

By: Carona

S.B. No. 1507

A BILL TO BE ENTITLED

AN ACT

relating to motor vehicles; providing penalties.

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

SECTION 1. Section 501.002, Transportation Code, is amended to read as follows:

Sec. 501.002. DEFINITIONS. In this chapter:

(1) "Certificate of title" means a printed record of title ~~[an instrument]~~ issued under Section 501.021.

(1-a) "Commercial fleet" means a group of at least 25 nonapportioned commercial motor vehicles owned by a corporation, limited or general partnership, limited liability company, or other business entity and used for the business purposes of that entity.

(2) "Credit card" means a card, plate, or similar device used to make a purchase or to borrow money.

(3) "Dealer" has the meaning assigned by Section 503.001 ~~[means a person who purchases motor vehicles for sale at retail]~~.

(4) "Debit card" means a card that enables the holder to withdraw money or to have the cost of a purchase charged directly to the holder's bank account.

(5) ~~[(3)]~~ "Department" means the Texas Department of Transportation.

(6) ~~[(4)]~~ "Distributor" has the meaning assigned by Chapter 2301, Occupations Code ~~[means a person engaged in the~~

1 ~~business of selling to a dealer motor vehicles purchased from a~~
2 ~~manufacturer].~~

3 (7) [~~(5)~~] "First sale" means:

4 (A) the bargain, sale, transfer, or delivery of a
5 motor vehicle that has not been previously registered or titled
6 [~~licensed~~], with intent to pass an interest in the motor vehicle,
7 other than a lien, regardless of where the bargain, sale, transfer,
8 or delivery occurred; and

9 (B) the registration or titling [~~licensing~~] of
10 that vehicle.

11 [~~(6) "House trailer" means a trailer designed for~~
12 ~~human habitation. The term does not include manufactured housing.~~

13 [~~(7) "Importer" means a person, other than a~~
14 ~~manufacturer, that brings a used motor vehicle into this state for~~
15 ~~sale in this state.]~~

16 (8) [~~"Importer's certificate" means a certificate for~~
17 ~~a used motor vehicle brought into this state for sale in this state.~~

18 [~~(9)~~] "Lien" means:

19 (A) a lien provided for by the constitution or
20 statute in a motor vehicle;

21 (B) a security interest, as defined by Section
22 1.201, Business & Commerce Code, in a motor vehicle, other than an
23 absolute title, created by any written security agreement, as
24 defined by Section 9.102, Business & Commerce Code, including a
25 lease, conditional sales contract, deed of trust, chattel mortgage,
26 trust receipt, or reservation of title; or

27 (C) a child support lien under Chapter 157,

1 Family Code.

2 (9) [~~(10)~~] "Manufactured housing" has the meaning
3 assigned by Chapter 1201, Occupations Code.

4 (10) [~~(11)~~] "Manufacturer" has the meaning assigned
5 by Section 503.001 [~~means a person regularly engaged in the~~
6 ~~business of manufacturing or assembling new motor vehicles~~].

7 (11) [~~(12)~~] "~~Manufacturer's permanent vehicle~~
8 ~~identification number~~" ~~means the number affixed by the manufacturer~~
9 ~~to a motor vehicle in a manner and place easily accessible for~~
10 ~~physical examination and die-stamped or otherwise permanently~~
11 ~~affixed on one or more removable parts of the vehicle.~~

12 ~~[(13)]~~ "Motorcycle" has the meaning assigned by
13 Section 541.201 [~~means a motor vehicle, other than a tractor,~~
14 ~~designed to propel itself with not more than three wheels in contact~~
15 ~~with the ground~~].

16 (12) [~~(14)~~] "Motor vehicle" means:

17 (A) any motor driven or propelled vehicle
18 required to be registered under the laws of this state;

19 (B) a trailer or semitrailer, other than
20 manufactured housing, that has a gross vehicle weight that exceeds
21 4,000 pounds;

22 (C) a travel [~~house~~] trailer;

23 (D) an all-terrain vehicle, as defined by Section
24 502.001, designed by the manufacturer for off-highway use that is
25 not required to be registered under the laws of this state; or

26 (E) a motorcycle, motor-driven cycle, or moped
27 that is not required to be registered under the laws of this state[7

1 ~~other than a motorcycle, motor-driven cycle, or moped designed for~~
2 ~~and used exclusively on a golf course].~~

3 (13) [(15)] "New motor vehicle" has the meaning
4 assigned by Chapter 2301, Occupations Code ~~[means a motor vehicle~~
5 ~~that has not been the subject of a first sale].~~

6 (14) [(16)] "Owner" means ~~[includes]~~ a person who:

7 (A) holds the legal ~~[, other than a manufacturer,~~
8 ~~importer, distributor, or dealer, claiming]~~ title to a motor
9 vehicle;

10 (B) has the legal right of possession of a motor
11 vehicle; or

12 (C) has the legal ~~[having a]~~ right of control of
13 ~~[to operate under a lien]~~ a motor vehicle ~~[that has been subject to~~
14 ~~a first sale].~~

15 (15) "Purchaser" means a person or entity to which a
16 motor vehicle is donated, given, sold, or otherwise transferred.

17 (16) "Record of title" means an electronic record of
18 motor vehicle ownership in the department's motor vehicle database
19 that is created under Subchapter I.

20 (17) "Seller" means a person or entity that donates,
21 gives, sells, or otherwise transfers ownership of a motor vehicle.

22 (18) "Semitrailer" means a vehicle that is designed or
23 used with a motor vehicle so that part of the weight of the vehicle
24 and its load rests on or is carried by another vehicle.

25 ~~[(18) "Serial number" means a vehicle identification~~
26 ~~number that is affixed to a part of a motor vehicle and that is:~~

27 ~~[(A) the manufacturer's permanent vehicle~~

1 ~~identification number;~~

2 ~~[(B) a derivative number of the manufacturer's~~
3 ~~permanent vehicle identification number;~~

4 ~~[(C) the motor number; or~~

5 ~~[(D) the vehicle identification number assigned~~
6 ~~by the department.]~~

7 (19) "Steal" has the meaning assigned by Section
8 31.01, Penal Code.

9 (20) "Subsequent sale" means:

10 (A) the bargain, sale, transfer, or delivery of a
11 used motor vehicle [~~that has been previously registered or licensed~~
12 ~~in this state or elsewhere~~], with intent to pass an interest in the
13 vehicle, other than a lien[~~, regardless of where the bargain, sale,~~
14 ~~transfer, or delivery occurs~~]; and

15 (B) the registration of the vehicle if
16 registration is required under the laws of this state.

17 (21) "Title receipt" means a document [~~an instrument~~]
18 issued under Section 501.024.

19 (22) "Trailer" means a vehicle that:

20 (A) is designed or used to carry a load wholly on
21 the trailer's own structure; and

22 (B) is drawn or designed to be drawn by a motor
23 vehicle.

24 (23) "Travel trailer" means a house trailer-type
25 vehicle or a camper trailer:

26 (A) that is a recreational vehicle defined under
27 24 C.F.R. Section 3282.8(g); or

1 (B) that:

2 (i) is less than eight feet in width and 40
3 feet in length, exclusive of any hitch installed on the vehicle;

4 (ii) is designed primarily for use as
5 temporary living quarters in connection with recreational,
6 camping, travel, or seasonal use;

7 (iii) is not used as a permanent dwelling;
8 and

9 (iv) is not a utility trailer, enclosed
10 trailer, or other trailer that does not have human habitation as its
11 primary function.

12 (24) "Used motor vehicle" means a motor vehicle that
13 has been the subject of a first sale.

14 (25) "Vehicle identification number" means:

15 (A) the manufacturer's permanent vehicle
16 identification number affixed by the manufacturer to the motor
17 vehicle that is easily accessible for physical examination and
18 permanently affixed on one or more removable parts of the vehicle;
19 or

20 (B) a serial number affixed to a part of a motor
21 vehicle that is:

22 (i) a derivative number of the
23 manufacturer's permanent vehicle identification number;

24 (ii) the motor number; or

25 (iii) a vehicle identification number
26 assigned by the department.

27 SECTION 2. The heading to Section 501.003, Transportation

1 Code, is amended to read as follows:

2 Sec. 501.003. PURPOSE [~~CONSTRUCTION~~].

3 SECTION 3. Subsection (a), Section 501.004, Transportation
4 Code, is amended to read as follows:

5 (a) Except as provided by this section, this [~~This~~] chapter
6 applies to all motor vehicles, including a motor vehicle owned by
7 the state or a political subdivision of the state.

8 SECTION 4. Section 501.131, Transportation Code, is
9 transferred to Subchapter A, Chapter 501, Transportation Code,
10 renumbered as Section 501.0041, Transportation Code, and amended to
11 read as follows:

12 Sec. 501.0041 [~~501.131~~]. RULES; FORMS. (a) The
13 department may adopt rules to administer this chapter.

14 (b) The department shall post on the Internet or [+]

15 [~~(1) in addition to the forms required by this~~
16 ~~chapter, prescribe forms for a title receipt, manufacturer's~~
17 ~~certificate, and importer's certificate, and other forms the~~
18 ~~department determines necessary, and~~

19 [~~(2)~~] provide each county assessor-collector with a
20 sufficient supply of any necessary [~~the~~] forms.

21 SECTION 5. Section 501.159, Transportation Code, is
22 transferred to Subchapter A, Chapter 501, Transportation Code,
23 renumbered as Section 501.006, Transportation Code, and amended to
24 read as follows:

25 Sec. 501.006 [~~501.159~~]. ALIAS [~~CERTIFICATE OF~~] TITLE. On
26 receipt of a verified [~~written~~] request approved by the executive
27 administrator of a law enforcement agency, the department may issue

1 a ~~[certificate of]~~ title in the form requested by the executive
2 administrator for a vehicle in an alias for the law enforcement
3 agency's use in a covert criminal investigation.

4 SECTION 6. Section 501.021, Transportation Code, is amended
5 to read as follows:

6 Sec. 501.021. ~~[CERTIFICATE OF]~~ TITLE FOR MOTOR VEHICLE.

7 (a) A motor vehicle ~~[certificate of]~~ title ~~[is an instrument]~~
8 issued by the department must include ~~[that includes]~~:

9 (1) the name and address of each ~~[the]~~ purchaser and
10 seller at the first sale or ~~[the transferee and transferor at]~~ a
11 subsequent sale;

12 (2) the ~~[make of the motor]~~ vehicle description;

13 (3) the ~~[body type of the vehicle,~~

14 ~~[(4) the manufacturer's permanent vehicle~~
15 ~~identification number of the vehicle or the vehicle's motor number~~
16 ~~if the vehicle was manufactured before the date that stamping a~~
17 ~~permanent identification number on a motor vehicle was universally~~
18 ~~adopted,~~

19 ~~[(5) the serial number for the vehicle,~~

20 ~~[(6) the number on the vehicle's current Texas license~~
21 ~~plates, if any,~~

22 ~~[(7) a statement:~~

23 ~~[(A) that no lien on the vehicle is recorded, or~~

24 ~~[(B) of the]~~ name and address of each lienholder
25 and the date of each lien on the vehicle, listed in the
26 chronological order in which the lien was recorded;

27 (4) ~~[(8) a space for the signature of the owner of the~~

1 ~~vehicle,~~

2 ~~(9)~~ a statement indicating rights of survivorship
3 under Section 501.031;

4 (5) ~~(10)~~ if the vehicle has an odometer, the
5 odometer reading [~~indicated by the application for the certificate~~
6 ~~of title~~]; and

7 (6) ~~(11)~~ any other information required by the
8 department.

9 (b) A printed certificate of title must bear the following
10 statement on its face:

11 "UNLESS OTHERWISE AUTHORIZED BY LAW, IT IS A VIOLATION OF STATE LAW
12 TO SIGN THE NAME OF ANOTHER PERSON ON A CERTIFICATE OF TITLE OR
13 OTHERWISE GIVE FALSE INFORMATION ON A CERTIFICATE OF TITLE."

14 SECTION 7. Section 501.022, Transportation Code, is amended
15 to read as follows:

16 Sec. 501.022. MOTOR VEHICLE [~~CERTIFICATE OF~~] TITLE
17 REQUIRED. (a) The owner of a motor vehicle registered in this
18 state may not operate or permit the operation of the vehicle on a
19 public highway until the owner obtains a [~~certificate of~~] title for
20 the vehicle or until the owner obtains registration for the vehicle
21 if a receipt evidencing title to the vehicle is issued under Section
22 501.029(b) or Subchapter I.

23 (b) A person may not operate a motor vehicle registered in
24 this state on a public highway if the person knows or has reason to
25 believe that the owner has not obtained a [~~certificate of~~] title for
26 the vehicle.

27 (c) The owner of a motor vehicle that is required to be

1 registered in this state must apply for a [~~certificate of~~] title to
2 [~~of~~] the vehicle before selling or disposing of the vehicle.

3 (d) Subsection (c) does not apply to a motor vehicle
4 operated on a public highway in this state with a metal dealer's
5 license plate or a dealer's or buyer's temporary [~~cardboard~~] tag
6 attached to the vehicle as provided by Chapter 503.

7 SECTION 8. Section 501.023, Transportation Code, is amended
8 to read as follows:

9 Sec. 501.023. APPLICATION FOR [~~CERTIFICATE OF~~] TITLE.

10 (a) The owner of a motor vehicle must apply for a [~~certificate of~~]
11 title as prescribed by the department [+

12 [~~(1)~~] to the county assessor-collector in the county
13 in which:

14 (1) [~~(A)~~] the owner is domiciled; or

15 (2) [~~(B)~~] the motor vehicle is purchased or encumbered

16 [~~, and~~

17 [~~(2) on a form prescribed by the department~~].

18 (b) The assessor-collector shall send the application to
19 the department or enter it into the department's titling system
20 within 72 [~~not later than 24~~] hours after receipt of [~~receiving~~] the
21 application.

22 (c) The owner or a lessee of a commercial motor vehicle
23 operating under the International Registration Plan or other
24 agreement described by Section 502.091 [~~502.054~~] that is applying
25 for a [~~certificate of~~] title for purposes of registration only may
26 apply [~~must be made~~] directly to the department. Notwithstanding
27 Section 501.138(a), an applicant for registration under this

1 subsection shall pay [~~the department~~] the fee imposed by that
2 section. The [~~department shall send the~~] fee shall be distributed
3 to the appropriate county assessor-collector [~~for distribution~~] in
4 the manner provided by Section 501.138.

5 (d) Applications submitted to the department electronically
6 must request the purchaser's choice of county as stated in
7 Subsection (a) as the recipient of all taxes, fees, and other
8 revenue collected as a result of the transaction.

9 SECTION 9. (a) Subsection (b), Section 501.0234,
10 Transportation Code, is amended to read as follows:

11 (b) This section does not apply to a motor vehicle:

12 (1) that has been declared a total loss by an insurance
13 company in the settlement or adjustment of a claim;

14 (2) for which the certificate of title has been
15 surrendered in exchange for:

16 (A) a salvage vehicle title issued under this
17 chapter;

18 (B) a nonrepairable vehicle title issued under
19 this chapter;

20 (C) a certificate of authority issued under
21 Subchapter D, Chapter 683; or

22 (D) an ownership document issued by another state
23 that is comparable to a document described by Paragraphs (A)-(C);

24 [~~or~~]

25 (3) with a gross weight in excess of 11,000 pounds; or

26 (4) purchased by a fleet buyer who is a full-service
27 deputy under Section 520.008 and utilizes the dealer title

1 application process developed to provide a method of submitting
2 title transactions to the county in which the fleet buyer is a
3 full-service deputy.

4 (b) This section takes effect September 1, 2009.

5 SECTION 10. Subsections (a), (b), (d), and (e), Section
6 501.0234, Transportation Code, are amended to read as follows:

7 (a) A person who sells at the first or a subsequent sale a
8 motor vehicle and who holds a general distinguishing number issued
9 under Chapter 503 of this code or Chapter 2301, Occupations Code,
10 shall:

11 (1) except as provided by this section, in the time and
12 manner provided by law, apply, in the name of the purchaser of the
13 vehicle, for the registration of the vehicle, if the vehicle is to
14 be registered, and a [~~certificate of~~] title for the vehicle and file
15 with the appropriate designated agent each document necessary to
16 transfer title to or register the vehicle; and at the same time

17 (2) remit any required motor vehicle sales tax.

18 (b) This section does not apply to a motor vehicle:

19 (1) that has been declared a total loss by an insurance
20 company in the settlement or adjustment of a claim;

21 (2) for which the [~~certificate of~~] title has been
22 surrendered in exchange for:

23 (A) a salvage vehicle title or salvage record of
24 title issued under this chapter;

25 (B) a nonrepairable vehicle title or
26 nonrepairable record of title issued under this chapter or
27 Subchapter D, Chapter 683;

1 [~~(C)~~ a certificate of authority issued under
2 Subchapter D, Chapter 683,] or

3 (C) [~~(D)~~] an ownership document issued by
4 another state that is comparable to a document described by
5 Paragraph (A) or (B) [~~Paragraphs (A)-(C)~~]; [~~or~~]

6 (3) with a gross weight in excess of 11,000 pounds; or

7 (4) purchased by a fleet buyer who utilizes the dealer
8 title application process developed to provide a method to submit
9 title transactions to counties that have approved the persons as
10 full-service deputies under Section 502.114.

11 (d) A seller who applies for the registration or a
12 [~~certificate of~~] title for a motor vehicle under Subsection (a)(1)
13 shall apply in the county as directed by the purchaser from the
14 counties set forth in Section 501.023 [~~of this code~~].

15 (e) The department shall develop [~~promulgate~~] a form or
16 electronic process in [~~on~~] which the purchaser of a motor vehicle
17 shall designate the purchaser's choice as set out in Section
18 501.023 as the recipient of all taxes, fees, and other revenue
19 collected as a result of the transaction, which the tax
20 assessor-collector is authorized by law to retain. A seller shall
21 make that form or electronic process available to the purchaser of a
22 vehicle at the time of purchase.

23 SECTION 11. Section 501.0235, Transportation Code, is
24 amended to read as follows:

25 Sec. 501.0235. DRIVER'S LICENSE OR PERSONAL IDENTIFICATION
26 CERTIFICATE [~~SOCIAL SECURITY~~] NUMBER OF TITLE APPLICANT [~~+~~
27 ~~AUTOMATED REGISTRATION AND TITLE SYSTEM~~]. (a) The department

1 shall require an applicant for a [~~certificate of~~] title to provide
2 the applicant's driver's license or personal identification
3 certificate [~~social security~~] number to the department.

4 (b) The [~~department or the county shall enter the~~
5 ~~applicant's social security~~] number shall be entered in the
6 department's electronic titling system [~~database~~] but may not be
7 printed [~~print that number~~] on the [~~certificate of~~] title.

8 [~~(c) This section applies only in a county in which the~~
9 ~~department's automated registration and title system has been~~
10 ~~implemented.~~]

11 SECTION 12. Section 501.024, Transportation Code, is
12 amended to read as follows:

13 Sec. 501.024. TITLE RECEIPT. (a) A county
14 assessor-collector who receives an application for a [~~certificate~~
15 ~~of~~] title shall issue a title receipt to the applicant containing
16 the information concerning the motor vehicle required for issuance
17 of a title under Section 501.021 or Subchapter I[7] after:

18 (1) the requirements of this chapter are met,
19 including the payment of the fees required under Section 501.138;
20 and

21 (2) the [~~7, issue a title receipt on which is noted~~]
22 information is entered into the department's titling system
23 [~~concerning the motor vehicle required for the certificate of title~~
24 ~~under Section 501.021, including a statement of the existence of~~
25 ~~each lien as disclosed on the application or a statement that no~~
26 ~~lien is disclosed~~].

