purple Heart. License plates issued under this
20 section must include:

21 (1) the Purple Heart emblem;

22 (2) the words "Purple Heart" at the bottom of each
23 plate; and

24 (3) the letters "PH" as a prefix or suffix to the
25 numerals on the plate if the plate is not personalized.

26 [Sections 504.312-504.400 reserved for expansion]

27 SUBCHAPTER E. SPECIALTY LICENSE PLATES WITH

RESTRICTED DISTRIBUTION

1
2 Sec. 504.401. STATE OFFICIALS. (a) The department shall
3 issue without charge specialty license plates to a state official.
4 The license plates must include the words "State Official."

5 (b) A state official may be issued three sets of license
6 plates under this section.

7 (c) The license plates remain valid until December 31 of
8 each year.

9 (d) In this section, "state official" means:

10 (1) a member of the legislature;

11 (2) the governor;

12 (3) the lieutenant governor;

13 (4) a justice of the supreme court;

14 (5) a judge of the court of criminal appeals;

15 (6) the attorney general;

16 (7) the commissioner of the General Land Office;

17 (8) the comptroller;

18 (9) a member of the Railroad Commission of Texas;

19 (10) the commissioner of agriculture;

20 (11) the secretary of state; or

21 (12) a member of the State Board of Education.

22 Sec. 504.402. MEMBERS OF CONGRESS. (a) The department
23 shall issue without charge specialty license plates for members of
24 congress. License plates issued under this section must include
25 the words "U.S. Congress."

26 (b) A person may be issued three sets of license plates
27 under this section.

1 (c) The license plates remain valid until December 31 of
2 each year.

3 Sec. 504.403. STATE AND FEDERAL JUDGES. (a) The department
4 shall issue without charge specialty license plates for a current,
5 retired, or visiting state or federal judge. The license plates
6 must include the words "State Judge" or "U.S. Judge," as
7 appropriate.

8 (b) A person may be issued three sets of license plates
9 under this section.

10 (c) The license plates remain valid until December 31 of
11 each year.

12 (d) In this section:

13 (1) "Federal judge" means:

14 (A) a judge of the Fifth Circuit Court of
15 Appeals;

16 (B) a judge or magistrate of a United States
17 district court; or

18 (C) a judge of a United States bankruptcy court.

19 (2) "State judge" means:

20 (A) a judge of a court of appeals;

21 (B) a district court judge;

22 (C) a presiding judge of an administrative
23 judicial district; or

24 (D) a statutory county court judge.

25 Sec. 504.404. COUNTY JUDGES. (a) The department shall
26 issue without charge specialty license plates for county judges of
27 this state. The license plates shall bear the words "County Judge."

1 (b) A person may be issued three sets of license plates
2 under this section.

3 (c) In this section, "county judge" means the judge of the
4 county court established by Section 15, Article V, Texas
5 Constitution.

6 Sec. 504.405. PEACE OFFICERS WOUNDED OR KILLED IN LINE OF
7 DUTY. (a) The department shall issue specialty license plates for:

8 (1) a person wounded in the line of duty as a peace
9 officer; or

10 (2) a surviving spouse, parent, brother, sister, or
11 adult child, including an adopted child or stepchild, of a person
12 killed in the line of duty as a peace officer.

13 (b) License plates issued under this section must include
14 the words "To Protect and Serve" above an insignia depicting a
15 yellow rose superimposed over the outline of a badge.

16 (c) The fee for issuance of the license plates is \$20.

17 (d) In this section, "peace officer" has the meaning
18 assigned by Section 1.07, Penal Code.

19 Sec. 504.406. GOLD STAR MOTHERS. (a) The department shall
20 issue specialty license plates for the mother of a person who died
21 while serving in the United States armed forces. License plates
22 issued under this section must include the words "Gold Star Mother"
23 and a gold star. A person may not be issued more than one set of the
24 license plates at a time.

25 (b) The fee for issuance of the license plates is \$10.

26 Sec. 504.407. VOLUNTEER FIREFIGHTERS. (a) The department
27 shall issue specialty license plates for volunteer firefighters

1 certified by:

2 (1) the Texas Commission on Fire Protection; or

3 (2) the State Firemen's and Fire Marshals' Association
4 of Texas.

5 (b) The fee for issuance of the license plates is \$4.

6 (c) A person may be issued only one set of the license
7 plates.

8 Sec. 504.408. HONORARY CONSULS. (a) The department shall
9 issue specialty license plates for a person who is an honorary
10 consul authorized by the United States to perform consular duties.
11 License plates issued under this section must include the words
12 "Honorary Consul."

13 (b) The fee for issuance of the license plates is \$40.

14 Sec. 504.409. FOREIGN ORGANIZATION VEHICLES. (a) The
15 department shall issue specialty license plates for an
16 instrumentality established by a foreign government recognized by
17 the United States before January 1, 1979, that is without official
18 representation or diplomatic relations with the United States. The
19 license plates issued must include the words "Foreign Organization"
20 and shall remain valid for five years.

21 (b) A person entitled to specialty license plates under this
22 section may register the vehicle without payment of any fee paid for
23 or at the time of registration.

24 [Sections 504.410-504.500 reserved for expansion]

25 SUBCHAPTER F. SPECIALTY LICENSE PLATES FOR CERTAIN VEHICLES

26 Sec. 504.501. CLASSIC MOTOR VEHICLES. (a) The department
27 shall issue specialty license plates for a motor vehicle that is at

1 least 25 years old. The license plates must include the words
2 "Classic Auto," "Classic Motorcycle," or "Classic Truck" or a
3 similar designation, as appropriate.

4 (b) A person eligible for the license plates may instead use
5 license plates that were issued by this state in the same year as
6 the model year of the vehicle and are approved by the department.
7 The department may require the attachment of a registration
8 insignia to the license plate in a manner that does not affect the
9 display of information originally on the license plate.

