

By: Pickett

H.B. No. 782

A BILL TO BE ENTITLED

AN ACT

relating to registration exemptions for certain foreign commercial motor vehicles.

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

SECTION 1. Section 648.001(4), Transportation Code, is amended to read as follows:

(4) "Foreign commercial motor vehicle" means a commercial motor vehicle, as defined by 49 C.F.R. Section 390.5, that is owned [~~or controlled~~] by a person or entity that is domiciled in or a citizen of a country other than the United States.

SECTION 2. Section 648.101, Transportation Code, is amended by amending Subsections (a) and (c) and adding Subsections (d) and (e) to read as follows:

(a) A foreign commercial motor vehicle is exempt from Chapter 502 and any other law of this state requiring the vehicle to be registered in this state, including a law providing for a temporary registration permit, if:

(1) the vehicle is engaged solely in transportation of cargo across the border into or from a border commercial zone;

(2) for each load of cargo transported the vehicle remains in this state:

(A) not more than 24 hours; or

(B) not more than 48 hours, if:

(i) the vehicle is unable to leave this

1 state within 24 hours because of circumstances beyond the control
2 of the motor carrier operating the vehicle; and

3 (ii) all financial responsibility
4 requirements applying to the vehicle are satisfied;

5 (3) the vehicle is registered and licensed as required
6 by the ~~[law of another]~~ country in which the person that owns the
7 vehicle is domiciled or is a citizen as evidenced by a valid metal
8 license plate attached to the front or rear of the exterior of the
9 vehicle; and

10 (4) the country in which the person that owns ~~[or~~
11 ~~controls]~~ the vehicle is domiciled or is a citizen provides a
12 reciprocal exemption for commercial motor vehicles owned ~~[or~~
13 ~~controlled]~~ by residents of this state.

14 (c) A valid ~~[Notwithstanding any]~~ reciprocity agreement
15 between this state and another state of the United States or a
16 Canadian province that exempts currently registered vehicles owned
17 by nonresidents is effective in a border commercial zone.

18 (d) A ~~[, a]~~ foreign commercial motor vehicle that engages
19 primarily in transportation of cargo across the border into or from
20 a border commercial zone must be:

21 (1) registered in this state; or

22 (2) operated under the exemption provided by this
23 section.

24 (e) A vehicle located in a border commercial zone must
25 display a valid Texas registration if the vehicle is owned by a
26 person who:

27 (1) owns a leasing facility or a leasing terminal

1 located in this state; and

2 (2) leases the vehicle to a foreign motor carrier.

3 SECTION 3. This Act takes effect September 1, 2009.