27 (b) If a lien is not disclosed on the application for a

1 ~~[certificate of]~~ title, the assessor-collector shall issue a ~~[mark~~
2 ~~the]~~ title receipt ~~["original" and deliver it]~~ to the applicant.

3 (c) If a lien is disclosed on the application for a
4 ~~[certificate of]~~ title, the assessor-collector shall issue a
5 duplicate title receipt to the lienholder ~~[receipts. The~~
6 ~~assessor-collector shall:~~

7 ~~[(1) mark one receipt "original" and mail or deliver~~
8 ~~it to the first lienholder disclosed on the application, and~~

9 ~~[(2) mark the second receipt "duplicate original" and~~
10 ~~mail or deliver it to the address of the applicant provided on the~~
11 ~~application].~~

12 (d) A title receipt authorizes the operation of the motor
13 vehicle on a public highway in this state for 10 days or until the
14 ~~[certificate of]~~ title is issued, whichever period is shorter.

15 SECTION 13. Section 501.025, Transportation Code, is
16 amended to read as follows:

17 Sec. 501.025. ~~[TITLE RECEIPT REQUIRED ON FIRST SALE,]~~
18 MANUFACTURER'S CERTIFICATE REQUIRED ON FIRST SALE. A county
19 assessor-collector may not issue a title receipt on the first sale
20 of a motor vehicle unless the applicant for the ~~[certificate of]~~
21 title provides ~~[to the assessor-collector]~~ the application for a
22 ~~[certificate of]~~ title and a manufacturer's certificate in~~[, on]~~
23 manner ~~[form]~~ prescribed by the department~~[, that:~~

24 ~~[(1) is assigned to the applicant by the manufacturer,~~
25 ~~distributor, or dealer shown on the manufacturer's certificate as~~
26 ~~the last transferee, and~~

27 ~~[(2) shows the transfer of the vehicle from its~~

1 ~~manufacturer to the purchaser, whether a distributor, dealer, or~~
2 ~~owner, and each subsequent transfer from distributor to dealer,~~
3 ~~dealer to dealer, and dealer to applicant].~~

4 SECTION 14. Section 501.027, Transportation Code, is
5 amended to read as follows:

6 Sec. 501.027. ISSUANCE OF [~~CERTIFICATE OF~~] TITLE. (a) On
7 the day that a county assessor-collector issues a title receipt, a
8 copy of the title receipt and all evidence of title [~~the~~
9 ~~assessor-collector~~] shall be submitted [~~mail~~] to the department in
10 the period specified in Section 501.023(b) [~~+~~

11 ~~(1) a copy of the receipt, and~~

12 ~~(2) the evidence of title delivered to the~~
13 ~~assessor-collector by the applicant].~~

14 (b) Not later than the fifth day after the date the
15 department receives an application for a [~~certificate of~~] title and
16 the department determines the requirements of this chapter are met:

17 (1) the [~~, the department shall issue the certificate~~
18 ~~of~~] title shall be issued to the first lienholder or to the
19 applicant if [~~. If~~] a lien is not disclosed on the application; or

20 (2) [~~7~~] the department shall notify [~~send the~~
21 ~~certificate by first class mail to~~] the applicant that the
22 department's titling system has established a record of title of
23 the motor vehicle in the applicant's name if a lien is not disclosed
24 [~~at the address provided on the application~~]. If a lien is
25 disclosed on the application, the department shall notify [~~send~~]
26 the [~~certificate by first class mail to the first~~] lienholder that
27 the lien has been perfected [~~as disclosed on the application~~].

1 SECTION 15. Section 501.0275, Transportation Code, is
2 amended to read as follows:

3 Sec. 501.0275. ISSUANCE OF TITLE FOR UNREGISTERED VEHICLE.

4 (a) The department shall issue a [~~certificate of~~] title for a
5 motor vehicle that complies with the other requirements [~~for~~
6 ~~issuance of a certificate of title~~] under this chapter except that:

7 (1) the vehicle is not registered for a reason other
8 than a reason provided by Section 501.051(a)(6) [~~501.051(6)~~]; and

9 (2) the applicant does not provide evidence of
10 financial responsibility that complies with Section 502.046
11 [~~502.153~~].

12 (b) On application for a [~~certificate of~~] title under this
13 section, the applicant must surrender any license plates issued for
14 the motor vehicle if the plates are not being transferred to another
15 vehicle and any registration insignia for validation of those
16 plates to the department.

17 SECTION 16. Section 501.0276, Transportation Code, is
18 amended to read as follows:

19 Sec. 501.0276. DENIAL OF TITLE RECEIPT, [~~OR CERTIFICATE OF~~]
20 TITLE, OR RECORD OF TITLE FOR FAILURE TO PROVIDE PROOF OF EMISSIONS
21 TESTING. A county assessor-collector may not issue a title receipt
22 and the department may not issue a certificate of title for a
23 vehicle subject to Section 548.3011 unless proof that the vehicle
24 has passed a vehicle emissions test as required by that section, in
25 a manner [~~form~~] authorized by that section, is presented to the
26 county assessor-collector with the application for a [~~certificate~~
27 ~~of~~] title.

1 SECTION 17. Section 501.029, Transportation Code, is
2 amended to read as follows:

3 Sec. 501.029. ACCEPTABLE PROOF OF OWNERSHIP [~~USE OF~~
4 ~~REGISTRATION RECEIPT OR TITLE RECEIPT TO EVIDENCE TITLE~~]. (a) A
5 person may use the department's record of title, a registration
6 receipt issued under Chapter 502, or a title receipt to evidence
7 ownership of [~~title to~~] a motor vehicle but [~~and~~] not to transfer an
8 interest in or establish a lien on the vehicle.

9 (b) The department by rule may provide for the issuance of a
10 receipt that evidences title to a motor vehicle for registration
11 purposes only. The fee for application for the receipt is the fee
12 applicable to application for a [~~certificate of~~] title.

13 SECTION 18. Subsections (b), (d), (e), (f), and (g),
14 Section 501.030, Transportation Code, are amended to read as
15 follows:

16 (b) Before a motor vehicle that was not manufactured for
17 sale or distribution in the United States may be titled in this
18 state, the applicant must:

19 (1) provide to the assessor-collector:

20 (A) a bond release letter, with all attachments,
21 issued by the United States Department of Transportation
22 acknowledging:

23 (i) receipt of a statement of compliance
24 submitted by the importer of the vehicle; and

25 (ii) that the statement meets the safety
26 requirements of 19 C.F.R. Section 12.80(e);

27 (B) a bond release letter, with all attachments,

1 issued by the United States Environmental Protection Agency stating
2 that the vehicle has been tested and shown to conform to federal
3 emission requirements; and

4 (C) a receipt or certificate issued by the United
5 States Department of the Treasury showing that all gas guzzler
6 taxes due on the vehicle under 26 U.S.C. Section 4064(a) have been
7 paid; or

8 (2) provide to the assessor-collector proof,
9 satisfactory to the department, [~~assessor-collector~~] that the
10 vehicle was not brought into the United States from outside [~~of~~] the
11 country.

12 (d) If a motor vehicle has not been titled or registered in
13 the United States, the application for [~~certificate of~~] title must
14 be accompanied by:

15 (1) a manufacturer's certificate of origin written in
16 English issued by the vehicle manufacturer;

17 (2) the original documents that constitute valid proof
18 of ownership in the country where the vehicle was originally
19 purchased, with an English translation of the documents verified as
20 to the accuracy of the translation by an affidavit of the
21 translator; or

22 (3) if the vehicle was imported from a country that
23 cancels the vehicle registration and title for export, the
24 documents assigned to the vehicle after the registration and title
25 were canceled, with an English translation of the documents
26 verified as to the accuracy of the translation by an affidavit of
27 the translator.

1 (e) Before a motor vehicle that is required to be registered
2 in this state and that is brought into this state by a person other
3 than a manufacturer or importer may be bargained, sold,
4 transferred, or delivered with an intent to pass an interest in the
5 vehicle or encumbered by a lien, the owner must apply for a
6 ~~[certificate of]~~ title in ~~[on]~~ a manner ~~[form]~~ prescribed by the
7 department to the county assessor-collector for the county in which
8 the transaction is to take place. The assessor-collector may not
9 issue a title receipt unless the applicant delivers to the
10 assessor-collector satisfactory evidence ~~[of title]~~ showing that
11 the applicant is the owner of the vehicle and that the vehicle is
12 free of any undisclosed liens.

13 (f) A county assessor-collector may not be held liable for
14 civil damages arising out of the assessor-collector's failure to
15 reflect on the title receipt a lien or encumbrance on a motor
16 vehicle to which Subsection (e) applies unless the
17 ~~[assessor-collector's]~~ failure constitutes wilful or wanton
18 negligence.

19 (g) Until an applicant has complied with this section:

20 (1) a county assessor-collector may not accept an
21 application for ~~[certificate of]~~ title; and

22 (2) the applicant is not entitled to an appeal as
23 provided by Sections 501.052 and 501.053.

24 SECTION 19. Section 501.031, Transportation Code, is
25 amended to read as follows:

26 Sec. 501.031. RIGHTS OF SURVIVORSHIP AGREEMENT. (a) The
27 department shall include on each ~~[certificate of]~~ title an optional

1 ~~[a]~~ rights of survivorship agreement that ~~[form. The form must]~~:

2 (1) provides ~~[provide]~~ that if the agreement is
3 between ~~[signed by]~~ two or more eligible persons, the motor vehicle
4 is held jointly by those persons with the interest of a person who
5 dies to transfer ~~[survive]~~ to the surviving person or persons; and

6 (2) provides ~~[provide blanks]~~ for the acknowledgment
7 by signature, either electronically or by hand, ~~[signatures]~~ of the
8 persons.

9 (b) If the vehicle is registered in the name of one or more
10 of the persons who acknowledged ~~[signed]~~ the agreement, the
11 ~~[certificate of]~~ title may contain a:

12 (1) rights of survivorship agreement acknowledged
13 ~~[signed]~~ by all the persons; or

14 (2) remark if a rights of survivorship agreement is
15 ~~[surrendered with the application for certificate of title or~~
16 ~~otherwise]~~ on file with the department.

17 (c) Ownership ~~[Except as provided in Subsection (g),~~
18 ~~ownership]~~ of the vehicle may be transferred only:

19 (1) by all the persons acting jointly, if all the
20 persons are alive; and

21 (2) on the death of one of the persons by the surviving
22 person or persons by transferring ownership of the vehicle ~~[the~~
23 ~~certificate of title]~~, in the manner otherwise required by law ~~[for~~
24 ~~transfer of ownership of the vehicle]~~, with a copy of the death
25 certificate of the deceased person ~~[attached to the certificate of~~
26 ~~title application]~~.

27 (d) A rights of survivorship agreement under this section

1 may be revoked only if [~~by surrender of the certificate of title to~~
2 ~~the department and joint application by~~] the persons named in [~~who~~
3 ~~signed~~] the agreement file a joint application for a new title in
4 the name of the person or persons designated in the application.

5 (e) A person is eligible to file [~~sign~~] a rights of
6 survivorship agreement under this section if the person:

7 (1) is married and the spouse of the [~~signing~~] person
8 is the only other party to the agreement;

9 (2) is unmarried and attests to that unmarried status
10 by affidavit; or

11 (3) is married and provides the department with an
12 affidavit from the [~~signing~~] person's spouse that attests that the
13 [~~signing~~] person's interest in the vehicle is the [~~signing~~]
14 person's separate property.

15 (f) The department may develop an optional electronic [~~If~~
16 ~~the title is being issued in connection with the sale of the~~
17 ~~vehicle, the seller is not eligible to sign a~~] rights of
18 survivorship agreement for public use [~~under this section unless~~
19 ~~the seller is the child, grandchild, parent, grandparent, brother,~~
20 ~~or sister of each other person signing the agreement. A family~~
21 ~~relationship required by this subsection may be a relationship~~
22 ~~established by adoption.~~

23 [~~(g) If an agreement, other than the agreement provided for~~
24 ~~in Subsection (a), providing for right of survivorship is signed by~~
25 ~~two or more persons, the department shall issue a new certificate of~~
26 ~~title to the surviving person or persons upon application~~
27 ~~accompanied by a copy of the death certificate of the deceased~~

1 ~~person. The department may develop for public use under this~~
2 ~~subsection an optional rights of survivorship agreement form].~~

3 SECTION 20. Section 501.032, Transportation Code, is
4 amended to read as follows:

5 Sec. 501.032. ASSIGNMENT OF VEHICLE IDENTIFICATION

6 [~~SERIAL~~] NUMBER BY DEPARTMENT. (a) On proper application, the
7 department shall assign a vehicle identification [~~serial~~] number to
8 a travel [~~house~~] trailer, a trailer or semitrailer that has a gross
9 vehicle weight that exceeds 4,000 pounds, or an item of equipment,
10 including a tractor, farm implement, unit of special mobile
11 equipment, or unit of off-road construction equipment on which:

12 (1) a vehicle identification [~~serial~~] number was not
13 die-stamped by the manufacturer; or

14 (2) a vehicle identification [~~the serial~~] number
15 die-stamped by the manufacturer has been lost, removed, or
16 obliterated.

17 (b) The applicant shall die-stamp the assigned vehicle
18 identification [~~serial~~] number at the place designated by the
19 department on the travel [~~house~~] trailer, trailer, semitrailer, or
20 equipment.

21 (c) The manufacturer's vehicle identification [~~serial~~]
22 number or the vehicle identification [~~serial~~] number assigned by
23 the department shall be affixed on the carriage or axle part of the
24 travel [~~house~~] trailer, trailer, or semitrailer. The department
25 shall use the number as the major identification of the vehicle in
26 the issuance of a [~~certificate of~~] title.

27 SECTION 21. Subsections (a), (b), and (d), Section 501.033,

1 Transportation Code, are amended to read as follows:

2 (a) A person determined by ~~[the department or]~~ a court to be
3 the owner of a motor vehicle, a part of a motor vehicle, or an item
4 of equipment including a tractor, farm implement, unit of special
5 mobile equipment, or unit of off-road construction equipment ~~[that~~
6 ~~has had the serial number removed, altered, or obliterated]~~ may
7 apply to the department for an assigned vehicle identification
8 number that has been removed, altered, or obliterated.

9 (b) An application under this section must be in ~~[on]~~ a
10 manner ~~[form]~~ prescribed ~~[and furnished]~~ by the department and
11 accompanied by ~~[the certificate of title for the vehicle or other]~~
12 valid evidence of ownership as required by the department ~~[if there~~
13 ~~is no certificate of title]~~.

14 (d) The assigned vehicle identification number shall be
15 die-stamped or otherwise affixed ~~[to the motor vehicle, part, or~~
16 ~~item of equipment at the location and]~~ in the manner designated by
17 the department.

18 SECTION 22. Section 520.011, Transportation Code, is
19 transferred to Subchapter B, Chapter 501, Transportation Code,
20 renumbered as Section 501.0331, Transportation Code, and amended to
21 read as follows:

22 Sec. 501.0331 ~~[520.011]~~. MOTOR NUMBER REQUIRED FOR
23 ~~[VEHICLE]~~ REGISTRATION~~[, PENALTY]~~. ~~[(a)]~~ A person may not apply
24 to the county assessor-collector for the registration of a motor
25 vehicle from which the original motor number has been removed,
26 erased, or destroyed until the motor vehicle bears the motor number
27 assigned by the department.

1 ~~[(b) A person commits an offense if the person violates this~~
2 ~~section. An offense under this subsection is a misdemeanor~~
3 ~~punishable by a fine of not less than \$50 and not more than \$100.]~~

4 SECTION 23. Section 520.012, Transportation Code, is
5 transferred to Subchapter B, Chapter 501, Transportation Code,
6 renumbered as Section 501.0332, Transportation Code, and amended to
7 read as follows:

8 Sec. 501.0332 ~~[520.012]~~. APPLICATION FOR MOTOR NUMBER
9 RECORD~~[; RECORD; PENALTY]~~. (a) To obtain a motor number assigned
10 by the department, the owner of a motor vehicle that has had the
11 original motor number removed, erased, or destroyed must file a
12 sworn application with the department.

13 (b) The department shall maintain a record of ~~[separate~~
14 ~~register for recording]~~ each motor number assigned by the
15 department that includes~~[. For each motor number assigned by the~~
16 ~~department, the record must indicate]~~:

- 17 (1) the motor number assigned by the department;
- 18 (2) the name and address of the owner of the motor
19 vehicle; and
- 20 (3) the make, model, and year of manufacture of the
21 motor vehicle.

22 ~~[(c) A person who fails to comply with this section commits~~
23 ~~an offense. An offense under this subsection is a misdemeanor~~
24 ~~punishable by a fine of not less than \$10 and not more than \$100.]~~

25 SECTION 24. Section 501.034, Transportation Code, is
26 amended to read as follows:

27 Sec. 501.034. ISSUANCE OF TITLE TO GOVERNMENT AGENCY. The

1 department may issue a [~~certificate of~~] title to a government
2 agency if a vehicle or part of a vehicle is:

- 3 (1) forfeited to the government agency;
- 4 (2) delivered by court order under the Code of
5 Criminal Procedure to a government agency for official purposes; or
- 6 (3) sold as abandoned or unclaimed property under the
7 Code of Criminal Procedure.

8 SECTION 25. Section 501.035, Transportation Code, is
9 amended to read as follows:

10 Sec. 501.035. [~~CERTIFICATE OF~~] TITLE FOR FORMER MILITARY
11 VEHICLE. (a) Notwithstanding any other law, the department may
12 [~~shall~~] issue a [~~certificate of~~] title for a former military
13 vehicle [~~that is not registered under the laws of this state~~] if all
14 [~~other~~] requirements for issuance of a [~~certificate of~~] title are
15 met.

16 (b) In this section, "former military vehicle" has the
17 meaning assigned by Section 504.502 [~~502.275(o)~~].

18 SECTION 26. Section 501.036, Transportation Code, is
19 amended to read as follows:

20 Sec. 501.036. [~~CERTIFICATE OF~~] TITLE FOR FARM SEMITRAILER.

21 (a) Notwithstanding any other provision of this chapter, the
22 department may issue a [~~certificate of~~] title for a farm
23 semitrailer with a gross weight of more than 4,000 pounds if:

24 (1) the farm semitrailer is eligible for registration
25 under Section 502.146 [~~504.504~~]; and

26 (2) all other requirements for issuance of a
27 [~~certificate of~~] title are met.

1 (b) To obtain a [~~certificate of~~] title under this section,
2 the owner of the farm semitrailer must:

3 (1) apply for the [~~certificate of~~] title in the manner
4 required by Section 501.023; and

5 (2) pay the fee required by Section 501.138.

6 (c) The department shall adopt rules [~~and forms~~] to
7 implement and administer this section.

8 SECTION 27. Section 501.051, Transportation Code, is
9 amended to read as follows:

10 Sec. 501.051. GROUNDS FOR REFUSAL TO ISSUE OR FOR
11 REVOCATION OR SUSPENSION OF TITLE [~~CERTIFICATE~~]. (a) A title may
12 be refused, canceled, suspended, or revoked by the [~~The~~] department
13 [~~shall refuse to issue a certificate of title or shall suspend or~~
14 ~~revoke a certificate of title~~] if:

15 (1) the application [~~for the certificate~~] contains a
16 false or fraudulent statement;

17 (2) the applicant failed to furnish required
18 information requested by the department;

19 (3) the applicant is not entitled to a [~~certificate~~
20 ~~of~~] title;

21 (4) the department has reason to believe that the
22 motor vehicle is stolen;

23 (5) the department has reason to believe that the
24 issuance of a [~~certificate of~~] title would defraud the owner or a
25 lienholder of the motor vehicle;

26 (6) the registration for the motor vehicle is
27 suspended or revoked; or

1 (7) the required fee has not been paid.