10 (c) The fee for issuance or approval of license plates under
11 this section is \$15.

12 Sec. 504.502. CERTAIN EXHIBITION VEHICLES; OFFENSE. (a)
13 The department shall issue specialty license plates for a passenger
14 car, truck, motorcycle, or former military vehicle that:

15 (1) is at least 25 years old, if the vehicle is a
16 passenger car, truck, or motorcycle;

17 (2) is a collector's item;

18 (3) is used exclusively for exhibitions, club
19 activities, parades, and other functions of public interest and is
20 not used for regular transportation; and

21 (4) does not carry advertising.

22 (b) The license plates must include the words "Antique
23 Auto," "Antique Truck," "Antique Motorcycle," or "Military
24 Vehicle," as appropriate.

25 (c) A person eligible for the license plates may instead use
26 license plates issued by this state in the same year as the model
27 year of the vehicle and approved by the department, provided that a

1 passenger car must bear passenger car or truck license plates, and a
2 truck must bear passenger car or truck license plates. The
3 department may require attachment of a registration insignia to the
4 license plate in a manner that does not affect the display of
5 information originally on the license plate.

6 (d) License plates issued or approved under this section
7 expire on the fifth anniversary of the date of issuance or approval.

8 (e) The fee for issuance or approval of license plates under
9 this section is:

10 (1) \$10 for each year or portion of a year remaining in
11 the five-year registration period if the vehicle was manufactured
12 in 1921 or later; or

13 (2) \$8 for each year or portion of a year remaining in
14 the five-year registration period if the vehicle was manufactured
15 before 1921.

16 (f) The department may exempt a former military vehicle from
17 the requirement to display a license plate or registration insignia
18 if the exemption is necessary to maintain the vehicle's accurate
19 military markings. The department may approve an alternative
20 registration insignia that is compatible with the vehicle's
21 original markings.

22 (g) A person entitled to specialty license plates or to
23 department approval under this section may register the vehicle
24 without payment of any fees paid for or at the time of registration
25 except the fee for the license plate. An owner of a vehicle
26 registered under this subsection who violates this section commits
27 an offense. An offense under this section is a misdemeanor

1 punishable by a fine of not less than \$5 or more than \$200.

2 (h) Notwithstanding any other provision of law, a vehicle
3 issued license plates under Subsection (a) shall be required to
4 attach and display only one license plate on the rear of the
5 vehicle.

6 (i) In this section, "former military vehicle" means a
7 vehicle, including a trailer, regardless of the vehicle's size,
8 weight, or year of manufacture, that:

9 (1) was manufactured for use in any country's military
10 forces; and

11 (2) is maintained to represent its military design and
12 markings accurately.

13 Sec. 504.503. MUNICIPAL AND PRIVATE BUSES. (a) The
14 department shall issue without charge specialty license plates for
15 municipal buses and private buses. The license plates must include
16 the words "City Bus" or "Private Bus," as appropriate.

17 (b) In this section, "private bus" means a bus that:

18 (1) is not operated for hire; and

19 (2) is not classified as a municipal bus or a motor
20 bus.

21 Sec. 504.504. CERTAIN FARM VEHICLES AND DRILLING AND
22 CONSTRUCTION EQUIPMENT. (a) The department shall issue specialty
23 license plates to a vehicle described by Subsection (b) or (c). The
24 fee for the license plates is \$5.

25 (b) An owner is not required to register a vehicle that is
26 used only temporarily on the highways if the vehicle is:

27 (1) a farm trailer or farm semitrailer with a gross

1 weight of more than 4,000 pounds but not more than 34,000 pounds
2 that is used exclusively to transport:

3 (A) seasonally harvested agricultural products
4 or livestock from the place of production to the place of
5 processing, market, or storage; or

6 (B) farm supplies from the place of loading to
7 the farm;

8 (2) machinery used exclusively for the purpose of
9 drilling water wells; or

10 (3) construction machinery that is not designed to
11 transport persons or property on a public highway.

12 (c) An owner is not required to register a vehicle that is:

13 (1) a farm trailer or farm semitrailer owned by a
14 cotton gin and used exclusively to transport agricultural products
15 without charge from the place of production to the place of
16 processing, market, or storage;

17 (2) a trailer used exclusively to transport fertilizer
18 without charge from a place of supply or storage to a farm; or

19 (3) a trailer used exclusively to transport cottonseed
20 without charge from a place of supply or storage to a farm or place
21 of processing.

22 (d) A vehicle described by Subsection (b) is exempt from the
23 inspection requirements of Subchapters B and F, Chapter 548.

24 (e) This section does not apply to a farm trailer or farm
25 semitrailer that:

26 (1) is used for hire;

27 (2) has metal tires operating in contact with the

1 highway;

2 (3) is not equipped with an adequate hitch pinned or
3 locked so that it will remain securely engaged to the towing vehicle
4 while in motion; or

5 (4) is not operated and equipped in compliance with
6 all other law.

7 (f) A vehicle to which this section applies that is operated
8 on a public highway in violation of this section is considered to be
9 operated while unregistered and is immediately subject to the
10 applicable registration fees and penalties prescribed by Chapter
11 502.

12 (g) In this section, the gross weight of a trailer or
13 semitrailer is the combined weight of the vehicle and the load
14 carried on the highway.

15 Sec. 504.505. COTTON VEHICLES. (a) The department shall
16 issue specialty license plates for a single motor vehicle that is:

17 (1) used only to transport seed cotton modules,
18 cotton, cotton burrs, or equipment used in transporting or
19 processing cotton; and

20 (2) not more than 10 feet in width.

21 (b) The license plates must include the words "Cotton
22 Vehicle."

23 (c) The initial fee for issuance of the license plates is
24 \$8. The license plates may be renewed without payment of a fee.

