

1-1 By: Pickett (Senate Sponsor - Carona) H.B. No. 782
1-2 (In the Senate - Received from the House March 30, 2009;
1-3 April 27, 2009, read first time and referred to Committee on
1-4 Transportation and Homeland Security; April 29, 2009, reported
1-5 favorably by the following vote: Yeas 8, Nays 0; April 29, 2009,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to registration exemptions for certain foreign commercial
1-10 motor vehicles.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 648.001(4), Transportation Code, is
1-13 amended to read as follows:

1-14 (4) "Foreign commercial motor vehicle" means a
1-15 commercial motor vehicle, as defined by 49 C.F.R. Section 390.5,
1-16 that is owned ~~[or controlled]~~ by a person or entity that is
1-17 domiciled in or a citizen of a country other than the United States.

1-18 SECTION 2. Section 648.101, Transportation Code, is amended
1-19 by amending Subsections (a) and (c) and adding Subsections (d) and
1-20 (e) to read as follows:

1-21 (a) A foreign commercial motor vehicle is exempt from
1-22 Chapter 502 and any other law of this state requiring the vehicle to
1-23 be registered in this state, including a law providing for a
1-24 temporary registration permit, if:

1-25 (1) the vehicle is engaged solely in transportation of
1-26 cargo across the border into or from a border commercial zone;

1-27 (2) for each load of cargo transported the vehicle
1-28 remains in this state:

1-29 (A) not more than 24 hours; or

1-30 (B) not more than 48 hours, if:

1-31 (i) the vehicle is unable to leave this
1-32 state within 24 hours because of circumstances beyond the control
1-33 of the motor carrier operating the vehicle; and

1-34 (ii) all financial responsibility
1-35 requirements applying to the vehicle are satisfied;

1-36 (3) the vehicle is registered and licensed as required
1-37 by the ~~[law of another]~~ country in which the person that owns the
1-38 vehicle is domiciled or is a citizen as evidenced by a valid metal
1-39 license plate attached to the front or rear of the exterior of the
1-40 vehicle; and

1-41 (4) the country in which the person that owns ~~[or~~
1-42 ~~controls]~~ the vehicle is domiciled or is a citizen provides a
1-43 reciprocal exemption for commercial motor vehicles owned ~~[or~~
1-44 ~~controlled]~~ by residents of this state.

1-45 (c) A valid [Notwithstanding any] reciprocity agreement
1-46 between this state and another state of the United States or a
1-47 Canadian province that exempts currently registered vehicles owned
1-48 by nonresidents is effective in a border commercial zone.

1-49 (d) A [,-a] foreign commercial motor vehicle that engages
1-50 primarily in transportation of cargo across the border into or from
1-51 a border commercial zone must be:

1-52 (1) registered in this state; or

1-53 (2) operated under the exemption provided by this
1-54 section.

1-55 (e) A vehicle located in a border commercial zone must
1-56 display a valid Texas registration if the vehicle is owned by a
1-57 person who:

1-58 (1) owns a leasing facility or a leasing terminal
1-59 located in this state; and

1-60 (2) leases the vehicle to a foreign motor carrier.

1-61 SECTION 3. This Act takes effect September 1, 2009.

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