

Amend **HB 2985** (House Committee Printing) by adding the following SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 501.023, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) An application filed by the owner or lessee of a foreign commercial motor vehicle, as defined by Section 648.001, must be accompanied by a copy of the applicable federal declaration form required by the Federal Motor Carrier Safety Administration or its successor in connection with the importation of a motor vehicle or motor vehicle equipment subject to the federal motor vehicle safety, bumper, and theft prevention standards.

SECTION _____. Section 502.352(c), Transportation Code, is amended to read as follows:

(c) A person may obtain a permit under this section by:

(1) applying to the county assessor-collector, the department, or the department's wire service agent, if the department has a wire service agent;

(2) paying a fee of \$25 for a 72-hour permit or \$50 for a 144-hour permit:

(A) in cash;

(B) by postal money order;

(C) by certified check;

(D) by wire transfer through the department's wire service agent, if any;

(E) by an escrow account; or

(F) where the service is provided, by a credit card issued by:

(i) a financial institution chartered by a state or the United States; or

(ii) a nationally recognized credit organization approved by the Texas Transportation Commission;

(3) paying a discount or service charge for a credit card payment or escrow account, in addition to the fee; ~~and~~

(4) furnishing to the county assessor-collector, the department, or the department's wire service agent, evidence of financial responsibility for the vehicle that complies with

Sections 502.153(c) and 601.168(a) and is written by an insurance company or surety company authorized to write motor vehicle liability insurance in this state; and

(5) submitting a copy of the applicable federal declaration form required by the Federal Motor Carrier Safety Administration or its successor in connection with the importation of a motor vehicle or motor vehicle equipment subject to the federal motor vehicle safety, bumper, and theft prevention standards.

SECTION _____. Section 643.052, Transportation Code, is amended to read as follows:

Sec. 643.052. APPLICATION. To register under this subchapter a motor carrier must submit to the department an application on a form prescribed by the department. The application must include:

(1) the name of the owner and the principal business address of the motor carrier;

(2) the name and address of the legal agent for service of process on the carrier in this state, if different;

(3) a description of each vehicle requiring registration the carrier proposes to operate, including the motor vehicle identification number, make, and unit number;

(4) a statement as to whether the carrier proposes to transport household goods or a hazardous material;

(5) a declaration that the applicant has knowledge of all laws and rules relating to motor carrier safety, including this chapter, Chapter 644, and Subtitle C;

(6) a certification that the carrier is in compliance with the drug testing requirements of 49 C.F.R. Part 382, and if the carrier belongs to a consortium, as defined by 49 C.F.R. Part 382, the names of the persons operating the consortium; ~~and~~

(7) a valid identification number issued to the motor carrier by or under the authority of the Federal Motor Carrier Safety Administration or its successor; and

(8) any other information the department by rule determines is necessary for the safe operation of a motor carrier under this chapter.

SECTION _____. Subchapter B, Chapter 643, Transportation

Code, is amended by adding Section 643.064 to read as follows:

Sec. 643.064. ISSUANCE OF UNITED STATES DEPARTMENT OF TRANSPORTATION NUMBERS. The department by rule shall provide for the issuance to a motor carrier of an identification number authorized by the Federal Motor Carrier Safety Administration. A rule must conform to rules of the Federal Motor Carrier Safety Administration or its successor.

SECTION _____. Subchapter F, Chapter 643, is amended by adding Section 643.256 to read as follows:

Sec. 643.256. CEASE AND DESIST ORDER. The department may issue a cease and desist order if the department determines that the action is necessary to:

- (1) prevent a violation of this chapter; and
- (2) protect the public health and safety.

SECTION _____. The Texas Department of Transportation shall adopt rules under Section 643.064, Transportation Code, as added by this Act, not later than March 1, 2010.

SECTION _____. The changes in law made by this Act to Sections 501.023 and 643.052, Transportation Code, apply only to an application submitted under those sections to the Texas Department of Transportation on or after the effective date of this Act. An application submitted under those sections to that department before the effective date of this Act is covered by the law in effect on the date the application was submitted, and that law is continued in effect for that purpose.