25 Sec. 504.506. CERTAIN LOG LOADER VEHICLES. (a) The
26 department shall issue specialty license plates for a vehicle that
27 is temporarily operated on public highways, during daylight hours

1 only, and on which machinery is mounted solely to load logs on other
2 vehicles.

3 (b) The fee for issuance of the license plates is \$62.50.

4 (c) A person entitled to specialty license plates under this
5 section may register the vehicle without payment of any fee paid for
6 or at the time of registration other than the fee for the license
7 plates.

8 (d) A vehicle having a license plate issued under this
9 section is exempt from the inspection requirements of Chapter 548.

10 (e) This section does not apply to a vehicle used to haul
11 logs.

12 (f) A vehicle to which this section applies that is operated
13 on a public highway in violation of this section is considered to be
14 operated or moved while unregistered and is immediately subject to
15 the applicable fees and penalties prescribed by Chapter 502.

16 Sec. 504.507. FORESTRY VEHICLES. (a) The department shall
17 issue specialty license plates for forestry vehicles. License
18 plates issued under this section must include the words "Forestry
19 Vehicle."

20 (b) The fee for issuance of the license plates is \$8. The
21 department shall:

22 (1) also collect any additional fee that a county
23 imposes under this chapter for registration of a forestry vehicle;
24 and

25 (2) send the fee to the appropriate county for
26 disposition.

27 (c) In this section, "forestry vehicle" means a vehicle used

1 exclusively for transporting forest products in their natural
2 state, including logs, debarked logs, untreated ties, stave bolts,
3 plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss,
4 bark, wood shavings, and property used in production of those
5 products.

6 Sec. 504.508. TOW TRUCKS. (a) The department shall issue
7 specialty license plates for a commercial motor vehicle used as a
8 tow truck. The license plates must include the words "Tow Truck."
9 A vehicle used commercially as a tow truck shall display license
10 plates issued under this section.

11 (b) The fee for issuance of the license plates is \$15.

12 (c) Proof of eligibility for license plates under this
13 section must include a copy of the registration certificate issued
14 by the department for the tow truck.

15 (d) In this section, "tow truck" means a motor vehicle
16 adapted or used to tow, winch, or otherwise move another motor
17 vehicle.

18 Sec. 504.509. VEHICLES CARRYING MOBILE AMATEUR RADIO
19 EQUIPMENT. (a) The department shall issue specialty license
20 plates for a person who holds an amateur radio station license
21 issued by the Federal Communications Commission and who operates
22 receiving and transmitting mobile amateur radio equipment. The
23 license plates shall include the person's amateur call letters as
24 assigned by the Federal Communications Commission. A person may
25 register more than one vehicle equipped with mobile amateur radio
26 equipment under this section, and the department shall issue
27 license plates that include the same amateur call letters for each

1 vehicle.

2 (b) The fee for issuance of the license plates is \$2 for the
3 first year and \$1 for each subsequent year.

4 Sec. 504.510. GOLF CART LICENSE PLATES. (a) The department
5 shall issue specialty license plates for an eligible golf cart.

6 (b) The fee for issuance of the license plates is \$10.

7 (c) A person entitled to specialty license plates under this
8 section may register the golf cart without payment of any fees paid
9 for or at the time of registration other than the fee for the
10 license plates. This section does not authorize the operation of a
11 golf cart on a public road where it is otherwise prohibited by law.

12 (d) This section applies only to an owner of a golf cart who
13 resides:

14 (1) on real property that is owned or under the control
15 of the United States Corps of Engineers and is required by that
16 agency to register the owner's golf cart under this chapter; and

17 (2) in a county that borders another state and has a
18 population of more than 110,000 but less than 111,000.

19 [Sections 504.511-504.600 reserved for expansion]

20 SUBCHAPTER G. SPECIALTY LICENSE PLATES FOR GENERAL DISTRIBUTION

21 Sec. 504.601. GENERAL PROVISIONS APPLICABLE TO ALL
22 SPECIALTY LICENSE PLATES FOR GENERAL DISTRIBUTION. Unless
23 expressly provided by this subchapter or department rule:

24 (1) the fee for issuance of a license plate under this
25 subchapter is \$30; and

26 (2) of each fee received under this subchapter, the
27 department shall use \$8 to defray its administrative costs in

1 complying with this subchapter.

2 Sec. 504.602. KEEP TEXAS BEAUTIFUL LICENSE PLATES. (a) The
3 department shall issue specialty license plates including the words
4 "Keep Texas Beautiful." The department shall design the license
5 plates in consultation with Keep Texas Beautiful, Inc.

6 (b) After deduction of the department's administrative
7 costs, the remainder of the fee for issuance of the license plates
8 shall be used in connection with the department's litter prevention
9 and community beautification programs.

10 Sec. 504.603. TEXAS CAPITOL LICENSE PLATES. (a) The
11 department shall issue specialty license plates depicting the State
12 Capitol.

13 (b) After deduction of the department's administrative
14 costs, the remainder of the fee for issuance of the license plates
15 shall be deposited to the credit of the general revenue fund.

16 Sec. 504.604. TEXAS COMMISSION ON THE ARTS LICENSE PLATES.
17 (a) The department shall issue specialty license plates including
18 the words "State of the Arts." The department shall design the
19 license plates in consultation with the Texas Commission on the
20 Arts.

21 (b) After deduction of the department's administrative
22 costs, the remainder of the fee for issuance of the license plates
23 shall be deposited to the credit of the Texas Commission on the Arts
24 operating fund established under Section 444.027, Government Code.

25 Sec. 504.605. ANIMAL FRIENDLY LICENSE PLATES. (a) The
26 department shall issue specialty license plates including the words
27 "Animal Friendly." The department shall design the license plates.