2 (b) The department may rescind, cancel, or revoke an
3 application for a title if a notarized affidavit is presented to the
4 department containing:

5 (1) a statement that the vehicle involved was a new
6 motor vehicle in the process of a first sale;

7 (2) a statement that the dealer, the applicant, and
8 any lienholder have canceled the sale;

9 (3) a statement that the vehicle:

10 (A) was never in the possession of the title
11 applicant; or

12 (B) was in the possession of the title applicant;
13 and

14 (4) the signatures of the dealer, the applicant, and
15 any lienholder.

16 (c) A rescission, cancellation, or revocation containing
17 the statement authorized under Subsection (b)(3)(B) does not negate
18 the fact that the vehicle has been the subject of a previous retail
19 sale.

20 SECTION 28. The heading to Section 501.052, Transportation
21 Code, is amended to read as follows:

22 Sec. 501.052. HEARING ON REFUSAL TO ISSUE OR REVOCATION OR
23 SUSPENSION OF [~~CERTIFICATE OF~~] TITLE; APPEAL.

24 SECTION 29. Subsections (a), (d), and (e), Section 501.052,
25 Transportation Code, are amended to read as follows:

26 (a) An interested person aggrieved by a refusal,
27 rescission, cancellation, suspension, or revocation under Section

1 501.051 may apply for a hearing to the county assessor-collector
2 for the county in which the person is a resident [~~domiciled~~]. On
3 the day an assessor-collector receives the application, the
4 assessor-collector shall notify the department of the date of the
5 hearing.

6 (d) A determination of the assessor-collector is binding on
7 the applicant and the department as to whether the department
8 correctly refused to issue or correctly rescinded, canceled,
9 revoked, or suspended the [~~certificate of~~] title.

10 (e) An applicant aggrieved by the determination under
11 Subsection (d) may appeal to the county court of the county of the
12 applicant's residence. An applicant must file an appeal not later
13 than the fifth day after the date of the assessor-collector's
14 determination. The county court judge shall try the appeal in the
15 manner of other civil cases. All rights and immunities granted in
16 the trial of a civil case are available to the interested parties.
17 If the department's action is not sustained, the department shall
18 promptly issue a [~~certificate of~~] title for the vehicle.

19 SECTION 30. Section 501.053, Transportation Code, is
20 amended by amending Subsections (a), (b), and (d) and adding
21 Subsection (e) to read as follows:

22 (a) As an alternative to the procedure provided by Section
23 501.052, the person may file a bond with the department. On the
24 filing of the bond the person [~~department~~] may obtain a [~~issue the~~
25 ~~certificate of~~] title.

26 (b) The bond must be:

27 (1) in the manner [~~form~~] prescribed by the department;

1 (2) executed by the applicant;

2 (3) issued by a person authorized to conduct a surety
3 business in this state;

4 (4) in an amount equal to one and one-half times the
5 value of the vehicle as determined by the department, which may set
6 the value by appraisal if it is unable to determine that value; and

7 (5) conditioned to indemnify all prior owners and
8 lienholders and all subsequent purchasers of the vehicle or persons
9 who acquire a security interest in the vehicle, and their
10 successors in interest, against any expense, loss, or damage,
11 including reasonable attorney's fees, occurring because of the
12 issuance of the [~~certificate of~~] title for the vehicle or for a
13 defect in or undisclosed security interest on the right, title, or
14 interest of the applicant to the vehicle.

15 (d) A bond under this section expires on the third
16 anniversary of the date the bond became effective. [~~The department~~
17 ~~shall return an expired bond to the person who filed the bond unless~~
18 ~~the department has been notified of a pending action to recover on~~
19 ~~the bond.~~]

20 (e) The department by rule may establish a fee to cover the
21 cost of administering this section.

22 SECTION 31. Section 501.071, Transportation Code, is
23 amended to read as follows:

24 Sec. 501.071. SALE OF VEHICLE; TRANSFER OF TITLE.

25 (a) Except as provided in Section 503.039, a motor vehicle may not
26 be the subject of a subsequent sale unless the owner designated on
27 [~~in~~] the [~~certificate of~~] title submits a transfer of ownership of

1 ~~[transfers]~~ the ~~[certificate of]~~ title ~~[at the time of the sale]~~.

2 (b) The transfer of the ~~[certificate of]~~ title must be in
3 ~~[on]~~ a manner ~~[form]~~ prescribed by the department that ~~[includes a~~
4 ~~statement that]~~:

5 (1) certifies the purchaser ~~[signer]~~ is the owner of
6 the vehicle; and

7 (2) certifies there are no liens on the vehicle or
8 provides a release of each lien ~~[except as shown]~~ on the vehicle
9 ~~[certificate of title or as fully described in the statement]~~.

10 SECTION 32. Section 501.072, Transportation Code, is
11 amended to read as follows:

12 Sec. 501.072. ODOMETER DISCLOSURE STATEMENT. (a) Except
13 as provided by Subsection (b) ~~[(c)]~~, the seller of a motor vehicle
14 sold in this state shall provide to the buyer, in ~~[on]~~ a manner
15 ~~[form]~~ prescribed by the department, a ~~[written]~~ disclosure of the
16 vehicle's odometer reading at the time of the sale that complies
17 with federal law. ~~[The form must include space for the signature~~
18 ~~and printed name of both the seller and buyer.]~~

19 (b) ~~[When application for a certificate of title is made,~~
20 ~~the owner shall record the current odometer reading on the~~
21 ~~application. The written disclosure required by Subsection (a)~~
22 ~~must accompany the application.~~

23 ~~[(c)]~~ An odometer disclosure statement is not required for
24 the sale of a motor vehicle that:

25 (1) has a gross vehicle weight rating ~~[manufacturer's~~
26 ~~rated carrying capacity]~~ of more than 18,000 pounds ~~[two tons]~~;

27 (2) is not self-propelled;

1 (3) is 10 or more years old;

2 (4) is sold directly by the manufacturer to an agency
3 of the United States government in conformity with contractual
4 specifications; or

5 (5) is a new motor vehicle.

6 SECTION 33. Section 520.022, Transportation Code, is
7 transferred to Subchapter D, Chapter 501, Transportation Code,
8 renumbered as Section 501.0721, Transportation Code, and amended to
9 read as follows:

10 Sec. 501.0721 [~~520.022~~]. DELIVERY OF RECEIPT AND TITLE TO
11 PURCHASER [~~TRANSFeree; PENALTY~~]. [~~(a)~~] A person, whether acting
12 for that person or another, who sells, trades, or otherwise
13 transfers a used motor vehicle shall deliver to the purchaser
14 [~~transferee~~] at the time of delivery of the vehicle[+]

15 [~~(1) the license receipt issued by the department for~~
16 ~~registration of the vehicle, if the vehicle was required to be~~
17 ~~registered at the time of the delivery; and~~

18 [~~(2)~~] a properly assigned [~~certificate of~~] title or
19 other evidence of title as required under this chapter [~~Chapter~~
20 ~~501~~].

21 [~~(b) A person commits an offense if the person violates this~~
22 ~~section. An offense under this subsection is a misdemeanor~~
23 ~~punishable by a fine not to exceed \$200.~~]

24 SECTION 34. Subsections (a), (b), and (c), Section 501.074,
25 Transportation Code, are amended to read as follows:

26 (a) The department shall issue a new [~~certificate of~~] title
27 for a motor vehicle registered in this state for which the ownership

1 is transferred by operation of law[~~, including by inheritance,~~
2 ~~devise or bequest, bankruptcy, receivership, judicial sale,~~] or
3 other involuntary divestiture of ownership after receiving:

4 (1) a certified copy of an [~~the~~] order appointing a
5 temporary administrator or of the probate proceedings;

6 (2) letters testamentary or letters of
7 administration;

8 (3) if administration of an estate is not necessary,
9 an affidavit showing that administration is not necessary,
10 identifying all heirs, and including a statement by the heirs of the
11 name in which the certificate shall be issued;

12 (4) a court order; or

13 (5) the bill of sale from an officer making a judicial
14 sale.

15 (b) If a lien is foreclosed by nonjudicial means, the
16 department may issue a new [~~certificate of~~] title in the name of the
17 purchaser at the foreclosure sale on receiving the affidavit of the
18 lienholder of the fact of the nonjudicial foreclosure.

19 (c) If a constitutional or statutory lien is foreclosed, the
20 department may issue a new [~~certificate of~~] title in the name of the
21 purchaser at the foreclosure sale on receiving:

22 (1) the affidavit of the lienholder of the fact of the
23 creation of the lien and of the divestiture of title according to
24 law; and

25 (2) proof of notice as required by Sections 70.004 and
26 70.006, Property Code.

27 SECTION 35. Section 501.091, Transportation Code, is

1 amended by amending Subdivisions (2), (3), (6), (7), (8), (9),
2 (10), (11), (12), (14), (15), (16), (17), (18), and (19) and adding
3 Subdivisions (10-a) and (16-a) to read as follows:

4 (2) "Casual sale" means the sale by a salvage vehicle
5 dealer or an insurance company of three or fewer [~~not more than~~
6 ~~five~~] nonrepairable motor vehicles or salvage motor vehicles to the
7 same person during a calendar year, but [~~The term~~] does not
8 include[+]

9 [(A)] a sale at auction to a salvage vehicle
10 dealer, insurance company, or governmental entity[+; ~~or~~

11 [(B) ~~the sale of an export-only motor vehicle to~~
12 ~~a person who is not a resident of the United States~~].

13 (3) "Damage" means sudden damage to a motor vehicle
14 caused by the motor vehicle being wrecked, burned, flooded, or
15 stripped of major component parts. The term does not include:

16 (A) gradual damage from any cause;

17 (B) [~~7~~] sudden damage caused by hail;

18 (C) [~~7-04~~] any damage caused only to the exterior
19 paint of the motor vehicle; or

20 (D) theft, unless the motor vehicle was damaged
21 during the theft and before recovery.

22 (6) "Major component part" means one of the following
23 parts of a motor vehicle:

24 (A) the engine;

25 (B) the transmission;

26 (C) the frame;

27 (D) a fender;

- 1 (E) the hood;
- 2 (F) a door allowing entrance to or egress from
3 the passenger compartment of the motor vehicle;
- 4 (G) a bumper;
- 5 (H) a quarter panel;
- 6 (I) a deck lid, tailgate, or hatchback;
- 7 (J) the cargo box of a vehicle with a gross
8 vehicle weight of 10,000 pounds or less [~~one-ton or smaller truck~~],
9 including a pickup truck;
- 10 (K) the cab of a truck;
- 11 (L) the body of a passenger motor vehicle;
- 12 (M) the roof or floor pan of a passenger motor
13 vehicle, if separate from the body of the motor vehicle.
- 14 (7) "Metal recycler" means a person who:
- 15 (A) is [~~predominately~~] engaged in the business of
16 obtaining, converting, or selling ferrous or nonferrous metal [~~that~~
17 ~~has served its original economic purpose to convert the metal, or~~
18 ~~sell the metal~~] for conversion[~~7~~] into raw material products
19 consisting of prepared grades and having an existing or potential
20 economic value;
- 21 (B) has a facility to convert ferrous or
22 nonferrous metal into raw material products [~~consisting of prepared~~
23 ~~grades and having an existing or potential economic value,~~] by
24 method other than the exclusive use of hand tools, including the
25 processing, sorting, cutting, classifying, cleaning, baling,
26 wrapping, shredding, shearing, or changing the physical form or
27 chemical content of the metal; and

1 (C) sells or purchases the ferrous or nonferrous
2 metal solely for use as raw material in the production of new
3 products.

4 (8) "Motor vehicle" has the meaning assigned by
5 Section 501.002 [~~501.002(14)~~].

6 (9) "Nonrepairable motor vehicle" means a motor
7 vehicle that:

8 (A) is damaged, wrecked, or burned to the extent
9 that the only residual value of the vehicle is as a source of parts
10 or scrap metal; or

11 (B) comes into this state under a comparable
12 [~~title or other~~] ownership document that indicates that the vehicle
13 is nonrepairable [~~, junked, or for parts or dismantling only~~].

14 (10) "Nonrepairable vehicle title" means a printed
15 document issued by the department that evidences ownership of a
16 nonrepairable motor vehicle.

17 (10-a) "Nonrepairable record of title" means an
18 electronic record of ownership of a nonrepairable motor vehicle.

19 (11) "Out-of-state buyer" means a person licensed in
20 an automotive business by another state or jurisdiction who is [~~if~~
21 ~~the department has listed the holders of such a license as permitted~~
22 ~~purchasers of salvage motor vehicles or nonrepairable motor~~
23 ~~vehicles based on substantially similar licensing requirements and~~
24 ~~on whether salvage vehicle dealers licensed in Texas are]~~ permitted
25 to purchase salvage motor vehicles or nonrepairable motor vehicles
26 in this state because the other state or jurisdiction offers
27 reciprocity to a salvage vehicle dealer licensed in this state.

1 (12) "Out-of-state ownership document" means a
2 negotiable document issued by another state or jurisdiction that
3 the department considers sufficient to prove ownership of a
4 nonrepairable motor vehicle or salvage motor vehicle and to support
5 the issuance of a comparable Texas [~~certificate of~~] title for the
6 motor vehicle. The term does not include any [~~a~~] title or
7 certificate issued by the department[~~, including a regular~~
8 ~~certificate of title, a nonrepairable vehicle title, a salvage~~
9 ~~vehicle title, a Texas Salvage Certificate, Certificate of~~
10 ~~Authority to Demolish a Motor Vehicle, or another ownership~~
11 ~~document issued by the department~~].

12 (14) "Rebuilder" means a person who acquires and
13 repairs, rebuilds, or reconstructs for operation on a public
14 highway, three or fewer [~~more~~] salvage motor vehicles in a calendar
15 year.

16 (15) "Salvage motor vehicle" [~~+~~
17 [~~(A)~~] means a motor vehicle that:
18 (A) [~~(i)~~] has damage to or is missing a major
19 component part to the extent that the cost of repairs, including
20 parts and labor other than the cost of materials and labor for
21 repainting the motor vehicle and excluding sales tax on the total
22 cost of repairs, exceeds the actual cash value of the motor vehicle
23 immediately before the damage; or

24 (B) [~~(ii) is damaged and that~~] comes into this
25 state under an out-of-state salvage motor vehicle [~~certificate of~~]
26 title or similar out-of-state ownership document [~~that states on~~
27 ~~its face "accident damage," "flood damage," "inoperable,"~~

1 ~~"rebuildable," "salvageable," or similar notation; and~~

2 ~~[(B) does not include an out-of-state motor~~
3 ~~vehicle with a "rebuilt," "prior salvage," "salvaged," or similar~~
4 ~~notation, a nonrepairable motor vehicle, or a motor vehicle for~~
5 ~~which an insurance company has paid a claim for:~~

6 ~~[(i) the cost of repairing hail damage; or~~
7 ~~[(ii) theft, unless the motor vehicle was~~
8 ~~damaged during the theft and before recovery to the extent~~
9 ~~described by Paragraph (A)(i)].~~

10 (16) "Salvage vehicle title" means a printed document
11 issued by the department that evidences ownership of a salvage
12 motor vehicle.

13 (16-a) "Salvage record of title" means an electronic
14 record of ownership of a salvage motor vehicle.

15 (17) "Salvage vehicle dealer" means a person engaged
16 in this state in the business of acquiring, selling, dismantling,
17 repairing, rebuilding, reconstructing, or otherwise dealing in
18 nonrepairable motor vehicles, salvage motor vehicles, or used parts
19 regardless of whether the person holds a license issued by the
20 department to engage in that business. ~~[The term does not include a~~
21 ~~person who casually repairs, rebuilds, or reconstructs fewer than~~
22 ~~three salvage motor vehicles in the same calendar year.]~~ The term
23 includes an out-of-state buyer but does not include an unlicensed
24 [a] person who casually [engaged in the business of]:

25 (A) repairs, rebuilds, or reconstructs three or
26 fewer salvage motor vehicles or nonrepairable motor vehicles in the
27 same calendar year ~~[a salvage vehicle dealer, regardless of whether~~

1 ~~the person holds a license issued by the department to engage in~~
2 ~~that business]; or~~

3 (B) buys three or fewer [~~dealing in~~]
4 nonrepairable motor vehicles or salvage motor vehicles in the same
5 calendar year [~~, regardless of whether the person deals in used~~
6 ~~parts; or~~

7 [~~(C) dealing in used parts regardless of whether~~
8 ~~the person deals in nonrepairable motor vehicles or salvage motor~~
9 ~~vehicles].~~

10 (18) "Self-insured motor vehicle" means a motor
11 vehicle for which the [~~evidence of ownership is a manufacturer's~~
12 ~~certificate of origin or for which the department or another state~~
13 ~~or jurisdiction has issued a regular certificate of title, is~~
14 ~~self-insured by the] owner [~~, and is owned by an individual, a~~
15 ~~business,~~] or a governmental entity assumes full financial
16 responsibility for motor vehicle loss claims [~~,]~~ without regard to
17 the number of motor vehicles they own or operate. The term does not
18 include a motor vehicle that is insured by an insurance company.~~

19 (19) "Used part" means a part that is salvaged,
20 dismantled, or removed from a motor vehicle for resale as is or as
21 repaired. The term includes a major component part but does not
22 include a rebuildable or rebuilt core [~~, including an engine, block,~~
23 ~~crankshaft, transmission, or other core part that is acquired,~~
24 ~~possessed, or transferred in the ordinary course of business].~~

25 SECTION 36. Section 501.098, Transportation Code, is
26 renumbered as Section 501.09111, Transportation Code, and amended
27 to read as follows:

1 Sec. 501.09111 [~~501.098~~]. RIGHTS AND LIMITATIONS OF
2 [~~HOLDER OF~~] NONREPAIRABLE VEHICLE TITLE, NONREPAIRABLE RECORD OF
3 TITLE, [~~OR~~] SALVAGE VEHICLE TITLE, OR SALVAGE RECORD OF TITLE.

4 (a) A person who owns [~~holds~~] a nonrepairable [~~vehicle title for~~
5 ~~a~~] motor vehicle:

6 (1) is entitled to possess, transport, dismantle,
7 scrap, destroy, record a lien as provided for in Section
8 501.097(a)(3)(A), and sell, transfer, or release ownership of the
9 motor vehicle or a used part from the motor vehicle; and

10 (2) may not:

11 (A) operate or permit the operation of the motor
12 vehicle on a public highway, in addition to any other requirement of
13 law;

14 (B) repair, rebuild, or reconstruct the motor
15 vehicle; or

16 (C) register the motor vehicle.

17 (b) A person who holds a nonrepairable certificate of title
18 issued prior to September 1, 2003, [+

19 ~~(1)]~~ is entitled to the same rights listed in
20 Subsection (a) and may [+

21 ~~(A)]~~ repair, rebuild, or reconstruct the motor
22 vehicle [+

23 ~~(B) possess, transport, dismantle, scrap, or~~
24 ~~destroy the motor vehicle, and~~

25 ~~(C) sell, transfer, or release ownership of the~~
26 ~~vehicle or a used part from the motor vehicle, and~~

27 ~~(2) may not:~~

1 ~~[(A) operate or permit the operation of the motor~~
2 ~~vehicle on a public highway, in addition to any other requirement of~~
3 ~~law; or~~

4 ~~[(B) register the motor vehicle].~~

5 (c) A person who owns [~~holds~~] a salvage [~~vehicle title for~~
6 ~~a~~] motor vehicle:

7 (1) is entitled to possess, transport, dismantle,
8 scrap, destroy, repair, rebuild, reconstruct, record a lien on, and
9 sell, transfer, or release ownership of the motor vehicle or a used
10 part from the motor vehicle; and

11 (2) may not operate, register, or permit the operation
12 of the motor vehicle on a public highway, in addition to any other
13 requirement of law.

