

By: Pickett

H.B. No. 782

A BILL TO BE ENTITLED

AN ACT

1
2 relating to registration exemptions for certain foreign commercial
3 motor vehicles.

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

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

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

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

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

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

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

22 (A) not more than 24 hours; or

23 (B) not more than 48 hours, if:

24 (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.