1 (b) After deduction of the department's administrative
2 costs, the remainder of the fee for issuance of the license plates
3 shall be deposited to the credit of the animal friendly account
4 established by Section 828.014, Health and Safety Code.

5 Sec. 504.606. BIG BEND NATIONAL PARK LICENSE PLATES. (a)
6 The department shall issue specialty license plates that include
7 one or more graphic images of a significant feature of Big Bend
8 National Park. The department shall design the license plates in
9 consultation with the Parks and Wildlife Department and any
10 organization designated by it.

11 (b) After deduction of the department's administrative
12 costs, the remainder of the fee for issuance of the license plates
13 shall be deposited to the credit of the Big Bend National Park
14 account in the state treasury. Money in the account may be used
15 only by the Parks and Wildlife Department to support the activities
16 of a designated nonprofit organization whose primary purpose is the
17 improvement or preservation of Big Bend National Park.

18 Sec. 504.607. READ TO SUCCEED. (a) The department shall
19 issue specialty license plates including the words "Read To
20 Succeed." The department shall design the license plates.

21 (b) After deduction of the department's administrative
22 costs, the remainder of the fee shall be deposited to the credit of
23 the "Read to Succeed" account in the general revenue fund. Money in
24 the account may be used only to provide educational materials for
25 public school libraries. The account is composed of:

26 (1) money required to be deposited to the credit of the
27 account under this subsection; and

1 (2) donations made to the account.

2 Sec. 504.608. TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE
3 LICENSE PLATES. (a) The department shall issue specialty license
4 plates that include the words "Boy Scouts of America." The
5 department shall design the license plates in consultation with the
6 Boy Scouts of America.

7 (b) After deduction of the department's administrative
8 costs, the remainder of the fee for issuance of the license plates
9 shall be deposited to the credit of the general revenue fund and may
10 be appropriated only to the Texas Commission on Alcohol and Drug
11 Abuse for drug-abuse prevention programs provided by nonprofit
12 organizations that primarily serve children.

13 (c) In selecting a program provider under Subsection (b), it
14 is the intent of the legislature that, to the extent permissible,
15 preference be given to a provider whose membership substantially
16 consists of persons who purchase the specialty license plates.

17 Sec. 504.609. UNITED STATES OLYMPIC COMMITTEE LICENSE
18 PLATES. The department shall issue specialty license plates
19 including the words "United States Olympic Committee." The
20 department shall design the license plates in consultation with the
21 United States Olympic Committee.

22 Sec. 504.610. TEXAS AEROSPACE COMMISSION LICENSE PLATES.
23 (a) The department shall issue specialty license plates including
24 the words "Texas Aerospace Commission." The department shall
25 design the license plates in consultation with the Texas Aerospace
26 Commission.

27 (b) After deduction of the department's administrative

1 costs, the remainder of the fee for issuance of the license plates
2 shall be deposited to the credit of the general revenue fund.

3 Sec. 504.611. VOLUNTEER ADVOCATE PROGRAM LICENSE PLATES.

4 (a) The department shall issue specialty license plates in
5 recognition of children. The department shall design the license
6 plates in consultation with the attorney general.

7 (b) After deduction of the department's administrative
8 costs, the remainder of the fee for issuance of the license plates
9 shall be deposited to the credit of the attorney general volunteer
10 advocate program account in the general revenue fund. Money
11 deposited to the credit of the volunteer advocate program account
12 may be used only by the attorney general to fund a contract entered
13 into by the attorney general under Section 264.602, Family Code.

14 Sec. 504.612. TEXAS YOUNG LAWYERS ASSOCIATION LICENSE
15 PLATES. (a) The department shall issue specialty license plates
16 including the words "And Justice for All." The department shall
17 design the license plates in consultation with the Texas Young
18 Lawyers Association.

19 (b) After deduction of the department's administrative
20 costs, the remainder of the fee for issuance of the license plates
21 shall be deposited to the credit of the basic civil legal services
22 account established by Section 51.943, Government Code.

23 Sec. 504.613. HOUSTON LIVESTOCK SHOW AND RODEO LICENSE
24 PLATES. (a) The department shall issue specialty license plates
25 including the words "Houston Livestock Show and Rodeo." The
26 department shall design the license plates in consultation with the
27 Houston Livestock Show and Rodeo.

1 (b) After deduction of the department's administrative
2 costs, the remainder of the fee for issuance of the license plates
3 shall be deposited to the credit of the Houston Livestock Show and
4 Rodeo scholarship account in the state treasury. Money in the
5 account may be used only by the Texas Higher Education Coordinating
6 Board in making grants to benefit the Houston Livestock Show and
7 Rodeo.

8 Sec. 504.614. PROFESSIONAL SPORTS TEAM LICENSE PLATES. (a)
9 The department may issue specialty license plates that include the
10 name and insignia of a professional sports team located in this
11 state. The department shall design the license plates in
12 consultation with the professional sports team and may enter a
13 trademark license with the professional sports team or its league
14 to implement this section. A license plate may be issued under this
15 section only for a professional sports team that:

16 (1) certifies to the department that it has determined
17 that at least 3,500 persons will apply for the plates; and

18 (2) plays its home games in a facility constructed or
19 operated, in whole or in part, with public funds.

20 (b) After deduction of the department's administrative
21 costs, the remainder of the fee for issuance of the license plates
22 shall be sent to the public entity that provided public funds for
23 the construction or renovation of the facility in which the
24 professional sports team plays its home games or that provides
25 public funds for the operation of that facility. The funds shall be
26 deposited to the credit of the venue project fund, if the public
27 entity has created a venue project fund under Section 334.042 or

1 335.072, Local Government Code. If the public entity has not
2 created a venue project fund, funds distributed to a public entity
3 under this section must first be used to retire any public debt
4 incurred by the public entity in the construction or acquisition of
5 the facility in which the professional sports team plays its home
6 games. After that debt is retired, funds distributed to the public
7 entity may be spent only for maintenance or improvement of the
8 facility.