14 SECTION 37. Section 501.103, Transportation Code, is
15 renumbered as Section 501.09112, Transportation Code, and amended
16 to read as follows:

17 Sec. 501.09112 [~~501.103~~]. APPEARANCE [~~COLOR~~] OF
18 NONREPAIRABLE VEHICLE TITLE OR SALVAGE VEHICLE TITLE. (a) The
19 department's printed [~~department shall print a~~] nonrepairable
20 vehicle title:

21 (1) must [~~in a color that distinguishes it from a~~
22 ~~regular certificate of title or salvage vehicle title; and~~

23 ~~[(2) so that it]~~ clearly indicate [~~shows~~] that it is
24 the negotiable ownership document for a nonrepairable motor
25 vehicle;

26 (2) [~~→~~

27 ~~[(b) A nonrepairable vehicle title must state on its face~~

1 ~~that the motor vehicle:~~

2 ~~(1)~~ may not be:

3 (A) issued a regular ~~[certificate of]~~ title;

4 (B) registered in this state; or

5 (C) repaired, rebuilt, or reconstructed; and

6 (3) ~~(2)~~ may be used only as a source for used parts
7 or scrap metal.

8 (b) ~~(c)~~ The department's printed ~~[department shall print~~
9 ~~a]~~ salvage vehicle title must ~~[+~~

10 ~~[(A) in a color that distinguishes it from a~~
11 ~~regular certificate of title or nonrepairable vehicle title; and~~

12 ~~[(B) so that each document]~~ clearly show ~~[shows]~~
13 that it is the ownership document for a salvage motor vehicle.

14 (c) ~~(d)~~ A salvage vehicle title or a salvage record of
15 title for a vehicle that is a salvage motor vehicle because of
16 damage caused exclusively by flood must bear a notation ~~[on its~~
17 ~~face]~~ that the department considers appropriate. If the title for a
18 motor vehicle reflects the notation required by this subsection,
19 the owner may sell, transfer, or release the motor vehicle only as
20 provided by this subchapter.

21 (d) An electronic application for a nonrepairable vehicle
22 title, nonrepairable record of title, salvage vehicle title, or
23 salvage record of title must clearly advise the applicant of the
24 same provisions required on a printed title.

25 (e) A nonrepairable vehicle title, nonrepairable record of
26 title, salvage vehicle title, or salvage record of title in the
27 department's electronic database must include appropriate remarks

1 so that the vehicle record clearly shows the status of the vehicle
2 ~~[The department may provide a stamp to a person who is a licensed~~
3 ~~salvage vehicle dealer under Chapter 2302, Occupations Code, to~~
4 ~~mark the face of a title under this subchapter. The department~~
5 ~~shall provide the stamp to the person for a fee in the amount~~
6 ~~determined by the department to be necessary for the department to~~
7 ~~recover the cost of providing the stamp].~~

8 SECTION 38. Section 501.101, Transportation Code, is
9 renumbered as Section 501.09113, Transportation Code, and amended
10 to read as follows:

11 Sec. 501.09113 ~~[501.101]~~. OUT-OF-STATE SALVAGE OR REBUILT
12 SALVAGE VEHICLE ~~[ISSUANCE OF TITLE TO MOTOR VEHICLE BROUGHT INTO~~
13 ~~STATE]~~. (a) This section applies only to a motor vehicle brought
14 into this state from another state or jurisdiction that has on any
15 ~~[certificate of]~~ title or comparable out-of-state ownership
16 document issued by the other state or jurisdiction:

- 17 (1) a "rebuilt," "salvage," or similar notation; or
18 (2) a "nonrepairable," "dismantle only," "parts
19 only," "junked," "scrapped," or similar notation.

20 (b) On receipt of a complete application from the owner of
21 the motor vehicle, the department shall issue the applicant the
22 appropriate ~~[certificate of]~~ title for the motor vehicle.

23 ~~[(c) A certificate of title issued under this section must~~
24 ~~show on its face:~~

- 25 ~~[(1) the date of issuance,~~
26 ~~[(2) the name and address of the owner,~~
27 ~~[(3) any registration number assigned to the motor~~

1 ~~vehicle, and~~

2 ~~[(4) a description of the motor vehicle or other~~
3 ~~notation the department considers necessary or appropriate.]~~

4 SECTION 39. The heading to Section 501.095, Transportation
5 Code, is amended to read as follows:

6 Sec. 501.095. SALE, TRANSFER, OR RELEASE [~~OF NONREPAIRABLE~~
7 ~~MOTOR VEHICLE OR SALVAGE MOTOR VEHICLE~~].

8 SECTION 40. Subsections (a) and (b), Section 501.095,
9 Transportation Code, are amended to read as follows:

10 (a) If the department has not issued a nonrepairable vehicle
11 title, nonrepairable record of title, ~~[or]~~ salvage vehicle title,
12 or salvage record of title for the motor vehicle and a comparable
13 ~~[an]~~ out-of-state ownership document for the motor vehicle has not
14 been issued by another state or jurisdiction, a business or
15 governmental entity described by Subdivisions (1)-(3) may sell,
16 transfer, or release a nonrepairable motor vehicle or salvage motor
17 vehicle only to a person who is:

18 (1) a licensed salvage vehicle dealer or metal
19 recycler under Chapter 2302, Occupations Code;

20 (2) an insurance company that has paid a claim on the
21 nonrepairable or salvage motor vehicle; or

22 (3) a governmental entity~~[, or~~

23 ~~[(4) an out-of-state buyer]~~.

24 (b) An owner ~~[A person]~~, other than a salvage vehicle dealer
25 or an insurance company licensed to do business in this state, who
26 acquired ownership of a nonrepairable or salvage motor vehicle that
27 has not been issued a nonrepairable vehicle title, nonrepairable

1 record of title, salvage vehicle title, salvage record of title, or
2 a comparable ownership document issued by another state or
3 jurisdiction shall, before selling the motor vehicle, surrender the
4 properly assigned [~~certificate of~~] title for the motor vehicle to
5 the department and apply to the department for the appropriate
6 ownership document[-

7 [~~(1) a nonrepairable vehicle title if the vehicle is a~~
8 ~~nonrepairable motor vehicle; or~~

9 [~~(2) a salvage vehicle title if the vehicle is a~~
10 ~~salvage motor vehicle~~].

11 SECTION 41. Section 501.097, Transportation Code, is
12 amended by amending Subsections (a) and (c) and adding Subsection
13 (c-1) to read as follows:

14 (a) An application for a nonrepairable vehicle title,
15 nonrepairable record of title, [~~or~~] salvage vehicle title, or
16 salvage record of title must:

17 (1) be made in [~~on~~] a manner [~~form~~] prescribed by the
18 department and accompanied by a \$8 application fee;

19 (2) include, in addition to any other information
20 required by the department:

21 (A) the name and current address of the owner;
22 and

23 (B) a description of the motor vehicle, including
24 the make, style of body, model year, and vehicle identification
25 number [~~, and~~

26 [~~(C) a statement describing whether the motor~~
27 ~~vehicle~~].

1 ~~[(i) was the subject of a total loss claim~~
2 ~~paid by an insurance company under Section 501.092 or 501.093;~~

3 ~~[(ii) is a self-insured motor vehicle under~~
4 ~~Section 501.094;~~

5 ~~[(iii) is an export-only motor vehicle~~
6 ~~under Section 501.099; or~~

7 ~~[(iv) was sold, transferred, or released to~~
8 ~~the owner or former owner of the motor vehicle or a buyer at a casual~~
9 ~~sale]; and~~

10 (3) include the name and address of:

11 (A) any currently recorded lienholder, if the
12 motor vehicle is a nonrepairable motor vehicle; or

13 (B) any currently recorded lienholder or a new
14 lienholder, if the motor vehicle is a salvage motor vehicle.

15 (c) A printed nonrepairable vehicle title must state on its
16 face that the motor vehicle:

17 (1) may not:

18 (A) be repaired, rebuilt, or reconstructed;

19 (B) be issued a regular [~~certificate of~~] title or
20 registered in this state;

21 (C) be operated on a public highway, in addition
22 to any other requirement of law; and

23 (2) may only be used as a source for used parts or
24 scrap metal.

25 (c-1) The department's titling system must include a remark
26 that clearly identifies the vehicle as a salvage or nonrepairable
27 motor vehicle.

1 SECTION 42. Subsections (a), (b), (c), and (f), Section
2 501.100, Transportation Code, are amended to read as follows:

3 (a) A vehicle for which a nonrepairable certificate of title
4 issued prior to September 1, 2003, or for which a salvage vehicle
5 title or salvage record of title has been issued may obtain [~~be~~
6 ~~issued~~] a regular [~~certificate of~~] title after the motor vehicle
7 has been repaired, rebuilt, or reconstructed [~~by a person described~~
8 ~~by Section 501.104(a)~~] and, in addition to any other requirement of
9 law, only if the application [~~is accompanied by a separate form~~
10 ~~that~~]:

11 (1) describes each major component part used to repair
12 the motor vehicle;

13 (2) states the name of each person from whom the parts
14 used in assembling the vehicle were obtained; and

15 (3) [~~(2)~~] shows the identification number required by
16 federal law to be affixed to or inscribed on the part.

17 (b) On receipt of a complete application under this section
18 accompanied by the [~~\$13~~] fee for the [~~certificate of~~] title, the
19 department shall issue the applicant a regular [~~certificate of~~]
20 title [~~for the motor vehicle~~].

21 (c) A regular [~~certificate of~~] title issued under this
22 section must[+]

23 [~~(1)~~] describe or disclose the motor vehicle's former
24 condition in a manner reasonably understandable to a potential
25 purchaser of the motor vehicle[+and

26 [~~(2)~~ bear on its face the words "REBUILT SALVAGE" in
27 capital letters that+]

1 [~~(A) are red,~~
2 [~~(B) are centered on and occupy at least 15~~
3 ~~percent of the face of the certificate of title, and~~
4 [~~(C) do not prevent any other words on the title~~
5 ~~from being read or copied].~~

6 (f) The department may not issue a regular [~~certificate of~~
7 title for a motor vehicle based on a:

8 (1) nonrepairable vehicle title or comparable
9 out-of-state ownership document;

10 (2) receipt issued under Section 501.1003(b)
11 [~~501.096(b)~~]; or

12 (3) certificate of authority.

13 SECTION 43. Section 501.092, Transportation Code, is
14 renumbered as Section 501.1001, Transportation Code, and amended to
15 read as follows:

16 Sec. 501.1001 [~~501.092~~]. [~~INSURANCE COMPANY TO SURRENDER~~
17 ~~CERTIFICATES OF TITLE TO CERTAIN~~] SALVAGE MOTOR VEHICLES OR
18 NONREPAIRABLE MOTOR VEHICLES FOR INSURANCE COMPANIES OR
19 SELF-INSURED PERSONS. (a) An insurance company that is licensed
20 to conduct business in this state and that acquires, through
21 payment of a claim, ownership or possession of a salvage motor
22 vehicle or nonrepairable motor vehicle covered by a [~~certificate~~
23 ~~of~~] title issued by this state or a manufacturer's certificate of
24 origin shall surrender a properly assigned title or manufacturer's
25 certificate of origin to the department, in [~~on~~] a manner [~~form~~]
26 prescribed by the department, except that not earlier than the 31st
27 [~~46th~~] day after the date of payment of the claim the insurance

1 company may surrender a [~~certificate of~~] title, in [~~on~~] a manner
2 [~~form~~] prescribed by the department, and receive a salvage vehicle
3 [~~certificate of~~] title or a nonrepairable vehicle [~~certificate of~~]
4 title without obtaining a properly assigned [~~certificate of~~] title
5 if the insurance company:

6 (1) has obtained the release of all liens on the motor
7 vehicle;

8 (2) is unable to locate one or more owners of the motor
9 vehicle; and

10 (3) has provided notice to the last known address in
11 the department's records to each owner that has not been located:

12 (A) by registered or certified mail, return
13 receipt requested; or

14 (B) if a notice sent under Paragraph (A) is
15 returned unclaimed, by publication in a newspaper of general
16 circulation in the area where the unclaimed mail notice was sent.

17 (b) For a salvage motor vehicle, the insurance company shall
18 apply for a salvage vehicle title or salvage record of title. For a
19 nonrepairable motor vehicle, the insurance company shall apply for
20 a nonrepairable vehicle title or nonrepairable record of title.

21 (c) [~~An insurance company may not sell a motor vehicle to~~
22 ~~which this section applies unless the department has issued a~~
23 ~~salvage vehicle title or a nonrepairable vehicle title for the~~
24 ~~motor vehicle or a comparable ownership document has been issued by~~
25 ~~another state or jurisdiction for the motor vehicle.~~

26 [(d) ~~An insurance company may sell a motor vehicle to which~~
27 ~~this section applies, or assign a salvage vehicle title or a~~

1 ~~nonrepairable vehicle title for the motor vehicle, only to a~~
2 ~~salvage vehicle dealer, an out-of-state buyer, a buyer in a casual~~
3 ~~sale at auction, or a metal recycler. If the motor vehicle is not a~~
4 ~~salvage motor vehicle or a nonrepairable motor vehicle, the~~
5 ~~insurance company is not required to surrender the regular~~
6 ~~certificate of title for the vehicle or to be issued a salvage~~
7 ~~vehicle title or a nonrepairable vehicle title for the motor~~
8 ~~vehicle.~~

9 ~~[(e)]~~ An insurance company or other person who acquires
10 ownership of a motor vehicle other than a nonrepairable or salvage
11 motor vehicle may voluntarily and on proper application obtain a
12 salvage vehicle title, salvage record of title, ~~[or a]~~
13 nonrepairable vehicle title, or nonrepairable record of title for
14 the vehicle.

15 (d) This section applies only to a motor vehicle in this
16 state that is:

- 17 (1) a self-insured motor vehicle; and
18 (2) damaged to the extent it becomes a nonrepairable
19 or salvage motor vehicle.

20 (e) The owner of a motor vehicle to which this section
21 applies shall submit to the department before the 31st business day
22 after the date of the damage, in a manner prescribed by the
23 department, a statement that the motor vehicle was self-insured and
24 damaged.

25 (f) When the owner submits a statement under Subsection (e),
26 the owner shall surrender the ownership document and apply for a
27 nonrepairable vehicle title, nonrepairable record of title,

1 salvage vehicle title, or salvage record of title.

2 SECTION 44. Section 501.093, Transportation Code, is
3 renumbered as Section 501.1002, Transportation Code, and amended to
4 read as follows:

5 Sec. 501.1002 [~~501.093~~]. OWNER-RETAINED [~~INSURANCE COMPANY~~
6 ~~REPORT ON CERTAIN~~] VEHICLES. (a) If an insurance company pays a
7 claim on a nonrepairable motor vehicle or salvage motor vehicle and
8 the insurance company does not acquire ownership of the motor
9 vehicle, the insurance company shall:

10 (1) apply for a nonrepairable vehicle title,
11 nonrepairable record of title, salvage vehicle title, or salvage
12 record of title; or

13 (2) notify the owner of the information contained in:

14 (A) Subsection (b); or

15 (B) Section 501.09111; and

16 (3) submit to the department, before the 31st day
17 after the date of the payment of the claim, in a manner [~~on the form~~]
18 prescribed by the department, a report stating that the insurance
19 company:

20 (A) [(1)] has paid a claim on the motor vehicle;

21 and

22 (B) [(2)] has not acquired ownership of the motor
23 vehicle.

24 (b) The owner of a motor vehicle to which this section
25 applies may not operate or permit operation of the motor vehicle on
26 a public highway or transfer ownership of the motor vehicle by sale
27 or otherwise unless the department has issued a salvage vehicle

1 title, salvage record of title, [~~or a~~] nonrepairable vehicle title,
2 or nonrepairable record of title for the motor vehicle or a
3 comparable ownership document has been issued by another state or
4 jurisdiction for the motor vehicle.

5 [~~(c) Subsection (b) does not apply if:~~

6 [~~(1) the department has issued a nonrepairable vehicle~~
7 ~~title or salvage vehicle title for the motor vehicle; or~~

8 [~~(2) another state or jurisdiction has issued a~~
9 ~~comparable out-of-state ownership document for the motor vehicle.]~~

10 SECTION 45. Section 501.096, Transportation Code, is
11 renumbered as Section 501.1003, Transportation Code, and amended to
12 read as follows:

13 Sec. 501.1003 [~~501.096~~]. [~~NONREPAIRABLE MOTOR VEHICLE OR~~
14 ~~SALVAGE DEALER RESPONSIBILITIES [MOTOR VEHICLE DISMANTLED,~~
15 ~~SCRAPPED, OR DESTROYED]~~. (a) If a salvage vehicle dealer acquires
16 ownership of a nonrepairable motor vehicle or salvage motor vehicle
17 for the purpose of dismantling, scrapping, or destroying the motor
18 vehicle, the dealer shall, before the 31st day after the date the
19 dealer acquires the motor vehicle, submit to the department a
20 report stating that the motor vehicle will be dismantled, scrapped,
21 or destroyed. The dealer shall:

22 (1) make the report in a manner [~~on a form~~] prescribed
23 by the department; and

24 (2) submit with the report a properly assigned
25 manufacturer's certificate of origin, regular certificate of
26 title, nonrepairable vehicle title, salvage vehicle title, or
27 comparable out-of-state ownership document for the motor vehicle.

1 (b) After receiving the report and title or document, the
2 department shall issue the salvage vehicle dealer a receipt for the
3 manufacturer's certificate of origin, regular certificate of
4 title, nonrepairable vehicle title, salvage vehicle title, or
5 comparable out-of-state ownership document.

6 (c) The department shall adopt rules to notify the salvage
7 ~~[vehicle]~~ dealer if the vehicle was not issued a printed title, but
8 has a record of title in the department's titling system ~~[shall:~~

9 ~~[(1) keep on the business premises of the dealer,~~
10 ~~until the third anniversary of the date the report on the motor~~
11 ~~vehicle is submitted to the department, a record of the vehicle, its~~
12 ~~ownership, and its condition as dismantled, scrapped, or destroyed,~~
13 ~~and~~

14 ~~[(2) present to the department, on the form prescribed~~
15 ~~by the department, evidence that the motor vehicle was dismantled,~~
16 ~~scrapped, or destroyed before the 61st day after the date the dealer~~
17 ~~completed the dismantling, scrapping, or destruction of the motor~~
18 ~~vehicle].~~

19 SECTION 46. Section 501.104, Transportation Code, is
20 amended to read as follows:

21 Sec. 501.104. REBUILDER TO POSSESS TITLE OR OTHER
22 DOCUMENTATION. (a) This section applies ~~[only]~~ to ~~+~~

23 ~~[(1) a rebuilder licensed as a salvage vehicle dealer,~~
24 ~~[(2)] a person engaged in repairing, rebuilding, or~~
25 reconstructing three or fewer motor vehicles ~~[the business of a~~
26 ~~rebuilder],~~ regardless of whether the person is licensed to engage
27 in that business ~~[, or~~

1 ~~[(3) a person engaged in the casual repair,~~
2 ~~rebuilding, or reconstruction of fewer than three motor vehicles in~~
3 ~~the same 12-month period].~~

4 (b) A person described by Subsection (a) must possess:

5 (1) an acceptable ~~[a regular certificate of title,~~
6 ~~nonrepairable vehicle title, salvage vehicle title, or comparable~~
7 ~~out-of-state]~~ ownership document or proof of ownership for any
8 motor vehicle that is:

9 (A) owned by the person;

10 (B) in the person's inventory; and

11 (C) being offered for resale; or

12 (2) a contract entered into with the owner, a work
13 order, or another document that shows the authority for the person
14 to possess any motor vehicle that is:

15 (A) owned by another person;

16 (B) on the person's business or casual premises;

17 and

18 (C) being repaired, rebuilt, or reconstructed
19 for the other person.

