

BILL ANALYSIS

C.S.S.B. 1636
By: Carona
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The department registers 21 million vehicles and processes 6 million titles annually. The number of types of fees has increased to more than 1,600. The number and inconsistency of fees adds unnecessary complexity without providing any benefit. The variance and unpredictability of fees confuses customers and staff, increases the cost of programming, and does not support engineering logic where fees should be tied to the relative amount of pavement damage caused by that vehicle.

This bill simplifies and standardizes many title, registration, and license plate-related fees.

A major part of the simplification is a decrease of the more than 1600 heavy vehicle fees to seven categories. The registration fee for all vehicles, except trailers and motorcycles, weighing 6,000 pounds or less is also standardized. The goal is to make the fees more consistent. Some fees are increased, but some are decreased. Revenue will increase.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

- SECTION 1. Amends Sec. 501.134(a), Transportation Code
Sec. 501.134 - increases the fee for a certified copy of title from \$2 to \$25.
- SECTION 2. Amends Sec. 502.160, Transportation Code
Sec. Sec. 502.160- includes moped in the \$30 fee for motorcycle.
- SECTION 3. Amends the heading of Sec. 502.161, Transportation Code
Sec. 502.161- includes vehicles that weigh 6,000 pounds or less.
- SECTION 4. Amends Sec. 502.161(a), Transportation Code
Sec. 502.161(a) - sets a \$58.00 fee for all vehicles which weigh 6,000 pounds or less.
- SECTION 5. Amends the heading of Sec. 502.162, Transportation Code
Sec. 502.162 - includes vehicles that more than weigh 6,000 pounds.
- SECTION 6. Amends Sec. 502.162(a), Transportation Code
Sec. 502.162(a) - sets seven categories of fees for vehicles that weigh more than 6,000.
- SECTION 7. Amends Sec. 502.164, Transportation Code

Sec. 502.164 - decreases the fee from \$75 to \$15 for fertilizer plates, consistent with other vehicles of this type.

SECTION 8. Amends Sec. 502.165, Transportation Code

Sec. 502.165 - sets the fee for road tractors consistent with other vehicles of similar weight.

SECTION 9. Amends the heading of Sec. 502.166, Transportation Code

Sec. 502.165 - includes travel trailers.

SECTION 10. Amends Sec. 502.166(a) and adds subsection (a-1), Transportation Code

Sec. 502.166(a) - sets the fee \$40 for trailers, travel trailers, and semitrailers if they weigh 6,000 pounds or less, and consistent with other vehicles if they weigh more than 6,000 pounds.

SECTION 11. Amends Sec. 502.167(a)-(c), and (g), Transportation Code

Sec. 502.167(a)-(c) and (g) - sets the truck tractors and commercial motor vehicles consistent with other vehicles of similar weight. The fee for registration of a semitrailer is \$15 if a permit under Sec. 623.011, Transportation Code, has not been issued and \$30 if such a permit has been issued. Subsection (g) increases the fee for certain truck-tractor or commercial vehicles from \$5 to \$15.

SECTION 12. Amends Sec. 502.168, Transportation Code

Sec. 502.168 - sets the motor buses fees consistent with other vehicles of similar weight.

SECTION 13. Amends Sec. 502.1705(b), Transportation Code

Sec. 502.1705(b) - streamlines the language and add titling related services.

SECTION 14. Amends the heading of Sec. 502.184, Transportation Code

Sec. 502.184 – changes to Replacement of Registration Insignia as the replacement plate fee information is moved to Sec. 502.1841, Transportation Code.

SECTION 15. Amends Sec. 502.184(a)-(b) and (e)-(f), Transportation Code

Sec. 502.184(a)-(b) and (e)-(f) – moves the replacement plate fee information to Sec. 502.1841, Transportation Code.

SECTION 16. Adds new Sec. 502.1841, Transportation Code

Sec. 502.1841 - eliminates the \$5 fee in Sec. 502.453(a), Transportation Code, for transfer of plates to another of the purchaser's vehicles. New subsection (b) is added to set a \$15 fee if new plates are issued. These actions combine to provide incentive for reuse of plates, thereby reducing landfill and the state's costs for license plate manufacturing.

SECTION 17. Amends Sec. 502.203 (c), Transportation Code

Sec. 502.203 (c) - deletes the fee for disaster relief plates.

SECTION 18. Amends Sec. 502.353(e), Transportation Code

Sec. 502.353(e) - applies the standard fees to foreign vehicles and annual permits.