9 (c) In this section:

10 (1) "Public entity" includes a municipality, county,
11 industrial development corporation, or special district that is
12 authorized to plan, acquire, establish, develop, construct, or
13 renovate a facility in which a professional sports team plays its
14 home games.

15 (2) "Professional sports team" means a sports team
16 that is a member or an affiliate of a member of the National
17 Football League, National Basketball Association, or National
18 Hockey League or a major league baseball team.

19 Sec. 504.615. COLLEGIATE LICENSE PLATES. (a) The
20 department shall issue specialty license plates that include the
21 name and insignia of a college. The department shall design the
22 license plates in consultation with the applicable college. The
23 department may issue a license plate under this section only for a
24 college that certifies to the department that it has determined
25 that at least 1,500 persons will apply for the plates.

26 (b) After deduction of the department's administrative
27 costs, the remainder of the fee for issuance of the license plates

1 shall be deposited to the credit of the general revenue fund. The
2 money may be used only for scholarships to students who demonstrate
3 a need for financial assistance under Texas Higher Education
4 Coordinating Board rule.

5 (c) If the fee is for the issuance of license plates for a
6 college described by Subsection (e)(1), the money:

7 (1) shall be deposited to the credit of the
8 institution of higher education designated on the license plates;
9 and

10 (2) is supplementary and is not income for purposes of
11 reducing general revenue appropriations to that institution of
12 higher education.

13 (d) If the fee is for the issuance of license plates for a
14 college described by Subsection (e)(2), the money shall be
15 deposited to the credit of the Texas Higher Education Coordinating
16 Board. The money:

17 (1) shall be allocated to students at the college
18 designated on the plates; and

19 (2) is in addition to other money that the board may
20 allocate to that college.

21 (e) In this section, "college" means:

22 (1) an institution of higher education as defined by
23 Section 61.003, Education Code; or

24 (2) a private college or university described by
25 Section 61.222, Education Code.

26 Sec. 504.616. NEW MILLENNIUM LICENSE PLATES. (a) The
27 department shall issue specialty license plates including the words

1 "New Millennium." The department shall design the license plates
2 to incorporate one or more submissions from middle school students
3 in a competition conducted by the department.

4 (b) After deduction of the department's administrative
5 costs, the remainder of the fee shall be deposited to the credit of
6 the new millennium reading program account in the general revenue
7 fund. Money from the account may be used only to make grants under
8 Section 441.0092, Government Code. The account is composed of:

9 (1) money required to be deposited to the credit of the
10 account under this subsection; and

11 (2) donations made to the account.

12 Sec. 504.617. TEXAS. IT'S LIKE A WHOLE OTHER COUNTRY
13 LICENSE PLATES. (a) The department shall issue specialty license
14 plates that include the trademarked Texas patch and the words
15 "Texas. It's Like A Whole Other Country." The department shall
16 design the license plates in consultation with the Texas Department
17 of Economic Development.

18 (b) After deduction of the department's administrative
19 costs, the remainder of the fee for issuance of the license plates
20 shall be deposited to the credit of the tourism account in the
21 general revenue fund to finance the Texas Department of Economic
22 Development's tourism activities.

23 Sec. 504.618. CONSERVATION LICENSE PLATES. (a) The
24 department shall issue specialty license plates to support Parks
25 and Wildlife Department activities. The department shall design
26 the license plates in consultation with the Parks and Wildlife
27 Department.

1 (b) After deduction of the department's administrative
2 costs, the remainder of the fee for issuance of the license plates
3 shall be deposited to the credit of the Texas parks and wildlife
4 capital account established by Section 11.043, Parks and Wildlife
5 Code. Money deposited in the Texas parks and wildlife capital
6 account under this section is supplementary and is not income for
7 the purposes of reducing general revenue appropriations to the
8 Parks and Wildlife Department.

9 Sec. 504.619. TEXAS COMMISSION FOR THE DEAF AND HARD OF
10 HEARING LICENSE PLATES. (a) The department shall issue specialty
11 license plates in support of the Texas Commission for the Deaf and
12 Hard of Hearing. The department shall design the license plates in
13 consultation with the Texas Commission for the Deaf and Hard of
14 Hearing.

15 (b) After deduction of the department's administrative
16 costs, the remainder of the fee for issuance of the license plates:

17 (1) shall be deposited to the credit of the general
18 revenue fund; and

19 (2) may be appropriated only to the Texas Commission
20 for the Deaf and Hard of Hearing for direct services programs,
21 training, and education.

22 Sec. 504.620. TEXANS CONQUER CANCER LICENSE PLATES. (a)
23 The department shall issue specialty license plates that include
24 the words "Texans Conquer Cancer." The department shall design the
25 license plates in consultation with the Texas Cancer Council.

26 (b) After deduction of the department's administrative
27 costs, the remainder of the fee for issuance of the license plates

1 shall be deposited to the credit of the Texans Conquer Cancer
2 account established by Section 102.017, Health and Safety Code.

3 Sec. 504.621. SPECIAL OLYMPICS TEXAS LICENSE PLATES. (a)
4 The department shall issue specialty license plates that include
5 the words "Special Olympics Texas." The department shall design
6 the license plates in consultation with Special Olympics Texas.

7 (b) After deduction of the department's administrative
8 costs, the remainder of the fee for issuance of the license plates
9 shall be deposited to the credit of the Special Olympics Texas
10 account established by Section 533.018, Health and Safety Code.

11 Sec. 504.622. GIRL SCOUT LICENSE PLATES. (a) The
12 department shall issue specialty license plates that include the
13 words "Girl Scouts." The department shall design the license
14 plates in consultation with the Girl Scout Councils of Texas.