20 SECTION 47. Section 501.105, Transportation Code, is
21 renumbered as Section 501.108, Transportation Code, and amended to
22 read as follows:

23 Sec. 501.108 ~~[501.105]~~. RECORD RETENTION ~~[OF RECORDS~~
24 ~~RELATING TO CERTAIN CASUAL SALES]~~. (a) Each licensed salvage
25 vehicle dealer or insurance company that sells a nonrepairable
26 motor vehicle or a salvage motor vehicle at a casual sale shall keep
27 on the business premises of the dealer or the insurance company a

1 list of all casual sales made during the preceding 36-month period
2 that contains:

- 3 (1) the date of the sale;
- 4 (2) the name of the purchaser;
- 5 (3) the name of the jurisdiction that issued the
6 identification document provided by the purchaser, as shown on the
7 document; and
- 8 (4) the vehicle identification number.

9 (b) The salvage vehicle dealer shall keep on the business
10 premises of the dealer, until the third anniversary of the date the
11 report on the motor vehicle is submitted to the department, a record
12 of the vehicle, its ownership, and its condition as dismantled,
13 scrapped, or destroyed.

14 SECTION 48. Section 501.102, Transportation Code, is
15 renumbered as Section 501.109, Transportation Code, and amended to
16 read as follows:

17 Sec. 501.109 [~~501.102~~]. OFFENSES. (a) A person commits an
18 offense if the person:

19 (1) applies to the department for a regular
20 [~~certificate of~~] title for a motor vehicle; and

21 (2) knows or reasonably should know that:

22 (A) the vehicle is a nonrepairable motor vehicle
23 that has been repaired, rebuilt, or reconstructed;

24 (B) the vehicle identification number assigned
25 to the motor vehicle belongs to a nonrepairable motor vehicle that
26 has been repaired, rebuilt, or reconstructed;

27 (C) the title issued to the motor vehicle belongs

1 to a nonrepairable motor vehicle that has been repaired, rebuilt,
2 or reconstructed; or

3 (D) [~~the vehicle identification number assigned~~
4 ~~to the motor vehicle belongs to an export-only motor vehicle,~~

5 [~~(E) the motor vehicle is an export-only motor~~
6 ~~vehicle, or~~

7 [~~(F)~~] the motor vehicle is a nonrepairable motor
8 vehicle or salvage motor vehicle for which a nonrepairable vehicle
9 title, salvage vehicle title, or comparable ownership document
10 issued by another state or jurisdiction has not been issued.

11 (b) A person commits an offense if the person knowingly
12 sells, transfers, or releases a salvage motor vehicle in violation
13 of this subchapter.

14 (c) A person commits an offense if the person knowingly
15 fails or refuses to surrender a regular certificate of title after
16 the person:

17 (1) receives a notice from an insurance company that
18 the motor vehicle is a nonrepairable or salvage motor vehicle; or

19 (2) knows the vehicle has become a nonrepairable motor
20 vehicle or salvage motor vehicle under Section 501.1001 [~~501.094~~].

21 (d) Except as provided by Subsection (e), an offense under
22 this section is a Class C misdemeanor.

23 (e) If it is shown on the trial of an offense under this
24 section that the defendant has been previously convicted of:

25 (1) one offense under this section, the offense is a
26 Class B misdemeanor; or

27 (2) two or more offenses under this section, the

1 offense is a state jail felony.

2 SECTION 49. Section 501.106, Transportation Code, is
3 renumbered as Section 501.110, Transportation Code, and amended to
4 read as follows:

5 Sec. 501.110 [~~501.106~~]. ENFORCEMENT OF SUBCHAPTER.

6 (a) This subchapter shall be enforced by the department and any
7 other governmental or law enforcement entity, including the
8 Department of Public Safety, and the personnel of the entity as
9 provided by this subchapter.

10 (b) The department, an agent, officer, or employee of the
11 department, or another person enforcing this subchapter is not
12 liable to a person damaged or injured by an act or omission relating
13 to the issuance of a [~~regular certificate of~~] title, nonrepairable
14 vehicle title, nonrepairable record of title, [~~or~~] salvage vehicle
15 title, or salvage record of title under this subchapter.

16 SECTION 50. Subsection (a), Section 501.111,
17 Transportation Code, is amended to read as follows:

18 (a) Except as provided by Subsection (b), a person may
19 perfect a security interest in a motor vehicle that is the subject
20 of a first or subsequent sale only by recording the security
21 interest on the [~~certificate of~~] title as provided by this chapter.

22 SECTION 51. Subsection (a), Section 501.113,
23 Transportation Code, is amended to read as follows:

24 (a) Recordation of a lien under this chapter is considered
25 to occur when the department's titling system is updated or the
26 department [~~county assessor-collector~~]

27 [~~(1) is presented with an application for a~~]

1 ~~certificate of title that discloses the lien with tender of the~~
2 ~~filing fee; or~~

3 ~~[(2)]~~ accepts the application of title that discloses
4 the lien with the filing fee.

5 SECTION 52. Subsections (a), (c), (d), and (e), Section
6 501.114, Transportation Code, are amended to read as follows:

7 (a) A lienholder may assign a lien recorded under Section
8 501.113 by:

9 (1) applying to the department [~~county~~
10 ~~assessor-collector~~] for the assignment of the lien; and

11 (2) notifying the debtor of the assignment.

12 (c) An application under Subsection (a) must be
13 acknowledged~~[~~

14 ~~[(1) signed]~~ by the person to whom the lien is
15 assigned~~[, and~~

16 ~~[(2) accompanied by:~~

17 ~~[(A) the applicable fee;~~

18 ~~[(B) a copy of the assignment agreement executed~~
19 ~~by the parties; and~~

20 ~~[(C) the certificate of title on which the lien~~
21 ~~to be assigned is recorded].~~

22 (d) On receipt of the completed application and fee, the
23 department may:

24 (1) [~~may~~] amend the department's records to substitute
25 the subsequent lienholder for the previous lienholder; and

26 (2) [~~shall~~] issue a new [~~certificate of~~] title as
27 provided by this chapter [~~Section 501.027~~].

1 (e) [~~The issuance of a certificate of title under Subsection~~
2 ~~(d) is recordation of the assignment.~~] The time of the recordation
3 of a lien assigned under this section is considered to be the time
4 the lien was recorded under Section 501.113.

5 SECTION 53. Section 501.115, Transportation Code, is
6 amended to read as follows:

7 Sec. 501.115. DISCHARGE OF LIEN. (a) When a debt or claim
8 secured by a lien has been satisfied, the lienholder shall, within a
9 reasonable time not to exceed the maximum time allowed by Section
10 348.408, Finance Code, execute and deliver to the owner, or the
11 owner's designee, a discharge of the lien in [~~on~~] a manner [~~form~~]
12 prescribed by the department.

13 (b) The owner may submit [~~present~~] the discharge and
14 [~~certificate of~~] title to the department for [~~county~~
15 ~~assessor-collector with an application for a new certificate of~~
16 ~~title and the department shall issue~~] a new [~~certificate of~~] title.

17 SECTION 54. Section 501.116, Transportation Code, is
18 amended to read as follows:

19 Sec. 501.116. CANCELLATION OF DISCHARGED LIEN. The
20 department may cancel a discharged lien that has been recorded on a
21 [~~certificate of~~] title for 10 [~~six~~] years or more if the recorded
22 lienholder:

23 (1) does not exist; or

24 (2) cannot be located for the owner to obtain a release
25 of the lien.

26 SECTION 55. Subsections (a), (b), (c), (d), (g), and (i),
27 Section 501.134, Transportation Code, are amended to read as

1 follows:

2 (a) If a printed [~~certificate of~~] title is lost or
3 destroyed, the owner or lienholder disclosed on the title
4 [~~certificate~~] may obtain, in the manner provided by this section
5 and department rule, a certified copy of the lost or destroyed
6 [~~certificate of~~] title directly from the department by applying in
7 [~~on~~] a manner [~~form~~] prescribed by the department and paying a fee
8 of \$2. A fee collected under this subsection shall be deposited to
9 the credit of the state highway fund and may be spent only as
10 provided by Section 501.138.

11 (b) If a lien is disclosed on a [~~certificate of~~] title, the
12 department may issue a certified copy of the original [~~certificate~~
13 ~~of~~] title only to the first lienholder or the lienholder's verified
14 agent.

15 (c) The department must plainly mark "certified copy" on the
16 face of a certified copy issued under this section[~~, and each~~
17 ~~subsequent certificate issued for the motor vehicle until the~~
18 ~~vehicle is transferred~~]. A subsequent purchaser or lienholder of
19 the vehicle only acquires the rights, title, or interest in the
20 vehicle held by the holder of the certified copy.

21 (d) A purchaser or lienholder of a motor vehicle having a
22 certified copy issued under this section may at the time of the
23 purchase or establishment of the lien require that the seller or
24 owner indemnify the purchaser or lienholder and all subsequent
25 purchasers of the vehicle against any loss the person may suffer
26 because of a claim presented on the original [~~certificate of~~]
27 title.

1 (g) The department may issue a certified copy of a
2 ~~[certificate of]~~ title ~~[before the fourth business day after the~~
3 ~~date application is made]~~ only if the applicant:

4 (1) is the registered owner of the vehicle, the holder
5 of a recorded lien against the vehicle, or a verified agent of the
6 owner or lienholder; and

7 (2) submits personal identification, including a
8 photograph, issued by an agency of this state or the United States.

9 (i) The department may establish acceptable identification
10 requirements for ~~[If]~~ an applicant for a certified copy of a
11 certificate of title who is not a person ~~[other than a person]~~
12 described by Subsection (g)(1) ~~[, the department may issue a~~
13 ~~certified copy of the certificate of title only by mail]~~.

14 SECTION 56. Subsection (a), Section 501.135,
15 Transportation Code, is amended to read as follows:

16 (a) The department shall:

17 (1) make a record of each report to the department that
18 a motor vehicle registered in this state has been stolen or
19 concealed in violation of Section 32.33, Penal Code; and

20 (2) note the fact of the report in the department's
21 records ~~[of the vehicle's certificate of title]~~.

22 SECTION 57. Subsections (a), (b), and (b-1), Section
23 501.138, Transportation Code, are amended to read as follows:

24 (a) An applicant for a ~~[certificate of]~~ title, other than
25 the state or a political subdivision of the state, must pay ~~[the~~
26 ~~county assessor-collector]~~ a fee of:

27 (1) \$33 if the applicant's residence is a county

1 located within a nonattainment area as defined under Section 107(d)
2 of the federal Clean Air Act (42 U.S.C. Section 7407), as amended,
3 or is an affected county, as defined by Section 386.001, Health and
4 Safety Code; or

5 (2) \$28 if the applicant's residence is any other
6 county.

7 (b) The fees [~~county assessor-collector~~] shall be
8 distributed as follows [~~send~~]:

9 (1) \$5 of the fee to the county treasurer for deposit
10 in the officers' salary fund;

11 (2) \$8 of the fee to the department:

12 (A) together with the application within the time
13 prescribed by Section 501.023; or

14 (B) if the fee is deposited in an
15 interest-bearing account or certificate in the county depository or
16 invested in an investment authorized by Subchapter A, Chapter 2256,
17 Government Code, not later than the 35th day after the date on which
18 the fee is received; and

19 (3) the following amount to the comptroller at the
20 time and in the manner prescribed by the comptroller:

21 (A) \$20 of the fee if the applicant's residence
22 is a county located within a nonattainment area as defined under
23 Section 107(d) of the federal Clean Air Act (42 U.S.C. Section
24 7407), as amended, or is an affected county, as defined by Section
25 386.001, Health and Safety Code; or

26 (B) \$15 of the fee if the applicant's residence
27 is any other county.

1 (b-1) Fees collected under Subsection (b) to be sent to the
2 comptroller shall be deposited ~~[as follows:~~

3 ~~[(1) before September 1, 2008, to the credit of the~~
4 ~~Texas emissions reduction plan fund, and~~

5 ~~[(2) on or after September 1, 2008,]~~ to the credit of
6 the Texas Mobility Fund, except that \$5 of each fee imposed under
7 Subsection (a)(1) and deposited on or after September 1, 2008, and
8 before September 1, 2015, shall be deposited to the credit of the
9 Texas emissions reduction plan fund.

10 SECTION 58. Section 520.031, Transportation Code, as
11 amended by Chapters 836 (H.B. 1743) and 1423 (H.B. 2409), Acts of
12 the 76th Legislature, Regular Session, 1999, is transferred to
13 Subchapter H, Chapter 501, Transportation Code, renumbered as
14 Section 501.145, Transportation Code, and reenacted and amended to
15 read as follows:

16 Sec. 501.145 ~~[520.031]~~. FILING BY PURCHASER ~~[TRANSFEREE]~~;
17 APPLICATION FOR TRANSFER OF TITLE ~~[AND REGISTRATION]~~. (a) Not
18 later than the 30th ~~[20th working]~~ day after the date of assignment
19 on ~~[receiving]~~ the documents ~~[under Section 520.022 or 520.0225]~~,
20 the purchaser ~~[transferee]~~ of the used motor vehicle shall file
21 with the county assessor-collector:

22 (1) ~~[the license receipt and]~~ the certificate of title
23 or other evidence of title; or

24 (2) if appropriate, a document described by Section
25 502.457 ~~[520.0225(b)(1) or (2)]~~ and the ~~[certificate of]~~ title or
26 other evidence of ownership ~~[title]~~.

27 (b) The filing under Subsection (a) is an application for

1 transfer of title as required under this chapter [~~Chapter 501~~]
2 and[, ~~if the license receipt is filed,~~] an application for transfer
3 of the registration of the motor vehicle.

4 (c) [~~In this section, "working day" means any day other than~~
5 ~~a Saturday, a Sunday, or a holiday on which county offices are~~
6 ~~closed.~~

7 [~~(d)~~] Notwithstanding Subsection (a), if the purchaser
8 [~~transferee~~] is a member of the armed forces of the United States, a
9 member of the Texas National Guard or of the National Guard of
10 another state serving on active duty under an order of the president
11 of the United States, or a member of a reserve component of the
12 armed forces of the United States serving on active duty under an
13 order of the president of the United States, the documents
14 described by Subsection (a) must be filed with the county
15 assessor-collector not later than the 60th [~~working~~] day after the
16 date of assignment of ownership [~~their receipt by the transferee~~].

17 SECTION 59. Section 520.023, Transportation Code, is
18 transferred to Subchapter H, Chapter 501, Transportation Code,
19 renumbered as Section 501.146, Transportation Code, and amended to
20 read as follows:

21 Sec. 501.146 [~~520.023~~]. [~~POWERS AND DUTIES OF DEPARTMENT ON~~
22 ~~TRANSFER OF USED~~] VEHICLE TRANSFER NOTIFICATION. (a) On receipt
23 of a written notice of transfer from the seller [~~transferor~~] of a
24 motor vehicle, the department shall indicate the transfer on the
25 motor vehicle records maintained by the department. As an
26 alternative to a written notice of transfer, the department shall
27 establish procedures that permit the seller [~~transferor~~] of a motor

1 vehicle to electronically submit a notice of transfer to the
2 department through the department's Internet website. A notice of
3 transfer provided through the department's Internet website is not
4 required to bear the signature of the seller [~~transferor~~] or
5 include the date of signing.

6 (b) [~~The department may design the written notice of~~
7 ~~transfer to be part of the certificate of title for the vehicle.~~]
8 The notice of transfer [~~form~~] shall be provided by the department
9 and must include a place for the seller [~~transferor~~] to state:

10 (1) a complete description of the vehicle as
11 prescribed by the department [~~identification number of the~~
12 ~~vehicle~~];

13 (2) [~~the number of the license plate issued to the~~
14 ~~vehicle, if any,~~

15 [~~(3)~~] the full name and address of the seller
16 [~~transferor~~];

17 (3) [~~(4)~~] the full name and address of the purchaser
18 [~~transferee~~];

19 (4) [~~(5)~~] the date the seller [~~transferor~~] delivered
20 possession of the vehicle to the purchaser [~~transferee~~];

21 (5) [~~(6)~~] the signature of the seller [~~transferor~~];

22 and

23 (6) [~~(7)~~] the date the seller [~~transferor~~] signed the
24 form.

25 (c) This subsection applies only if the department receives
26 notice under Subsection (a) before the 30th day after the date the
27 seller [~~transferor~~] delivered possession of the vehicle to the

1 purchaser [~~transferee~~]. After the date of the transfer of the
2 vehicle shown on the records of the department, the purchaser
3 [~~transferee~~] of the vehicle shown on the records is rebuttably
4 presumed to be:

5 (1) the owner of the vehicle; and

6 (2) subject to civil and criminal liability arising
7 out of the use, operation, or abandonment of the vehicle, to the
8 extent that ownership of the vehicle subjects the owner of the
9 vehicle to criminal or civil liability under another provision of
10 law.

11 (d) The department may adopt[+]

12 [~~(1)~~] rules to implement this section[+, and

13 [~~(2) a fee for filing a notice of transfer under this~~
14 ~~section in an amount not to exceed the lesser of the actual cost to~~
15 ~~the department of implementing this section or \$5].~~

16 (e) This section does not impose or establish civil or
17 criminal liability on the owner of a motor vehicle who transfers
18 ownership of the vehicle but does not disclose the transfer to the
19 department.

20 (f) [~~This section does not require the department to issue a~~
21 ~~certificate of title to a person shown on a notice of transfer as~~
22 ~~the transferee of a motor vehicle.] The department may not issue a
23 [~~certificate of~~] title or register [~~for~~] the vehicle until the
24 purchaser [~~transferee~~] applies for a title to the county
25 assessor-collector as provided by this chapter [~~Chapter 501~~].~~

26 SECTION 60. Section 520.032, Transportation Code, is
27 transferred to Subchapter H, Chapter 501, Transportation Code,

1 renumbered as Section 501.147, Transportation Code, and amended to
2 read as follows:

3 Sec. 501.147 [~~520.032~~]. TITLE TRANSFER [~~FEE~~]; LATE FEE.

4 (a) [~~The transferee of a used motor vehicle shall pay, in addition~~
5 ~~to any fee required under Chapter 501 for the transfer of title, a~~
6 ~~transfer fee of \$2.50 for the transfer of the registration of the~~
7 ~~motor vehicle.~~

8 [~~(b)~~] If the purchaser [~~transferee~~] does not file the
9 application for the transfer of title during the period provided by
10 Section 501.145 [~~520.031~~], the purchaser [~~transferee~~] is liable for
11 a late fee to be paid to the county assessor-collector when the
12 application is filed. If the seller [~~transferee~~] holds a general
13 distinguishing number issued under Chapter 503 of this code or
14 Chapter 2301, Occupations Code, the seller is liable for the late
15 fee in the amount of [~~the late fee is~~] \$10. If the seller
16 [~~transferee~~] does not hold a general distinguishing number, subject
17 to Subsection (b) [~~(b-1)~~] the amount of the late fee is \$25.