SECTION 19. Amends Sec. 504.101(d), Transportation Code

Sec. 504.101(d) - decreases the charge for replacement of personalized plates from \$30 to the same fees as other plates.

SECTION 20. Amends Sec. 502.401(c), Transportation Code

Sec. 502.401(c) - allows state officials to register their vehicles up to two years.

SECTION 21. Amends Sec. 502.407(c), Transportation Code

Sec. 502.407(c) - decreases the fee for peace officer plates from \$20 to \$15 to be consistent with other vehicles that pay registration fees.

SECTION 22. Amends Sec. 502.408(b), Transportation Code

Sec, 502.408(b) – eliminates the fee for gold star plates.

SECTION 23. Amends Sec. 504.409(b), Transportation Code

Sec. 504.409(b) - increases the fee to \$15 from \$4 for volunteer firefighter plates to treat these plates consistent with other vehicles that pay registration fees.

SECTION 24. Amends Sec. 504.410(b), Transportation Code

Sec. 504.410(b) - increases the fee to \$15 from \$8 for emergency personnel plates to treat these plates consistent with other vehicles that pay registration fees.

SECTION 25. Amends Sec. 504.411(b), Transportation Code

Sec. 504.411(b) - decreases the fee to \$15 from \$40 for Honorary Consul plates to treat these plates consistent with other vehicles that pay registration fees.

SECTION 26. Amends Sec. 504.501, Transportation Code

Sec. 504.501 - requires only the word “Classic.” Adds classic travel trailers, and grandfathers in existing plates supplied by owners.

SECTION 27. Amends Sec. 504.502(d) and (e), Transportation Code

Sec. 504.502(d) and (e) - requires exhibition vehicles to expire after one year, instead of five years and to require a fee of \$15, instead of \$10 per year for vehicles manufactured 1921 or later and \$8 per year for a vehicle manufactured earlier.

SECTION 28. Amends Sec. 505.504(a), Transportation Code

Sec. 505.504(a)- increases the fee from \$5 to \$15 for farm vehicles and drilling/construction equipment to make the fee consistent with similar vehicles.

SECTION 29. Amends Sec. 504.505(c), Transportation Code

Sec. 504.505(c) – increases the fee for cotton vehicles from \$8 fee to \$15 to make the fee consistent with similar vehicles.

SECTION 30. Amends Sec. 504.506(b), Transportation Code

Sec. 504.506(b) - decreases the fee for log loader vehicles from \$62.50 to \$15 to be consistent with similar vehicles.

SECTION 31. Amends Sec. 504.507(b), Transportation Code

Sec. 504.507(b) – increases the fee for forestry vehicles in from \$8 to \$15.

SECTION 32. Amends Sec. 504.509, Transportation Code

Sec. 504.509 – removes the \$2 first year and \$1 subsequent year fee for vehicles carrying mobile amateur radio equipment to treat these plates consistent with other vehicles that pay registration fees.

SECTION 33. Amends Sec. 504.510 (b) and (d), Transportation Code

Sec. 504.510 (b) – increases the fee for golf cart plates from \$10 to \$15, and Sec. 504.510 (d) increases the population criteria for the plate eligibility to 140,000.

SECTION 34. Amends Sec. 504.801(a), Transportation Code

Sec. 504.801(a) - allows the department the option to charge a nonrefundable redesign fee.

SECTION 35. Amends Sec. 152.025(b), Tax Code

Sec. 150.025(b) - increases the gift tax on a motor vehicle from \$10 to \$50.

SECTION 36. Repeals the following provisions in the Transportation Code:

1. Repealer: Sec. 502.007, Transportation Code (moped merges with motorcycle in Sec. 502.160, Transportation Code)
2. Repealer: Sec. 502.161(b), Transportation Code (deletes the fees as they are moved to Sec. 502.162, Transportation Code)
3. Repealer: Sec. 502.170, Transportation Code (deletes the \$.30 charge for reflectorized plates),
4. Repealer: Sec. 502.1705(c), Transportation Code (allows the \$1 fee for automation in every county as every county benefits equally from the automated system.)
5. Repealer: Sec. 502.184(c)-(d) and (g)-(i), Transportation Code (this license plate information moves to Sec. 502.1841)
6. Repealer: Sec. 502.187, Transportation Code (Parade Vehicle Owned by Nonprofit Organizations)
7. Repealer: Sec. 502.201(c), Transportation Code (deletes the requirement to return license plates and registration receipt to the department if registration is revoked)
8. Repealer: Sec. 502.453, Transportation Code (Fees Required for Transfer of License Plate and Registration Insignia (\$5).
9. Repealer: Sec. 504.5011, Transportation Code (relating to Classic Travel Trailers as it merges with Sec. 504.501, Transportation Code).