15 (b) After deduction of the department's administrative
16 costs, the remainder of the fee for issuance of the license plates
17 shall be deposited to the credit of the Girl Scout account in the
18 state treasury. Money in the account may be used by the Texas
19 Higher Education Coordinating Board in making grants to benefit
20 educational projects sponsored by the Girl Scout Councils of Texas.

21 Sec. 504.623. TEXAS YMCA. (a) The department shall issue
22 specialty license plates in honor of the Young Men's Christian
23 Association. The department shall design the license plates.

24 (b) After deduction of the department's administrative
25 costs, the remainder of the fee for issuance of the license plates
26 shall be deposited to the credit of the YMCA account established by
27 Section 7.025, Education Code, as added by Chapter 869, Acts of the

1 77th Legislature, Regular Session, 2001.

2 Sec. 504.624. 100TH FOOTBALL SEASON OF STEPHEN F. AUSTIN
3 HIGH SCHOOL. (a) The department shall issue specialty license
4 plates in honor of the 100th football season of Stephen F. Austin
5 High School in Austin. The department shall design the license
6 plates in consultation with the principal of Stephen F. Austin High
7 School.

8 (b) After deduction of the department's administrative
9 costs, the remainder of the fee for issuance of the license plates
10 shall be sent to the Texas Education Agency for distribution to the
11 Austin Independent School District to be used only for the benefit
12 of the Austin High School Athletic Department.

13 Sec. 504.625. TEXAS AGRICULTURAL PRODUCTS LICENSE PLATES.

14 (a) The department shall issue specialty license plates that
15 include the words "Go Texan" and the "Go Texan" logo of the
16 Department of Agriculture. The department shall design the license
17 plates in consultation with the commissioner of agriculture.

18 (b) After deduction of the department's administrative
19 costs, the department shall deposit the remainder of the proceeds
20 to the credit of the "Go Texan" partner program account established
21 by Section 46.008, Agriculture Code.

22 Sec. 504.626. TEXAS CITRUS INDUSTRY. (a) The department
23 shall issue specialty license plates in honor of the citrus
24 industry in this state. The department shall design the license
25 plates.

26 (b) After deduction of the department's administrative
27 costs, the remainder of the fee for issuance of the license plates

1 shall be deposited to the credit of an account in the general
2 revenue fund that may be appropriated only to Texas A&M
3 University--Kingsville to provide financial assistance to graduate
4 students in the College of Agriculture and Human Sciences.

5 Sec. 504.627. WATERFOWL AND WETLAND CONSERVATION LICENSE
6 PLATES. (a) The department shall issue specialty license plates
7 including one or more graphic images supplied by the Parks and
8 Wildlife Department. The department shall design the license
9 plates in consultation with the Parks and Wildlife Department and
10 any organization designated by it.

11 (b) After deducting the department's administrative costs,
12 the remainder of the fee for issuance of the license plates shall be
13 deposited to the credit of an account in the state treasury. Money
14 in the account may be used only by the Parks and Wildlife Department
15 to support the activities of a designated nonprofit organization
16 whose primary purpose is the conservation of waterfowl and wetland.

17 [Sections 504.628-504.700 reserved for expansion]

18 SUBCHAPTER H. ADMINISTRATIVE PROVISIONS RELATING TO SPECIALTY
19 LICENSE PLATES FOR GENERAL DISTRIBUTION

20 Sec. 504.701. DISCONTINUANCE OF CERTAIN SPECIALTY LICENSE
21 PLATES. (a) This section applies only to license plates authorized
22 by:

23 (1) Section 504.602;

24 (2) Section 504.603;

25 (3) Section 504.604;

26 (4) Section 504.605;

27 (5) Section 504.606;

- 1 (6) Section 504.607;
- 2 (7) Section 504.608;
- 3 (8) Section 504.609;
- 4 (9) Section 504.610;
- 5 (10) Section 504.611;
- 6 (11) Section 504.612;
- 7 (12) Section 504.613;
- 8 (13) Section 504.614; or
- 9 (14) Section 504.615.

10 (b) Except as provided by Subsections (d) and (e), on or
11 after September 1, 2004, the department may continue to issue
12 license plates to which this section applies only if before that
13 date at least:

14 (1) 3,500 sets of the license plates authorized by the
15 applicable section of this chapter have been issued or presold;

16 (2) \$15,000 has been received by the department from
17 the issuance of license plates under that section; or

18 (3) \$15,000 has been deposited with the department for
19 the continued issuance of those license plates.

20 (c) If before September 1, 2004, one of the conditions
21 described by Subsection (b) is not met for the license plate, the
22 section that authorizes the issuance of that license plate expires
23 on that date.

24 (d) On or after September 1, 2004, the department may
25 continue to issue license plates under:

26 (1) Section 504.615 for a particular institution of
27 higher education or private college or university only if before

1 that date:

2 (A) 1,500 sets of license plates for the
3 particular institution, college, or university have been issued or
4 presold;

5 (B) \$15,000 has been received by the department
6 from the issuance of the license plates for that institution,
7 college, or university; or

8 (C) \$15,000 has been deposited with the
9 department for the continued issuance of the license plates for
10 that institution, college, or university; or

11 (2) Section 504.614 for a particular professional
12 sports team only if before that date:

13 (A) 3,500 sets of the license plates for that
14 sports team have been issued or presold;

15 (B) \$15,000 has been received by the department
16 from the issuance of license plates for that sports team; or

17 (C) \$15,000 has been deposited with the
18 department for the continued issuance of license plates for that
19 sports team.

20 (e) Money deposited with the department under Subsection
21 (b)(3), (d)(1)(C), or (d)(2)(C) shall be returned by the department
22 to the person who made the deposit only after the requisite number
23 of license plates under those subsections are issued or presold.