18 (b) [~~(b-1)~~] If the application is filed after the 60th [~~31st~~
19 ~~working~~] day after the date the purchaser was assigned ownership of
20 [~~transferee received~~] the documents under Section 501.0721
21 [~~520.022~~], the late fee imposed under Subsection (a) [~~(b)~~] accrues
22 an additional penalty in the amount of \$25 for each subsequent
23 30-day period, or portion of a 30-day period, in which the
24 application is not filed.

25 (c) The county assessor-collector and the surety on the
26 county assessor-collector's bond are liable for the late fee if the
27 county assessor-collector does not collect the late fee.

1 (d) Subsections (a) and (b) [~~and (b-1)~~] do not apply if the
2 motor vehicle is eligible to be issued:

3 (1) classic vehicle license plates under Section
4 504.501; or

5 (2) antique vehicle license plates under Section
6 504.502.

7 SECTION 61. Section 520.033, Transportation Code, is
8 transferred to Subchapter H, Chapter 501, Transportation Code,
9 renumbered as Section 501.148, Transportation Code, and amended to
10 read as follows:

11 Sec. 501.148 [~~520.033~~]. ALLOCATION OF FEES. (a) The
12 county assessor-collector may retain as commission for services
13 provided under this subchapter [~~half of each transfer fee~~
14 ~~collected,~~] half of each late fee[~~7~~] and half of each additional
15 penalty collected under Section 501.147 [~~520.032~~].

16 (b) The county assessor-collector shall report and remit
17 the balance of the fees collected to the department on Monday of
18 each week as other [~~registration~~] fees are required to be reported
19 and remitted.

20 (c) Of each late fee collected from a person who does not
21 hold a general distinguishing number by [~~that~~] the department
22 [~~receives~~] under Subsection (b), \$10 may be used only to fund a
23 statewide public awareness campaign designed to inform and educate
24 the public about the provisions of this chapter.

25 SECTION 62. Subsection (b), Section 501.152,
26 Transportation Code, is amended to read as follows:

27 (b) It is not a violation of this section for the beneficial

1 owner of a vehicle to sell or offer to sell a vehicle without having
2 possession of the certificate of title to the vehicle if the sole
3 reason he or she does not have possession of the certificate of
4 title is that the title is in the possession of a lienholder who has
5 not complied with the terms of Section 501.115(a) [~~of this code~~].

6 SECTION 63. Section 501.153, Transportation Code, is
7 amended to read as follows:

8 Sec. 501.153. APPLICATION FOR TITLE FOR STOLEN OR CONCEALED
9 VEHICLE. A person commits an offense if the person applies for a
10 [~~certificate of~~] title for a motor vehicle that the person knows is
11 stolen or concealed in violation of Section 32.33, Penal Code.

12 SECTION 64. Section 501.154, Transportation Code, is
13 amended to read as follows:

14 Sec. 501.154. ALTERATION OF CERTIFICATE OR RECEIPT. A
15 person commits an offense if the person alters a manufacturer's [~~or~~
16 ~~importer's~~] certificate, a title receipt, or a certificate of
17 title.

18 SECTION 65. Subsection (a), Section 501.155,
19 Transportation Code, is amended to read as follows:

20 (a) A person commits an offense if the person knowingly
21 provides false or incorrect information or without legal authority
22 signs the name of another person on:

- 23 (1) an application for a [~~certificate of~~] title;
- 24 (2) an application for a certified copy of an original
25 [~~certificate of~~] title;
- 26 (3) an assignment of title for a motor vehicle;
- 27 (4) a discharge of a lien on a title for a motor

1 vehicle; or

2 (5) any other document required by the department or
3 necessary to the transfer of ownership of a motor vehicle.

4 SECTION 66. The heading to Section 501.158, Transportation
5 Code, is amended to read as follows:

6 Sec. 501.158. SEIZURE OF STOLEN VEHICLE OR VEHICLE WITH
7 ALTERED VEHICLE IDENTIFICATION [~~SERIAL~~] NUMBER.

8 SECTION 67. Section 520.035, Transportation Code, is
9 transferred to Subchapter H, Chapter 501, Transportation Code,
10 renumbered as Section 501.161, Transportation Code, and amended to
11 read as follows:

12 Sec. 501.161 [~~520.035~~]. EXECUTION OF TRANSFER DOCUMENTS;
13 PENALTY. (a) A person who transfers a motor vehicle in this state
14 shall complete [~~execute~~] in full and date as of the date of the
15 transfer all documents relating to the transfer of registration or
16 [~~certificate of~~] title. A person who transfers a vehicle commits an
17 offense if the person fails to execute the documents in full.

18 (b) A person commits an offense if the person:

19 (1) accepts a document described by Subsection (a)
20 that does not contain all of the required information; or

21 (2) alters or mutilates such a document.

22 (c) An offense under this section is a misdemeanor
23 punishable by a fine of not less than \$50 and not more than \$200.

24 SECTION 68. Subchapter H, Chapter 501, Transportation Code,
25 is amended by adding Sections 501.162 and 501.163 to read as
26 follows:

27 Sec. 501.162. MOTOR NUMBER REQUIRED FOR REGISTRATION;

1 PENALTY. A person commits an offense if the person violates Section
2 501.0331. An offense under this section is a misdemeanor
3 punishable by a fine of not less than \$50 and not more than \$100.

4 Sec. 501.163. APPLICATION FOR MOTOR NUMBER RECORD; PENALTY.
5 A person who fails to comply with Section 501.0332 commits an
6 offense. An offense under this section is a misdemeanor punishable
7 by a fine of not less than \$10 and not more than \$100.

8 SECTION 69. Chapter 501, Transportation Code, is amended by
9 adding Subchapter I to read as follows:

10 SUBCHAPTER I. ELECTRONIC TITLING SYSTEM

11 Sec. 501.171. APPLICATION OF SUBCHAPTER. This subchapter
12 applies only if the department implements a titling system under
13 Section 501.173.

14 Sec. 501.172. DEFINITIONS. In this subchapter:

15 (1) "Document" means information that is inscribed on
16 a tangible medium or that is stored in an electronic or other medium
17 and is retrievable in perceivable form.

18 (2) "Electronic" means relating to technology having
19 electrical, digital, magnetic, wireless, optical, electromagnetic,
20 or similar capabilities.

21 (3) "Electronic document" means a document that is in
22 an electronic form.

23 (4) "Electronic signature" means an electronic sound,
24 symbol, or process attached to or logically associated with a
25 document and executed or adopted by a person with the intent to sign
26 the document.

27 (5) "Paper document" means a document that is in

1 printed form.

2 Sec. 501.173. ELECTRONIC TITLING SYSTEM. (a) The
3 department by rule may implement an electronic titling system.

4 (b) A record of title maintained electronically by the
5 department in the titling system is the official record of vehicle
6 ownership unless the owner requests that the department issue a
7 printed title.

8 Sec. 501.174. VALIDITY OF ELECTRONIC DOCUMENTS. (a) If
9 this chapter requires that a document be an original, be on paper or
10 another tangible medium, or be in writing, the requirement is met by
11 an electronic document that complies with this subchapter.

12 (b) If a law requires that a document be signed, the
13 requirement is satisfied by an electronic signature.

14 (c) A requirement that a document or a signature associated
15 with a document be notarized, acknowledged, verified, witnessed, or
16 made under oath is satisfied if the electronic signature of the
17 person authorized to perform that act, and all other information
18 required to be included, is attached to or logically associated
19 with the document or signature. A physical or electronic image of a
20 stamp, impression, or seal is not required to accompany an
21 electronic signature.

22 Sec. 501.175. RECORDING OF DOCUMENTS. (a) Under the
23 titling system, the department may:

24 (1) receive, index, store, archive, and transmit
25 electronic documents;

26 (2) provide for access to, and for search and
27 retrieval of, documents and information by electronic means; and

1 (3) convert into electronic form:

2 (A) paper documents that it accepts for the
3 titling of a motor vehicle; and

4 (B) information recorded and documents that were
5 accepted for the titling of a motor vehicle before the titling
6 system was implemented.

7 (b) The department shall continue to accept paper documents
8 after the titling system is implemented.

9 Sec. 501.176. PAYMENT OF FEES BY ELECTRONIC FUNDS TRANSFER
10 OR CREDIT CARD. (a) The department may accept payment by
11 electronic funds transfer, credit card, or debit card of any title
12 or registration fee that the department is required or authorized
13 to collect under this chapter.

14 (b) The department may collect a fee for processing a title
15 or registration payment by electronic funds transfer, credit card,
16 or debit card. The amount of the registration and titling
17 transaction fee must be reasonably related to the expense incurred
18 by the department in processing the payment by electronic funds
19 transfer, credit card, or debit card and may not be more than five
20 percent of the amount of the fee being paid.

21 (c) In addition to the fee authorized by Subsection (b), the
22 department may collect from a person making payment by electronic
23 funds transfer, credit card, or debit card an amount equal to the
24 amount of any registration and titling transaction fee charged to
25 the department by a vendor providing services in connection with
26 payments made by electronic funds transfer, credit card, or debit
27 card. The limitation prescribed by Subsection (b) on the amount of

1 a fee does not apply to a fee collected under this subsection.

2 Sec. 501.177. SERVICE CHARGE. If, for any reason, the
3 payment of a fee under this chapter by electronic funds transfer,
4 credit card, or debit card is not honored by the funding
5 institution, or by the electronic funds transfer, credit card, or
6 debit card company on which the funds are drawn, the department may
7 collect from the person who owes the fee being collected a
8 registration and titling service charge that is for the collection
9 of that original amount and is in addition to the original fee. The
10 amount of the service charge must be reasonably related to the
11 expense incurred by the department in collecting the original
12 amount.

13 Sec. 501.178. DISPOSITION OF FEES. All fees collected
14 under this subchapter shall be deposited to the credit of the state
15 highway fund.

16 Sec. 501.179. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL
17 AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and
18 supersedes the federal Electronic Signatures in Global and National
19 Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify,
20 limit, or supersede Section 101(c) of that Act (15 U.S.C. Section
21 7001(c)) or authorize electronic delivery of any of the notices
22 described in Section 103(b) of that Act (15 U.S.C. Section
23 7003(b)).

24 SECTION 70. Section 502.001, Transportation Code, is
25 amended to read as follows:

26 Sec. 502.001. DEFINITIONS. In this chapter:

27 (1) "All-terrain vehicle" means a motor vehicle that

1 is:

2 (A) equipped with a saddle, bench, or bucket
3 seats for the use of:

4 (i) the rider; and

5 (ii) a passenger, if the motor vehicle is
6 designed by the manufacturer to transport a passenger;

7 (B) designed to propel itself with three or more
8 tires in contact with the ground;

9 (C) designed by the manufacturer for off-highway
10 use; and

11 (D) not designed by the manufacturer primarily
12 for farming or lawn care.

13 (2) "Apportioned license plate" means a license plate
14 issued in lieu of a truck license plate or combination license plate
15 to a motor carrier in this state who proportionally registers a
16 vehicle owned by the carrier in one or more other states.

17 (3) "Combination license plate" means a license plate
18 issued for a truck or truck-tractor that is used or intended to be
19 used in combination with a semitrailer that has a gross weight of
20 more than 6,000 pounds.

21 (4) "Combined gross weight" means the empty weight of
22 the truck-tractor or commercial motor vehicle combined with the
23 empty weight of the heaviest semitrailer used or to be used in
24 combination with the truck-tractor or commercial motor vehicle plus
25 the heaviest net load to be carried on the combination during the
26 registration year.

27 (4-a) "Commercial fleet" means a commercial fleet as

1 defined by Section 501.002(1-a).

2 (5) "Commercial motor vehicle" means a commercial
3 motor vehicle as defined by Section 644.001~~[, other than a~~
4 ~~motorcycle, designed or used primarily to transport property. The~~
5 ~~term includes a passenger car reconstructed and used primarily for~~
6 ~~delivery purposes. The term does not include a passenger car used~~
7 ~~to deliver the United States mail].~~

8 (6) "Construction machinery" means a vehicle that:

9 (A) is used for construction;

10 (B) is built from the ground up;

11 (C) is not mounted or affixed to another vehicle
12 such as a trailer;

13 (D) was originally and permanently designed as
14 machinery;

15 (E) was not in any way originally designed to
16 transport persons or property; and

17 (F) does not carry a load, including fuel.

18 (7) "Credit card" has the meaning assigned by Section
19 501.002.

20 (8) "Debit card" has the meaning assigned by Section
21 501.002.

22 (9) ~~[(3)]~~ "Department" means the Texas Department of
23 Transportation.

24 (10) "Electric bicycle" has the meaning assigned by
25 Section 541.201.

26 (11) "Electric personal assistive mobility device"
27 has the meaning assigned by Section 551.201.

1 (12) "Empty weight" means the unladen weight of the
2 truck-tractor or commercial motor vehicle and semitrailer
3 combination fully equipped, as certified by a public weigher or
4 license and weight inspector of the Department of Public Safety.

5 (13) [~~(4)~~] "Farm trailer" or "farm semitrailer" means
6 a vehicle [~~semitrailer~~] designed and used primarily as a farm
7 vehicle.

8 (14) [~~(5)~~] "Farm tractor" has the meaning assigned by
9 Section 541.201 [~~means a motor vehicle designed and used primarily~~
10 as a farm implement for drawing other implements of husbandry].

11 (15) "Forestry vehicle" [~~(6) "Farm trailer"~~] means a
12 vehicle [~~trailer designed and~~] used exclusively for transporting
13 forest products in their natural state, including logs, debarked
14 logs, untreated ties, stave bolts, plywood bolts, pulpwood billets,
15 wood chips, stumps, sawdust, moss, bark, and wood shavings, and
16 property used in production of those products [~~primarily as a farm~~
17 vehicle].

18 (16) [~~(7)~~] "Golf cart" means a motor vehicle designed
19 by the manufacturer primarily for transporting persons on a golf
20 course.

21 (17) "Gross vehicle weight" has the meaning assigned
22 by Section 541.401.

23 (18) [~~(8)~~] "Implements of husbandry" has the meaning
24 assigned by Section 541.201 [~~means farm implements, machinery, and~~
25 tools as used in tilling the soil, including self-propelled
26 machinery specifically designed or adapted for applying plant food
27 materials or agricultural chemicals but not specifically designed

1 ~~or adapted for the sole purpose of transporting the materials or~~
2 ~~chemicals. The term does not include a passenger car or truck].~~

3 (19) [~~(9)~~] "Light truck" has the meaning assigned by
4 Section 541.201 [~~means a commercial motor vehicle that has a~~
5 ~~manufacturer's rated carrying capacity of one ton or less)].~~

6 (20) [~~(10)~~] "Moped" has the meaning assigned by
7 Section 541.201.

8 (21) [~~(11)~~] "Motor bus" includes every vehicle used to
9 transport persons on the public highways for compensation, other
10 than:

11 (A) a vehicle operated by muscular power; or

12 (B) a municipal bus.

13 (22) [~~(12)~~] "Motorcycle" has the meaning assigned by
14 Section 541.201 [~~means a motor vehicle designed to propel itself~~
15 ~~with not more than three wheels in contact with the ground. The~~
16 ~~term does not include a tractor)].~~

17 (23) [~~(13)~~] "Motor vehicle" means a vehicle that is
18 self-propelled.

19 (24) "Motorized mobility device" has the meaning
20 assigned by Section 542.009.

21 (25) [~~(14)~~] "Municipal bus" includes every vehicle,
22 other than a passenger car, used to transport persons for
23 compensation exclusively within the limits of a municipality or a
24 suburban addition to the municipality.

25 (26) "Net carrying capacity" is the heaviest net load
26 to be carried on the vehicle, but not less than the manufacturer's
27 rated carrying capacity.

1 (27) "Oil well servicing, cleanout, or drilling
2 machinery":

3 (A) has the meaning assigned by Section 623.149;
4 or

5 (B) means:

6 (i) a mobile crane that is an unladen,
7 self-propelled vehicle constructed as a machine and used solely to
8 raise, shift, or lower heavy weights by means of a projecting,
9 swinging mast with an engine for power on a chassis permanently
10 constructed or assembled for such purpose; and

11 (ii) for which the owner has secured a
12 permit from the department under Section 623.142.

13 (28) [~~15~~] "Operate temporarily on the highways"
14 means to travel between:

15 (A) different farms;

16 (B) a place of supply or storage and a farm; or

17 (C) an owner's farm and the place at which the
18 owner's farm produce is prepared for market or is marketed.

19 (29) [~~16~~] "Owner" means a person who:

20 (A) holds the legal title of a vehicle;

21 (B) has the legal right of possession of a
22 vehicle; or

23 (C) has the legal right of control of a vehicle.

24 (30) [~~17~~] "Passenger car" has the meaning assigned
25 by Section 541.201 [~~means a motor vehicle, other than a motorcycle,~~
26 golf cart, light truck, or bus, designed or used primarily for the
27 transportation of persons].

1 (31) "Power sweeper" means an implement, with or
2 without motive power, designed for the removal by a broom, vacuum,
3 or regenerative air system of debris, dirt, gravel, litter, or sand
4 from asphaltic concrete or cement concrete surfaces, including
5 surfaces of parking lots, roads, streets, highways, and warehouse
6 floors. The term includes a vehicle on which the implement is
7 permanently mounted if the vehicle is used only as a power sweeper.

8 (32) "Private bus" means a bus that:

9 (A) is not operated for hire; and

10 (B) is not classified as a municipal bus or a
11 motor bus.

12 (33) [~~(18)~~] "Public highway" includes a road, street,
13 way, thoroughfare, or bridge:

14 (A) that is in this state;

15 (B) that is for the use of vehicles;

16 (C) that is not privately owned or controlled;

17 and

18 (D) over which the state has legislative
19 jurisdiction under its police power.

20 (34) [~~(19)~~] "Public property" means property owned or
21 leased by this state or a political subdivision of this state.

22 (35) [~~(20)~~] "Road tractor" means a vehicle designed
23 for the purpose of mowing the right-of-way of a public highway or a
24 motor vehicle designed or used for drawing another vehicle or a load
25 and not constructed to carry:

26 (A) an independent load; or

27 (B) a part of the weight of the vehicle and load

1 to be drawn.

2 (36) [~~(21)~~] "Semitrailer" means a vehicle designed or
3 used with a motor vehicle so that part of the weight of the vehicle
4 and its load rests on or is carried by another vehicle.

5 (37) "Token trailer" means a semitrailer that:

6 (A) has a gross weight of more than 6,000 pounds;

7 and

8 (B) is operated in combination with a truck or a
9 truck-tractor that has been issued:

10 (i) an apportioned license plate;

11 (ii) a combination license plate; or

12 (iii) a forestry vehicle license plate.

13 (38) "Tow truck" means a motor vehicle adapted or used
14 to tow, winch, or otherwise move another motor vehicle.

15 (39) [~~(22)~~] "Trailer" means a vehicle that:

16 (A) is designed or used to carry a load wholly on
17 its own structure; and

18 (B) is drawn or designed to be drawn by a motor
19 vehicle.

20 (40) "Travel trailer" has the meaning assigned by
21 Section 501.002.

22 (41) [~~(23)~~] "Truck-tractor" means a motor vehicle:

23 (A) designed and used primarily for drawing
24 another vehicle; and

25 (B) not constructed to carry a load other than a
26 part of the weight of the vehicle and load to be drawn.

27 (42) [~~(24)~~] "Vehicle" means a device in or by which a

1 person or property is or may be transported or drawn on a public
2 highway, other than a device used exclusively on stationary rails
3 or tracks.