SECTION 37. Effective date language as to registration.

SECTION 38. Effective date language as to taxation.

SECTION 39. Provides for the bill to take effect September 1, 2011.

STATUTORY PROVISIONS REPEALED BY CSSB 1636:

- Transportation Code, Section 502.007
- Transportation Code, Sections 502.161(b)
- Transportation Code, Section 502.170
- Transportation Code, Section 502.1705(c)
- Transportation Code, Section 502.184 (c) – ((d) and (g) – (i)
- Transportation Code, Section 502.187
- Transportation Code, Section 502.201 (c)
- Transportation Code, Section 502.453; and
- Transportation Code, Section 504.5011

EFFECTIVE DATE

The act takes effect September 1, 2011.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Purpose. The ENG was designed to be revenue neutral. CSSB increases revenue.

SECTION 1. Certified copy fee for titles is increased from \$2 to \$25. This was not in the ENG.

SECTION 4. Sets a \$58 fee for all vehicles which weigh 6,000 or less. The ENG fee was \$50.75.

SECTION 6. Sets seven categories of fees for vehicles that weight more than 6,000. The fees are different.

Weight Classification	Fee Schedule ENG	Fee Schedule CSSB
in pounds		
6,001-10,000	\$54	\$70
10,001-18,000	\$110	\$125
18,001-25,999	\$205	\$225
26,000-40,000	\$340	\$325
40,001-54,999	\$535	\$525
55,000-70,000	\$740	\$725
70,001-80,000	\$840	\$825

SECTION 7. Decreases the fee for registration of a fertilizer vehicle from \$75 to \$15. Not in ENG.

SECTION 10. Fee for trailers, travel trailers and semitrailers is \$40 if they weight 6,000 or less. The fee in ENG was \$45.

SECTION 11. Increases the fee for an oil well permit from \$5 to \$15. Not in ENG.

SECTION 15. In ENG, insignia replacement fee was increased to \$6 from \$5. CSSB retains it at the current \$5.

SECTION 16. The fee for a replacement license plate is increased from \$5 to \$15. ENG was \$6.

SECTION 17. Removes the \$5 fee for disaster relief plates. Not in ENG.

SECTION 18. Provides that the fee for foreign vehicle/annual permit is prescribed by Sections 502.161 and 502.162, Transportation Code. Not in ENG.

SECTION 20. Provides that license plates may be issued for up to two years and expire on December 31 of the specified period (State Official). Not in ENG.

SECTION 21. Decreases the fee for issuance of Peace Office license plates from \$20 to \$15. Not in ENG.

SECTION 22. Removes the fee for issuance of Gold Star license plates. Not in ENG.

SECTION 23. Increases the fee for issuance of Volunteer Firefighter license plates from \$4 to \$15. Not in ENG.

SECTION 24. Increases the fee for Emergency Medical Services Personnel from \$8 to \$15. Not in ENG.

SECTION 25. Decreases the fee for Honorary Consuls licenses plates from \$40 to \$15. Not in ENG.

SECTION 26. ENG removed the fee for classic vehicles in Sec. 504.501, Transportation Code. No change in fee in CSSB.

SECTION 27. Provides annual renewal of Antique license plates at \$15 for each year, instead of \$10 per year (after 1921), and \$8 per year (earlier manufacture). Not in ENG.

SECTION 28. Increases the fee for farm and machinery from \$5 to \$15. Not in ENG.

SECTION 29. Increases the fee for the initial issuance of Cotton vehicle license plates from \$8 to \$15. ENG removed the fee.

SECTION 30. Decreases the fee for Log Loaders from \$62.50 to \$15. Not in ENG.

SECTION 31. Increases the fee for Forestry Vehicles from \$8 to \$15. ENG removed the fee.

SECTION 33. Increases the fee for golf cart license plates from \$10 to \$15 and changing the population restrictions from 110,000 to 140,000. ENG decreased the fee to \$6.

SECTION 35. Increases the gift tax from \$10 to \$50. Not in ENG.

CSSB Repeal. Repeals Sec. 502.184(c)-(d) and (g)-(i), Transportation Code as license plate information moved to Sec. 502.1841. ENG did not.

ENG Repeals. ENG removed the \$15 fee for tow trucks. CSSB retains the \$15 fee, so does not contain this SECTION of the bill. ENG repealed the \$4 fee for volunteer firefighter plates. CSSB does not.