24 Sec. 504.702. SPECIALTY LICENSE PLATES AUTHORIZED AFTER
25 JANUARY 1, 1999. (a) This section applies only to specialty
26 license plates that are authorized to be issued by a law that takes
27 effect on or after January 1, 1999.

1 (b) The department may manufacture the specialty license
2 plates only if a request for manufacture of the license plates is
3 filed with the department. The request must be:

4 (1) made on a form adopted by the department;

5 (2) filed before the fifth anniversary of the
6 effective date of the law that authorizes the issuance of the
7 specialty license plates; and

8 (3) accompanied by:

9 (A) a deposit of \$15,000; or

10 (B) applications for issuance of at least 3,500
11 sets of the license plates plus the fees for issuance of that number
12 of sets.

13 (c) Money deposited with the department under Subsection
14 (b)(3)(A) shall be returned to the person who made the deposit only
15 if 3,500 sets of the applicable license plates are issued or
16 presold.

17 (d) If a request is not filed with the department before the
18 date specified by Subsection (b)(2), the law that authorizes the
19 issuance of the specialty license plates expires on that date.

20 [Sections 504.703-504.800 reserved for expansion]

21 SUBCHAPTER I. DEVELOPMENT OF NEW SPECIALTY LICENSE PLATES

22 Sec. 504.801. CREATION OF NEW SPECIALTY LICENSE PLATES BY
23 THE DEPARTMENT. (a) The department may create new specialty
24 license plates on its own initiative or on receipt of an application
25 from a potential sponsor. A new specialty license plate created
26 under this section must comply with each requirement of Section
27 504.702 unless the license is created by the department on its own

1 initiative. The department may permit a specialty license plate
2 created under this section to be personalized. The redesign of an
3 existing specialty license plate at the request of a sponsor shall
4 be treated like the issuance of a new specialty license plate,
5 except that the department may require a lower deposit amount to
6 reflect the actual costs of redesigning the license plate.

7 (b) Any person may sponsor a new specialty license plate by
8 submitting an application to the department. An application may
9 nominate a state agency to receive funds derived from the issuance
10 of the license plates. The application may also identify uses to
11 which those funds should be appropriated.

12 (c) The department shall design each new specialty license
13 plate in consultation with the sponsor, if any, that applied for
14 creation of that specialty license plate. The department may
15 refuse to create a new specialty license plate if the design might
16 be offensive to any member of the public, if the nominated state
17 agency does not consent to receipt of the funds derived from
18 issuance of the license plate, if the uses identified for those
19 funds might violate a statute or constitutional provision, or for
20 any other reason established by rule. At the request of the
21 sponsor, distribution of the license plate may be limited by the
22 department.

23 (d) The fee for issuance of license plates authorized under
24 this subchapter is \$30.

25 (e) The first \$15,000 collected as fees for a new specialty
26 license plate shall be used to reimburse the department for its
27 initial costs in beginning production of the new specialty license

1 plate. After the first \$15,000, for each fee collected:

2 (1) an amount determined by the commission shall be
3 used to reimburse the department for its incremental costs in
4 producing each specialty license plate; and

5 (2) the remainder shall be deposited to the credit of:

6 (A) the specialty license plate fund, an account
7 in the general revenue fund, if the sponsor nominated a state agency
8 to receive the funds; or

9 (B) the state highway fund if the sponsor did not
10 nominate a state agency to receive the funds or if there is no
11 sponsor.

12 (f) Subchapter D, Chapter 316, Government Code, and Section
13 403.095, Government Code, do not apply to fees collected under this
14 section.

15 (g) The department may report to the legislature at any time
16 concerning implementation of this section. The report may include
17 recommendations concerning the appropriations, by amount, state
18 agency, and uses, that are necessary to implement the requests of
19 sponsors.

20 (h) If a sponsor does not name a state agency to receive the
21 funds or if there is no sponsor, the department may license a
22 trademark for inclusion within the design of the plates and may pay
23 a fee for the trademark license.

24 (i) The department may vary the design of a plate created
25 under this section to accommodate or reflect its use on a motor
26 vehicle other than a passenger car or light truck.

27 SECTION 2. Subchapter A, Chapter 502, Transportation Code,

1 is amended by adding Sections 502.0071, 502.0072, 502.0073,
2 502.0074, 502.0078, and 502.0079 to read as follows:

3 Sec. 502.0071. GOLF CARTS. An owner of a golf cart is not
4 required to register the golf cart if:

5 (1) the operation of the golf cart occurs in the
6 daytime, as defined by Section 541.401; and

7 (2) the operation:

8 (A) does not exceed a distance of two miles from
9 the point of origin to the destination if driven to and from a golf
10 course;

11 (B) occurs entirely within a master planned
12 community with a uniform set of restrictive covenants that has had a
13 plat approved by a county or a municipality; or

14 (C) occurs on a public or private beach.

15 Sec. 502.0072. MANUFACTURED HOUSING. Manufactured
16 housing, as defined by Section 1201.003, Occupations Code, is not a
17 vehicle subject to this chapter.

18 Sec. 502.0073. POWER SWEEPERS. (a) An owner of a power
19 sweeper is not required to register the power sweeper.

20 (b) In this section, "power sweeper" means an implement,
21 with or without motive power, designed for the removal by broom,
22 vacuum, or regenerative air system of debris, dirt, gravel, litter,
23 or sand from asphaltic concrete or cement concrete surfaces,
24 including surfaces of parking lots, roads, streets, highways, and
25 warehouse floors. The term includes a vehicle on which the
26 implement is permanently mounted if the vehicle is used only as a
27 power sweeper.

1 Sec. 502.0074. MOTORIZED MOBILITY DEVICE. The owner of a
2 motorized mobility device, as defined by Section 542.008, as
3 amended by Chapter 497, Acts of the 77th Legislature, Regular
4 Session, 2001, is not required to register the motorized mobility
5 device.