4 SECTION 71. Section 502.0021, Transportation Code, is
5 amended to read as follows:

6 Sec. 502.0021. RULES AND FORMS. (a) The department may
7 adopt rules to administer this chapter.

8 (b) The department shall post on the Internet or [+

9 ~~[(1) prescribe forms determined by the department to~~
10 ~~be necessary for the administration of this chapter; and~~

11 ~~[(2)] provide each county assessor-collector with a~~
12 sufficient ~~[an adequate]~~ supply of any ~~[each form]~~ necessary forms
13 ~~[for the performance of a duty under this chapter by the~~
14 ~~assessor-collector]~~.

15 SECTION 72. Section 502.052, Transportation Code, is
16 transferred to Subchapter A, Chapter 502, Transportation Code,
17 renumbered as Section 502.00211, Transportation Code, and amended
18 to read as follows:

19 Sec. 502.00211 ~~[502.052]~~. DESIGN OF ~~[LICENSE PLATES AND]~~
20 REGISTRATION INSIGNIA ~~[, REFLECTORIZED MATERIAL]~~. ~~[(a)]~~ The
21 department shall prepare the designs and specifications ~~[of license~~
22 ~~plates and devices selected by the Texas Transportation Commission]~~
23 to be used as the registration insignia.

24 ~~[(b) The department shall design each license plate to~~
25 ~~include a design at least one-half inch wide that represents in~~
26 ~~silhouette the shape of Texas and that appears between letters and~~
27 ~~numerals. The department may omit the silhouette of Texas from~~

1 ~~specially designed license plates.~~

2 ~~[(c) To promote highway safety, each license plate shall be~~
3 ~~made with a reflectorized material that provides effective and~~
4 ~~dependable brightness for the period for which the plate is issued.~~
5 ~~The purchase of reflectorized material shall be submitted to the~~
6 ~~comptroller for approval.]~~

7 SECTION 73. Section 502.0022, Transportation Code, is
8 amended to read as follows:

9 Sec. 502.0022. CONSOLIDATED REGISTRATION OF ~~[FLEET]~~
10 VEHICLES. (a) The department shall develop and implement a system
11 of registration so that an owner of more than one motor vehicle or
12 trailer that is subject to registration under this chapter ~~[a fleet~~
13 ~~of motor vehicles]~~ may consolidate the registration of the motor
14 vehicles ~~[in the fleet]~~ as an alternative to the separate
15 registration of each motor vehicle ~~[in the fleet]~~. The owner may
16 designate an initial or a renewal registration period for a vehicle
17 or trailer so that the registration period expires on the same date
18 as the registration period for another vehicle or trailer
19 previously registered by that owner.

20 (b) A system of consolidated registration under this
21 section must allow the owner of the ~~[a fleet of]~~ motor vehicles to
22 register:

23 (1) all ~~[an entire fleet of]~~ motor vehicles in the
24 county of the owner's residence or principal place of business; or

25 (2) ~~[those vehicles in a fleet of]~~ vehicles that are
26 operated most regularly in the same county by registering the
27 vehicles in that county.

1 (c) With the consent of the [The] department, the
2 registration shall be issued in accordance with Section 502.044 [by
3 rule shall define "fleet" for purposes of this section.

4 ~~[(d) The department may adopt rules to administer this~~
5 ~~section].~~

6 SECTION 74. (a) Subchapter A, Chapter 502, Transportation
7 Code, is amended by adding Section 502.0023 to read as follows:

8 Sec. 502.0023. EXTENDED REGISTRATION OF COMMERCIAL FLEET
9 VEHICLES. (a) The department shall develop and implement a system
10 of registration to allow an owner of a commercial fleet to register
11 the motor vehicles in the commercial fleet for an extended
12 registration period of not less than one year or more than eight
13 years. The owner may select the number of years for registration
14 under this section within that range and register the commercial
15 fleet for that period. Payment for the entire registration period
16 selected is due at the time of registration.

17 (b) In addition to the registration fees prescribed by
18 Subchapter D, an owner registering a commercial fleet under this
19 section shall pay:

20 (1) an annual commercial fleet registration fee of \$10
21 per motor vehicle; and

22 (2) a one-time license plate manufacturing fee of
23 \$1.50 for each issued motor vehicle license plate.

24 (c) A license plate issued under this section may, at the
25 registered owner's option, include on the legend the name or logo of
26 the business entity that owns the vehicle. The license plates shall
27 conform in all respects to the provisions of this chapter, except as

1 specified herein.

2 (d) For commercial fleets registered under this section,
3 payment of all registration license taxes and fees under this
4 chapter shall be paid in advance for the extended registration
5 period selected under Subsection (b). Upon payment of all
6 registration license taxes and fees, no annual validation window
7 insignia is required for the entire period paid for in advance. A
8 registration card will be issued for the period elected only for
9 vehicles that exceed 10,000 pounds in weight.

10 (e) Failure to comply with this section may result in
11 suspension or termination from the commercial fleet program.

12 (f) The department shall adopt rules to implement this
13 section.

14 (g) The department and the counties in their budgeting
15 processes shall consider any temporary increases and resulting
16 decreases in revenue that will result from the use of the process
17 provided by this section.

18 (b) The Texas Department of Transportation shall adopt the
19 rules and establish the system required under Section 502.0023,
20 Transportation Code, as added by this section, not later than
21 September 1, 2010.

22 (c) This section takes effect September 1, 2009.

23 SECTION 75. Section 502.185, Transportation Code, is
24 transferred to Subchapter A, Chapter 502, Transportation Code,
25 renumbered as Section 502.010, Transportation Code, and amended to
26 read as follows:

27 Sec. 502.010 [~~502.185~~]. COUNTY SCOFFLAW [~~REFUSAL TO~~

1 ~~REGISTER VEHICLE IN CERTAIN COUNTIES~~]. (a) A county
2 assessor-collector or the department may refuse to register a motor
3 vehicle if the assessor-collector or the department receives
4 information that the owner of the vehicle owes the county money for
5 a fine, fee, or tax that is past due.

6 (b) A county may contract with the department to provide
7 information to the department necessary to make a determination
8 under Subsection (a).

9 (c) A county that has a contract under Subsection (b) shall
10 notify the department regarding a person for whom the county
11 assessor-collector or the department has refused to register a
12 motor vehicle on:

13 (1) the person's payment or other means of discharge of
14 the past due fine, fee, or tax; or

15 (2) perfection of an appeal of the case contesting
16 payment of the fine, fee, or tax.

17 (d) After notice is received under Subsection (c), the
18 county assessor-collector or the department may not refuse to
19 register the motor vehicle under Subsection (a).

20 (e) A contract under Subsection (b) must be entered into in
21 accordance with Chapter 791, Government Code, and is subject to the
22 ability of the parties to provide or pay for the services required
23 under the contract.

24 (f) A county that has a contract under Subsection (b) may
25 impose an additional fee to a person paying a fine, fee, or tax to
26 the county after it is past due. The additional fee may be used only
27 to reimburse the department or the county for its expenses for

1 providing services under the contract.

2 (g) In this section:

3 (1) a fine, fee, or tax is considered past due if it is
4 unpaid 90 or more days after the date it is due; and

5 (2) registration of a motor vehicle includes renewal
6 of the registration of the vehicle.

7 (h) This section does not apply to the registration of a
8 motor vehicle under Section 501.0234, unless the vehicle is titled
9 and registered in the name of a person who holds a general
10 distinguishing number.

11 SECTION 76. The heading to Subchapter B, Chapter 502,
12 Transportation Code, is amended to read as follows:

13 SUBCHAPTER B. REGISTRATION REQUIREMENTS [~~STATE ADMINISTRATION~~]

14 SECTION 77. Section 502.002, Transportation Code, is
15 transferred to Subchapter B, Chapter 502, Transportation Code,
16 renumbered as Section 502.040, Transportation Code, and amended to
17 read as follows:

18 Sec. 502.040 [~~502.002~~]. REGISTRATION REQUIRED; GENERAL
19 RULE. (a) The owner of a motor vehicle, trailer, or semitrailer
20 shall apply for the registration of the vehicle for:

21 (1) each registration year in which the vehicle is
22 used or to be used on a public highway; and

23 (2) if the vehicle is unregistered for a registration
24 year that has begun and that applies to the vehicle and if the
25 vehicle is used or to be used on a public highway, the remaining
26 portion of that registration year.

27 (b) The application must be made in a manner prescribed by

1 ~~[to]~~ the department through the county assessor-collector of the
2 county in which the owner resides.

3 (c) A provision of this chapter that conflicts with this
4 section prevails over this section to the extent of the conflict.

5 (d) A county assessor-collector, a deputy county
6 assessor-collector, or a person acting on behalf of a county
7 assessor-collector is not liable to any person for:

8 (1) refusing to register a motor vehicle because of
9 the person's failure to submit evidence of residency that complies
10 with the department's rules; or

11 (2) registering a motor vehicle under this section.

12 SECTION 78. Section 502.157, Transportation Code, is
13 transferred to Subchapter B, Chapter 502, Transportation Code,
14 renumbered as Section 502.041, Transportation Code, and amended to
15 read as follows:

16 Sec. 502.041 ~~[502.157]~~. INITIAL REGISTRATION.

17 (a) Notwithstanding Section 502.040 ~~[502.002]~~, ~~[when a motor~~
18 ~~vehicle must be registered before an application for a certificate~~
19 ~~of title will be accepted,]~~ the owner of a a ~~[the]~~ vehicle may
20 concurrently apply for a ~~[certificate of]~~ title and for
21 registration through the county assessor-collector of the county in
22 which:

23 (1) the owner resides; or

24 (2) the vehicle is purchased or encumbered.

25 (b) The first time an owner applies for registration of a
26 vehicle, the owner may demonstrate compliance with Section
27 502.046(a) ~~[502.153(a)]~~ as to the vehicle by showing proof of

1 financial responsibility in any manner specified in Section
2 502.046(c) [~~502.153(e)~~] as to:

- 3 (1) any vehicle of the owner; or
4 (2) any vehicle used as part of the consideration for
5 the purchase of the vehicle the owner applies to register.

6 SECTION 79. Section 502.152, Transportation Code, is
7 transferred to Subchapter B, Chapter 502, Transportation Code,
8 renumbered as Section 502.042, Transportation Code, and amended to
9 read as follows:

10 Sec. 502.042 [~~502.152~~]. [~~CERTIFICATE OF~~] TITLE REQUIRED
11 FOR REGISTRATION. [~~(a)~~] The department may not register or renew
12 the registration of a motor vehicle for which a [~~certificate of~~]
13 title is required under Chapter 501 unless the owner:

- 14 (1) obtains a [~~certificate of~~] title for the vehicle;
15 or
16 (2) presents satisfactory evidence that a
17 [~~certificate of~~] title was previously issued to the owner by the
18 department or another jurisdiction.

19 [~~(b) This section does not apply to an automobile that was~~
20 ~~purchased new before January 1, 1936.~~]

21 SECTION 80. Section 502.151, Transportation Code, is
22 transferred to Subchapter B, Chapter 502, Transportation Code,
23 renumbered as Section 502.043, Transportation Code, and amended to
24 read as follows:

25 Sec. 502.043 [~~502.151~~]. APPLICATION FOR REGISTRATION.

26 (a) An application for vehicle registration must:

- 27 (1) be made in a manner prescribed and include the

1 information required [~~on a form furnished~~] by the department by
2 rule; and

3 (2) contain a the full description [~~name and address~~
4 ~~of the owner~~] of the vehicle as required by department rule [~~+~~

5 [~~(3) contain a brief description of the vehicle;~~

6 [~~(4) contain any other information required by the~~
7 ~~department; and~~

8 [~~(5) be signed by the owner~~].

9 (b) [~~For a new motor vehicle, the description of the vehicle~~
10 ~~must include the vehicle's:~~

11 [~~(1) trade name;~~

12 [~~(2) year model;~~

13 [~~(3) style and type of body;~~

14 [~~(4) weight, if the vehicle is a passenger car;~~

15 [~~(5) net carrying capacity and gross weight, if the~~
16 ~~vehicle is a commercial motor vehicle;~~

17 [~~(6) vehicle identification number; and~~

18 [~~(7) date of sale by the manufacturer or dealer to the~~
19 ~~applicant.~~

20 [~~(c)~~] An applicant for registration of a commercial motor
21 vehicle, truck-tractor, trailer, or semitrailer must show
22 acceptable proof [~~deliver~~] to the county assessor-collector of [~~an~~
23 ~~affidavit showing~~] the weight of the vehicle, the maximum load to be
24 carried on the vehicle, and the gross weight for which the vehicle
25 is to be registered. [~~The assessor-collector shall keep the~~
26 ~~affidavit on file.~~]

27 (b-1) An applicant for registration of a non-titled trailer

1 shall provide proof of ownership by providing a vehicle
2 identification inspection and a bill of sale or bond. For a trailer
3 that weighs 4,000 pounds or less, the applicant must include the
4 information established by department rule. For a trailer that
5 weighs more than 4,000 pounds, the applicant must include an order
6 determining ownership of the trailer issued by a court with
7 jurisdiction.

8 (c) [(d)] In lieu of filing an application during a year as
9 provided by Subsection (a), the owner of a vehicle registered in any
10 state for that year or the preceding year may present the
11 registration receipt and transfer receipt, if any. The county
12 assessor-collector shall accept the receipt as an application for
13 renewal of the registration if the receipt indicates the applicant
14 owns the vehicle. This section allows issuance for registration
15 purposes only but does not authorize the department to issue a
16 certificate of title or record of title.

17 ~~[(c) If an owner or claimed owner has lost or misplaced the~~
18 ~~registration receipt or transfer receipt for the vehicle, the~~
19 ~~county assessor-collector shall register the vehicle on the~~
20 ~~person's furnishing to the assessor-collector satisfactory~~
21 ~~evidence, by affidavit or otherwise, that the person owns the~~
22 ~~vehicle.~~

23 ~~[(f) A county assessor-collector shall date each~~
24 ~~registration receipt issued for a vehicle with the date on which the~~
25 ~~application for registration is made.]~~

26 SECTION 81. Section 502.158, Transportation Code, is
27 transferred to Subchapter B, Chapter 502, Transportation Code,

1 renumbered as Section 502.044, Transportation Code, and amended to
2 read as follows:

3 Sec. 502.044 [~~502.158~~]. REGISTRATION PERIOD [~~YEAR~~].

4 (a) The department shall designate a vehicle registration year of
5 12 consecutive months to begin on the first day of a calendar month
6 and end on the last day of the 12th calendar month.

7 (b) The department shall designate vehicle registration
8 years so as to distribute the work of the department and the county
9 assessor-collectors as uniformly as possible throughout the year.
10 The department may establish separate registration years for any
11 vehicle or classification of vehicle and may adopt rules to
12 administer the year-round registration system.

13 (c) The department may designate a registration period of
14 less than 12 months to be [~~The registration fee for a registration~~
15 ~~period of less than 12 months is~~] computed at a rate of one-twelfth
16 the annual registration fee multiplied by the number of months in
17 the registration period. The department, by rule, may allow
18 payment of [~~may not designate a registration period of more than 12~~
19 ~~months, but:~~

20 [~~(1) with the consent of the department, an owner may~~
21 ~~pay~~] registration fees for a designated period not to exceed 96 [~~of~~
22 ~~more than 12~~] months [~~, and~~

23 [~~(2) an owner of a vehicle may pay registration fees~~
24 ~~for a designated period of 12, 24, or 36 months.~~

25 [~~(d) An application for registration shall be made during~~
26 ~~the two months preceding the date on which the registration~~
27 ~~expires.~~

1 ~~[(c) The fee to be paid for renewing a registration is the~~
2 ~~fee that will be in effect on the first day of the vehicle~~
3 ~~registration year].~~

4 (d) ~~[(g)]~~ The department shall issue ~~[the applicant for~~
5 ~~registration who pays registration fees for a designated period of~~
6 ~~24 or 36 months]~~ a registration receipt and registration insignia
7 that are valid until the expiration of the designated period.

8 SECTION 82. Section 502.176, Transportation Code, is
9 transferred to Subchapter B, Chapter 502, Transportation Code,
10 renumbered as Section 502.045, Transportation Code, and amended to
11 read as follows:

12 Sec. 502.045 ~~[502.176]~~. DELINQUENT REGISTRATION. (a) A
13 registration fee ~~[prescribed by this chapter]~~ for a vehicle becomes
14 delinquent immediately if the vehicle is used on a public highway
15 without the fee having been paid in accordance with this chapter.

16 (b) An ~~[A county assessor-collector that determines that~~
17 ~~an]~~ applicant for registration who provides ~~[for which payment of~~
18 ~~the registration fee is delinquent has provided]~~ evidence
19 acceptable to the assessor-collector ~~[sufficient]~~ to establish
20 good reason for delinquent registration and who ~~[that the~~
21 ~~application]~~ complies with the other requirements for registration
22 under this chapter may ~~[shall]~~ register the vehicle for a 12-month
23 period that ends on the last day of the 11th month after the month in
24 which the registration occurs under this subsection. The
25 registration period for vehicles registered in accordance with
26 Sections 502.255, 502.431, 502.435, 502.454, 504.401, 504.505,
27 504.515, and 504.613 ~~[502.164, 502.167, 502.203, 502.255, 502.267,~~

1 ~~502.277, 502.278, 502.293, as added by Chapter 1222, Acts of the~~
2 ~~75th Legislature, Regular Session, 1997, and 502.295, as added by~~
3 ~~Chapter 625, Acts of the 75th Legislature, Regular Session, 1997,]~~
4 will end on the annual registration date, and the registration fees
5 will be prorated.

6 (c) A county assessor-collector that determines that an
7 applicant for registration who ~~[that]~~ is delinquent and has not
8 provided evidence acceptable ~~[to the assessor-collector~~
9 ~~sufficient]~~ to establish good reason for delinquent registration
10 but who ~~[that the application]~~ complies with the other requirements
11 for registration under this chapter shall register the vehicle for
12 a 12-month period without changing the initial month of
13 registration.

14 (d) A person who has been arrested or received a citation
15 for a violation of Section 502.472 ~~[502.402]~~ may register the
16 vehicle being operated at the time of the offense ~~[with the county~~
17 ~~assessor-collector]~~ for a 12-month period without change to the
18 initial month of registration only if the person:

19 (1) meets the other requirements for registration
20 under this chapter; and

21 (2) pays an additional charge equal to 20 percent of
22 the prescribed fee.

23 (e) The department by rule ~~[county assessor-collector]~~
24 shall adopt a list of evidentiary items sufficient to establish
25 good reason for delinquent registration under Subsection (b) and
26 provide for the ~~[forms of]~~ evidence that may be used to establish
27 good reason under that subsection. ~~[The list of evidentiary items~~

1 ~~adopted under this section must allow for delinquent registration~~
2 ~~under Subsection (b) because of:~~

- 3 ~~[(1) extensive repairs on the vehicle;~~
4 ~~[(2) the absence of the owner of the vehicle from this~~
5 ~~country;~~
6 ~~[(3) seasonal use of the vehicle; or~~
7 ~~[(4) any other reason determined by the~~
8 ~~assessor-collector to be a valid explanation for the delinquent~~
9 ~~registration.]~~

10 (f) The department by rule shall adopt procedures to
11 implement this section in connection with the delinquent
12 registration of a vehicle registered directly with the department.

