

By: Crabb

H.B. No. 2181

Substitute the following for H.B. No. 2181:

By: Haggerty

C.S.H.B. No. 2181

A BILL TO BE ENTITLED

AN ACT

relating to a late fee charged in connection with the inspection of a vehicle with an invalid inspection certificate.

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

SECTION 1. Section 548.258(b), Transportation Code, is amended to read as follows:

(b) The department may adopt rules to require an inspection station to use TexasOnline to:

(1) purchase inspection certificates; [~~or~~]

(2) send to the department a record, report, or other information required by the department;

(3) send fees to the department under Section 548.509;

(4) determine the expiration date of the most recent inspection certificate issued for a vehicle, if the vehicle does not display an inspection certificate; or

(5) if authorized or required by the department, waive a fee due from the owner of an inspected vehicle under Section 548.509.

SECTION 2. Subchapter H, Chapter 548, Transportation Code, is amended by adding Sections 548.509 and 548.510 to read as follows:

Sec. 548.509. LATE INSPECTION FEE. (a) In addition to any other inspection fee provided by this subchapter, and except as provided by Subsection (c), for each 30-day period or part of a

1 30-day period following the date an inspection certificate
2 displayed on a vehicle ceases to be valid, a late inspection fee in
3 an amount equal to 1/12 of the fee due from the vehicle owner for the
4 certificate shall be assessed and collected.

5 (b) If the vehicle does not display an expired inspection
6 certificate and the department is unable to determine the
7 expiration date of the most recent inspection certificate issued
8 for the vehicle using the Texas Automated Vehicle Inspection
9 System, the motor vehicle inspection database in a county
10 participating in a program established by Subchapter F, or the
11 vehicle inspection report, the amount of the fee under Subsection
12 (a) is equal to the fee due from the vehicle owner under this
13 subchapter for the certificate that is subsequently attached to or
14 produced for the vehicle.

15 (c) A late fee under Subsection (a) may not be assessed or
16 collected if the inspection certificate has been expired for five
17 days or less.

18 (d) In addition to the fee provided by Subsection (a), the
19 inspection station shall assess and may retain a \$3 administrative
20 fee.

21 (e) Each fee collected under Subsection (a) shall be sent to
22 the department not later than the 10th day of the month following
23 the month in which the fee is collected.

24 (f) The department shall prohibit a vehicle inspection
25 station that does not send to the department each fee required under
26 Subsection (e) on or before the 15th day of the month in which the
27 fee is due from conducting vehicle inspections until all required

1 fees are sent. The department shall enforce this subsection by
2 locking out the inspection station's Texas Automated Vehicle
3 Inspection System interface device or emissions testing analyzer,
4 as applicable.

5 (g) A vehicle inspection station that does not send each
6 required fee on or before the 15th day of the month in which the fee
7 is due may not purchase a vehicle inspection certificate until all
8 required fees are sent.

9 Sec. 548.510. LATE INSPECTION FEE EXEMPTIONS. A late fee
10 under Section 548.509 may not be assessed or collected if:

11 (1) the vehicle owner is an active member of the United
12 States Armed Forces or the National Guard and was on duty outside
13 this state on the date the inspection certificate expired;

14 (2) the vehicle or vehicle owner qualifies for a
15 waiver from program requirements under Section 382.203, Health and
16 Safety Code; or

17 (3) the vehicle owner applies for and receives a
18 waiver from the department:

19 (A) for an economic hardship;

20 (B) for a medical condition; or

21 (C) because the vehicle was proven to be
22 inoperable.

23 SECTION 3. This Act takes effect September 1, 2007.