6 Sec. 502.0078. VEHICLES OPERATED ON PUBLIC HIGHWAY
7 SEPARATING REAL PROPERTY UNDER VEHICLE OWNER'S CONTROL. Where a
8 public highway separates real property under the control of the
9 owner of a motor vehicle, the operation of the motor vehicle by the
10 owner or the owner's agent or employee across the highway is not a
11 use of the motor vehicle on the public highway.

12 Sec. 502.0079. VEHICLES OPERATED BY CERTAIN NONRESIDENTS.
13 (a) A nonresident owner of a motor vehicle, trailer, or semitrailer
14 that is registered in the state or country in which the person
15 resides may operate the vehicle to transport persons or property
16 for compensation without being registered in this state, if the
17 person does not exceed two trips in a calendar month and each trip
18 does not exceed four days.

19 (b) A nonresident owner of a privately owned vehicle that is
20 not registered in this state may not make more than five occasional
21 trips in any calendar month into this state using the vehicle. Each
22 occasional trip into this state may not exceed five days.

23 (c) A nonresident owner of a privately owned passenger car
24 that is registered in the state or country in which the person
25 resides and that is not operated for compensation may operate the
26 car in this state for the period in which the car's license plates
27 are valid. In this subsection, "nonresident" means a resident of a

1 state or country other than this state whose presence in this state
2 is as a visitor and who does not engage in gainful employment or
3 enter into business or an occupation, except as may otherwise be
4 provided by any reciprocal agreement with another state or country.

5 (d) This section does not prevent:

6 (1) a nonresident owner of a motor vehicle from
7 operating the vehicle in this state for the sole purpose of
8 marketing farm products raised exclusively by the person; or

9 (2) a resident of an adjoining state or country from
10 operating in this state a privately owned and registered vehicle to
11 go to and from the person's place of regular employment and to make
12 trips to purchase merchandise, if the vehicle is not operated for
13 compensation.

14 (e) The privileges provided by this section may be allowed
15 only if, under the laws of the appropriate state or country, similar
16 privileges are granted to vehicles registered under the laws of
17 this state and owned by residents of this state.

18 (f) This section does not affect the right or status of a
19 vehicle owner under any reciprocal agreement between this state and
20 another state or country.

21 SECTION 3. Subchapter D, Chapter 502, Transportation Code,
22 is amended by adding Sections 502.187 and 502.188 to read as
23 follows:

24 Sec. 502.187. PARADE VEHICLES OWNED BY NONPROFIT SERVICE
25 ORGANIZATIONS. (a) A motor vehicle owned and operated by a
26 nonprofit service organization and designed, constructed, and used
27 primarily for parade purposes is subject to registration as

1 provided by this chapter but is exempt from the fee otherwise
2 prescribed by this chapter.

3 (b) Subsection (a) does not apply to a vehicle for which a
4 registration fee has been paid under other law.

5 Sec. 502.188. CERTAIN SOIL CONSERVATION EQUIPMENT. (a) The
6 owner of a truck-tractor, semitrailer, or low-boy trailer used on a
7 highway exclusively to transport the owner's soil conservation
8 machinery or equipment used in clearing real property, terracing,
9 or building farm ponds, levees, or ditches may register the vehicle
10 for a fee equal to 50 percent of the fee otherwise prescribed by
11 this chapter for the vehicle.

12 (b) An owner may register only one truck-tractor and only
13 one semitrailer or low-boy trailer under this section.

14 (c) An owner applying for registration under this section
15 must submit a statement that the vehicle is to be used only as
16 provided by Subsection (a).

17 (d) The registration receipt issued for a vehicle
18 registered under this section shall state the nature of the
19 operation for which the vehicle may be used. The receipt must be
20 carried at all times in or on the vehicle to permit ready
21 inspection.

22 (e) A vehicle to which this section applies that is operated
23 on a public highway in violation of this section is considered to be
24 operated while unregistered and is immediately subject to the
25 applicable registration fees and penalties prescribed by this
26 chapter.

27 SECTION 4. (a) Subchapter F, Chapter 502, Transportation

1 Code, is repealed.

2 (b) The repeal of Section 502.273, Transportation Code, by
3 this Act does not affect the validity of license plates already
4 issued under that section, which shall be governed under Section
5 504.801, Transportation Code, as added by this Act.

6 SECTION 5. (a) This section shall be implemented only if
7 the Legislative Budget Board determines that this Act would
8 otherwise reduce the amount of money allocated to the general
9 revenue fund from the issuance by the Texas Department of
10 Transportation of specialty license plates during fiscal years 2004
11 and 2005 relative to the amount of money allocated to the general
12 revenue fund from the issuance by that department of specialized
13 license plates during fiscal years 2002 and 2003.

14 (b) The Texas Department of Transportation shall reduce the
15 amount of fees allocated to the department's administrative costs
16 and allocate that amount to general revenue for deposit to the
17 credit of the accounts specified in each section of Chapter 504,
18 Transportation Code, as added by this Act. The amount of the
19 reduction and reallocation shall be the amount necessary to ensure
20 that sums allocated to the general revenue fund are not reduced as
21 specified in Subsection (a) of this section. The reduction in
22 administrative costs shall be taken proportionately from each
23 specialty plate so that each will be reduced by the same percentage
24 amount.

25 (c) This section expires September 1, 2005.

26 SECTION 6. (a) In considering an application for new
27 specialty license plates or the revision of an existing license

1 plate under Subchapter I, Chapter 504, Transportation Code, as
2 added by this Act, the Texas Department of Transportation shall
3 approve, adopt, or create any new license plate or proposed license
4 plate that complies with Chapter 504, Transportation Code, as added
5 by this Act, and that was described in a bill filed in the 78th
6 Legislature, Regular Session, 2003.

7 (b) This section expires December 31, 2004.

8 SECTION 7. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2003.