13 SECTION 83. Section 502.153, Transportation Code, is
14 transferred to Subchapter B, Chapter 502, Transportation Code,
15 renumbered as Section 502.046, Transportation Code, and amended to
16 read as follows:

17 Sec. 502.046 [~~502.153~~]. EVIDENCE OF FINANCIAL
18 RESPONSIBILITY. (a) Evidence [~~Except as provided by Subsection~~
19 ~~(j), the owner of a motor vehicle, other than a trailer or~~
20 ~~semitrailer, for which evidence]~~ of financial responsibility as
21 [~~is~~] required by Section 601.051 other than for a trailer or
22 semitrailer [~~or a person who represents the owner for purposes of~~
23 ~~registering a motor vehicle]~~ shall be submitted [~~submit evidence of~~
24 ~~financial responsibility]~~ with the application for registration
25 under Section 502.043 [~~502.151~~]. A county assessor-collector may
26 not register the motor vehicle unless the owner or the owner's
27 representative submits the evidence of financial responsibility.

1 (b) The county assessor-collector shall examine the
2 evidence of financial responsibility to determine whether it
3 complies with Subsection (c). After examination, [~~examining~~] the
4 evidence[~~, the assessor-collector~~] shall be returned [~~return the~~
5 ~~evidence~~] unless it is in the form of a photocopy or an electronic
6 submission.

7 (c) In this section, evidence of financial responsibility
8 may be:

9 (1) a document listed under Section 601.053(a) or
10 verified in compliance with Section 601.452, as added by Chapter
11 892, Acts of the 79th Legislature, Regular Session, 2005;

12 (2) a liability self-insurance or pool coverage
13 document issued by a political subdivision or governmental pool
14 under the authority of Chapter 791, Government Code, Chapter 119,
15 Local Government Code, or other applicable law in at least the
16 minimum amounts required by Chapter 601;

17 (3) a photocopy of a document described by Subdivision
18 (1) or (2); or

19 (4) an electronic submission of a document or the
20 information contained in a document described by Subdivision (1) or
21 (2).

22 (d) A personal automobile policy used as evidence of
23 financial responsibility under this section must comply with
24 Section 1952.052 et seq. and Sections 2301.051-2301.055 [~~Article~~
25 ~~5.06 or 5.145~~], Insurance Code.

26 (e) At the time of registration, the county
27 assessor-collector shall provide to a person registering a motor

1 vehicle a [~~separate~~] statement that the motor vehicle [~~being~~
2 ~~registered~~] may not be operated in this state unless:

3 (1) liability insurance coverage for the motor vehicle
4 in at least the minimum amounts required by law remains in effect to
5 insure against potential losses; or

6 (2) the motor vehicle is exempt from the insurance
7 requirement because the person has established financial
8 responsibility in a manner described by Sections [~~Section~~]
9 601.051(2)-(5) or is exempt under Section 601.052.

10 (f) A county assessor-collector is not liable to any person
11 for refusing to register a motor vehicle to which this section
12 applies because of the person's failure to submit evidence of
13 financial responsibility that complies with Subsection (c).

14 (g) A county, a county assessor-collector, a deputy county
15 assessor-collector, a person acting for or on behalf of a county or
16 a county assessor-collector, or a person acting on behalf of an
17 owner for purposes of registering a motor vehicle is not liable to
18 any person for registering a motor vehicle under this section.

19 (h) This section does not prevent a person from registering
20 a motor vehicle by mail or through an electronic submission.

21 (i) To be valid under this section, an electronic submission
22 must be in a format that is:

23 (1) submitted by electronic means, including a
24 telephone, facsimile machine, or computer;

25 (2) approved by the department; and

26 (3) authorized by the commissioners court for use in
27 the county.

1 (j) This section does not apply to a vehicle registered
2 pursuant to Section 501.0234.

3 SECTION 84. Section 502.009, Transportation Code, is
4 transferred to Subchapter B, Chapter 502, Transportation Code,
5 renumbered as Section 502.047, Transportation Code, and amended to
6 read as follows:

7 Sec. 502.047 [~~502.009~~]. MOTOR VEHICLE EMISSIONS INSPECTION
8 AND MAINTENANCE REQUIREMENTS. (a) The Department of Public Safety
9 shall ensure compliance with the motor vehicle emissions inspection
10 and maintenance program through a vehicle inspection sticker-based
11 enforcement system except as provided by this section or Section
12 548.3011. Subsections (b)-(e) apply only if the United States
13 Environmental Protection Agency determines that the state has not
14 demonstrated, as required by 40 C.F.R. Section 51.361, that
15 sticker-based enforcement of the program is more effective than
16 registration-based enforcement and gives the Texas [~~Natural~~
17 ~~Resource Conservation~~] Commission on Environmental Quality or the
18 governor written notification that the reregistration-based
19 enforcement of the program, as described by those subsections, will
20 be required. If Subsections (b)-(e) are made applicable as
21 provided by this subsection, the department shall terminate
22 reregistration-based enforcement of the program under those
23 subsections on the date the United States Environmental Protection
24 Agency gives the Texas [~~Natural Resource Conservation~~] Commission
25 on Environmental Quality or a person the commission designates
26 written notification that reregistration-based enforcement is not
27 required for the state implementation plan.

1 (b) A [~~The department may not register a~~] motor vehicle may
2 not be registered if the department receives from the Texas
3 [~~Natural Resource Conservation~~] Commission on Environmental
4 Quality or the Department of Public Safety notification that the
5 registered owner of the vehicle has not complied with Subchapter F,
6 Chapter 548.

7 (c) A motor vehicle [~~The county tax assessor-collector~~] may
8 not be registered if the [~~register a~~] vehicle was denied
9 registration under Subsection (b) unless [~~the tax~~
10 ~~assessor-collector has~~] verification is received that the
11 registered vehicle owner is in compliance with Subchapter F,
12 Chapter 548.

13 (d) The department, the Texas [~~Natural Resource~~
14 ~~Conservation~~] Commission on Environmental Quality, and the
15 Department of Public Safety shall enter an agreement regarding the
16 responsibilities for costs associated with implementing this
17 section.

18 (e) A county tax assessor-collector is not liable to any
19 person for refusing to register a motor vehicle because of the
20 person's failure to provide verification of the person's compliance
21 with Subchapter F, Chapter 548.

22 SECTION 85. Section 502.005, Transportation Code, is
23 transferred to Subchapter B, Chapter 502, Transportation Code,
24 renumbered as Section 502.048, Transportation Code, and amended to
25 read as follows:

26 Sec. 502.048 [~~502.005~~]. REFUSAL TO REGISTER UNSAFE
27 VEHICLE. [~~(a)~~] The department may refuse to register a motor

1 vehicle and may cancel, suspend, or revoke a registration if the
2 department determines that a motor vehicle is unsafe, improperly
3 equipped, or otherwise unfit to be operated on a public highway.

4 ~~[(b) The department may refuse to register a motorcycle and~~
5 ~~may suspend or revoke the registration of a motorcycle if the~~
6 ~~department determines that the motorcycle's braking system does not~~
7 ~~comply with Section 547.408.]~~

8 SECTION 86. Subsection (b), Section 502.055,
9 Transportation Code, is amended to read as follows:

10 (b) The department may require an applicant for
11 registration under this chapter to provide the department with
12 evidence of:

13 (1) the manufacturer's rated carrying capacity for the
14 vehicle; or

15 (2) ~~[the nominal tonnage rating of the vehicle,~~
16 ~~(3)]~~ the gross vehicle weight rating ~~[of the vehicle,~~

17 ~~or~~

18 ~~[(4) any combination of information described in~~
19 ~~Subdivisions (1)-(3)].~~

20 SECTION 87. Section 502.178, Transportation Code, is
21 transferred to Subchapter B, Chapter 502, Transportation Code,
22 renumbered as Section 502.057, Transportation Code, and amended to
23 read as follows:

24 Sec. 502.057 ~~[502.178]~~. REGISTRATION RECEIPT. ~~[(a)]~~ The
25 department shall issue or require to be issued to the owner of a
26 vehicle registered under this chapter a registration receipt
27 showing the information required by rule [+]

1 ~~[(1) the date of issuance,~~
2 ~~[(2) the license number assigned to the vehicle,~~
3 ~~[(3) the name and address of the owner, and~~
4 ~~[(4) other information as determined by the~~
5 ~~department.~~

6 ~~[(b) The registration receipt issued for a commercial motor~~
7 ~~vehicle, truck-tractor, trailer, or semitrailer must show the gross~~
8 ~~weight for which the vehicle is registered].~~

9 SECTION 88. Section 502.179, Transportation Code, is
10 transferred to Subchapter B, Chapter 502, Transportation Code,
11 renumbered as Section 502.058, Transportation Code, and amended to
12 read as follows:

13 Sec. 502.058 ~~[502.179]~~. DUPLICATE REGISTRATION RECEIPT.
14 (a) The owner of a vehicle for which the registration receipt has
15 been lost or destroyed may obtain a duplicate receipt from the
16 department or the county assessor-collector who issued the original
17 receipt by paying a fee of \$2.

18 (b) The office issuing a duplicate receipt shall retain the
19 fee received ~~[as a fee of office]~~.

20 SECTION 89. Section 502.180, Transportation Code, is
21 transferred to Subchapter B, Chapter 502, Transportation Code,
22 renumbered as Section 502.059, Transportation Code, and amended to
23 read as follows:

24 Sec. 502.059 ~~[502.180]~~. ISSUANCE OF ~~[LICENSE PLATE OR]~~
25 REGISTRATION INSIGNIA. (a) On payment of the prescribed fee ~~[, the~~
26 ~~department shall issue to]~~ an applicant for motor vehicle
27 registration shall be issued a ~~[license plate or set of plates or a~~

1 ~~device that, when attached to the vehicle as prescribed by the~~
 2 ~~department, is the] registration insignia [for the period for which~~
 3 ~~it was issued].~~

4 (b) ~~[Subject to Subchapter I, the department shall issue~~
 5 ~~only one license plate or set of plates for a vehicle during a~~
 6 ~~five-year period.]~~

7 ~~[(c)]~~ On application and payment of the prescribed fee for a
 8 renewal of the registration of a vehicle through the seventh ~~[for~~
 9 ~~the first, second, third, or fourth]~~ registration year after the
 10 issuance of a license plate or set of plates for the vehicle, the
 11 department shall issue a registration insignia for the validation
 12 of the license plate or plates to be attached as provided by
 13 Subsection (c) ~~[(d)]~~.

14 (c) ~~[(d)]~~ Except as provided by Subsection (f) ~~[(h)]~~, the
 15 registration insignia for validation of a license plate shall be
 16 attached to the inside of the vehicle's windshield, if the vehicle
 17 has a windshield, within six inches of the place where the motor
 18 vehicle inspection sticker is required to be placed. If the vehicle
 19 does not have a windshield, the owner, when applying for
 20 registration or renewal of registration, shall notify the
 21 department, and the department shall issue a distinctive device for
 22 attachment to the rear license plate of the vehicle.

23 (d) Department ~~[(e) The department shall adopt rules for~~
 24 ~~the issuance and use of license plates and registration insignia~~
 25 ~~issued under this chapter. The] rules may provide for the use of an~~
 26 automated registration process, including:

27 (1) the automated on-site production of registration

1 insignia; and

2 (2) automated on-premises and off-premises
3 self-service registration.

4 (e) Subsection (c) does [~~(f) Subsections (b)-(d) do~~] not
5 apply to:

6 (1) the issuance of specialized license plates as
7 designated by the department, including state official license
8 plates, exempt plates for governmental entities, and temporary
9 registration plates; or

10 (2) the issuance or validation of replacement license
11 plates, except as provided by Chapter 504 [~~Section 502.184~~].

12 (f) [~~(g) The department shall provide a separate and
13 distinctive tab to be affixed to the license plate of an automobile,
14 pickup, or recreational vehicle that is offered for rent, as a
15 business, to any part of the public.~~]

16 [~~(h)~~] The registration insignia [~~for validation of a
17 license plate~~] shall be attached to the rear license plate of the
18 vehicle, if the vehicle is:

19 (1) a motorcycle;

20 (2) machinery used exclusively to drill water wells or
21 construction machinery for which a distinguishing license plate has
22 been issued under Section 502.146 [~~504.504~~]; or

23 (3) oil well servicing, oil clean out, or oil well
24 drilling machinery or equipment for which a distinguishing license
25 plate has been issued under Subchapter G, Chapter 623.

26 SECTION 90. Section 502.184, Transportation Code, is
27 transferred to Subchapter B, Chapter 502, Transportation Code,

1 renumbered as Section 502.060, Transportation Code, and amended to
2 read as follows:

3 Sec. 502.060 [~~502.184~~]. REPLACEMENT OF [~~LOST, STOLEN, OR~~
4 ~~MUTILATED LICENSE PLATE OR~~] REGISTRATION INSIGNIA. (a) The owner
5 of a registered motor vehicle may obtain from the department
6 through the county assessor-collector [~~replacement license plates~~
7 ~~or~~] a replacement registration insignia by:

8 (1) certifying [~~filing with the assessor-collector a~~
9 ~~statement~~];

10 [~~(A) showing~~] that [~~one or both of the license~~
11 ~~plates or~~] the registration insignia to be replaced has been lost,
12 stolen, or mutilated[+] and

13 [~~(B) stating~~] that the replacement [~~no license~~
14 ~~plate or~~] registration insignia [~~to be replaced~~] will not be used on
15 any other vehicle owned or operated by the person making the
16 statement;

17 (2) paying a fee of \$5 plus the fees required by
18 Sections 502.356(a) [~~502.170(a)~~] and 502.360 [~~502.1705(a)~~] for
19 [~~each set of replacement license plates or~~] each replacement
20 registration insignia, unless specified in other law [~~except as~~
21 ~~provided by Subsection (b), (c), or (i)~~]; and

22 (3) returning [~~to~~] the [~~assessor-collector each~~
23 ~~replaced plate or~~] registration insignia in the owner's possession.

24 (b) A [~~No~~] fee is not required under this section if the
25 replacement fee has been paid under Section 504.008. [~~for the~~
26 ~~replacement of lost, stolen, or mutilated specialized license~~
27 ~~plates issued under Sections 504.308 and 504.315(c) and (f).~~ The

1 ~~fee for replacement of certain specialized license plates is:~~

2 [~~License plates issued under:~~ ~~Fee:~~

3 [~~Section 504.411~~ ~~\$2~~

4 [~~Section 504.409~~ ~~\$9]~~

5 (c) The fee for replacement of a registration insignia of
6 all other specialized license plates issued under this chapter
7 [~~Section 504.507~~] is the amount prescribed by the department as
8 necessary to recover the cost of providing the replacement
9 [~~plates~~].

10 (d) [~~If license plates approved under Section 504.501(b) or~~
11 ~~504.502(c) are lost, stolen, or mutilated, the owner of the vehicle~~
12 ~~may obtain approval of another set of license plates as provided by~~
13 ~~Section 504.501 or 504.502, respectively. The fee for approval of~~
14 ~~replacement license plates is \$5.~~

15 [~~(e)~~] A county assessor-collector may not issue
16 [~~replacement license plates or a~~] replacement registration
17 insignia without complying with this section.

18 (e) [~~(f)~~] A county assessor-collector shall retain \$2.50 of
19 each fee collected under this section and shall report and send the
20 remainder to the department [~~as provided by Sections 502.102 and~~
21 ~~502.105~~].

22 [~~(g)~~] ~~Replacement license plates may be used in the~~
23 ~~registration year in which the plates are issued and during each~~
24 ~~succeeding year of the five-year period as prescribed by Section~~
25 ~~502.180(b) if the registration insignia is properly attached.~~

26 [~~(h)~~] ~~Subsection (g) does not apply to the issuance of~~
27 ~~specialized license plates as designated by the department,~~

1 ~~including state official license plates, exempt plates for~~
2 ~~governmental entities, and temporary registration plates.~~

3 ~~[(i) The owner of a vehicle listed in Section 502.180(h) may~~
4 ~~obtain replacement plates and a replacement registration insignia~~
5 ~~by paying a fee of \$5 plus the fees required by Sections 502.170(a)~~
6 ~~and 502.1705(a).]~~

7 SECTION 91. The heading to Subchapter C, Chapter 502,
8 Transportation Code, is amended to read as follows:

9 SUBCHAPTER C. SPECIAL REGISTRATIONS [~~COUNTY ADMINISTRATION~~]

10 SECTION 92. Section 502.0025, Transportation Code, is
11 transferred to Subchapter C, Chapter 502, Transportation Code, and
12 renumbered as Section 502.090, Transportation Code, to read as
13 follows:

14 Sec. 502.090 [~~502.0025~~]. EFFECT OF CERTAIN MILITARY
15 SERVICE ON REGISTRATION REQUIREMENT. (a) This section applies
16 only to a motor vehicle that is owned by a person who:

17 (1) is a resident of this state;

18 (2) is on active duty in the armed forces of the United
19 States;

20 (3) is stationed in or has been assigned to another
21 nation under military orders; and

22 (4) has registered the vehicle or been issued a
23 license for the vehicle under the applicable status of forces
24 agreement by:

25 (A) the appropriate branch of the armed forces of
26 the United States; or

27 (B) the nation in which the person is stationed

1 or to which the person has been assigned.

2 (b) Unless the registration or license issued for a vehicle
3 described by Subsection (a) is suspended, canceled, or revoked by
4 this state as provided by law:

5 (1) Section 502.040(a) [~~502.002(a)~~] does not apply;
6 and

7 (2) the registration or license issued by the armed
8 forces or host nation remains valid and the motor vehicle may be
9 operated in this state under that registration or license for a
10 period of not more than 90 days after the date on which the vehicle
11 returns to this state.

12 SECTION 93. Section 502.054, Transportation Code, is
13 transferred to Subchapter C, Chapter 502, Transportation Code,
14 renumbered as Section 502.091, Transportation Code, and amended to
15 read as follows:

16 Sec. 502.091 [~~502.054~~]. INTERNATIONAL REGISTRATION PLAN
17 [~~AGREEMENTS WITH OTHER JURISDICTIONS, OFFENSE~~]. (a) The
18 department, through its director, may enter into an agreement with
19 an authorized officer of another jurisdiction, including another
20 state of the United States, a foreign country or a state, province,
21 territory, or possession of a foreign country, to provide for:

22 (1) the registration of vehicles by residents of this
23 state and nonresidents on an allocation or mileage apportionment
24 plan, as under the International Registration Plan; and

25 (2) the exemption from payment of registration fees by
26 nonresidents if residents of this state are granted reciprocal
27 exemptions.

1 (b) The department may adopt and enforce rules to carry out
2 the International Registration Plan or other agreement under this
3 section.

4 (c) To carry out the International Registration Plan or
5 other agreement under this section, the department shall direct
6 that fees collected for other jurisdictions under the agreement be
7 deposited to the credit of the proportional registration
8 distributive fund in the state treasury and distributed to the
9 appropriate jurisdiction through that fund.

10 (d) This section prevails to the extent of conflict with
11 another law relating to the subject of this section.

12 (e) A person commits an offense if the person owns or
13 operates a vehicle not registered in this state in violation of:

14 (1) an agreement under this section; or

15 (2) the applicable registration laws of this state, in
16 the absence of an agreement under this section.

17 (f) An offense under Subsection (e) is a misdemeanor
18 punishable by a fine not to exceed \$200.

19 SECTION 94. Section 502.355, Transportation Code, is
20 transferred to Subchapter C, Chapter 502, Transportation Code,
21 renumbered as Section 502.092, Transportation Code, and amended to
22 read as follows:

23 Sec. 502.092 [~~502.355~~]. NONRESIDENT-OWNED VEHICLES USED TO
24 TRANSPORT FARM PRODUCTS[~~, OFFENSE~~]. (a) The department may issue
25 to a nonresident owner a permit for a truck, truck-tractor,
26 trailer, or semitrailer that:

27 (1) is registered in the owner's home state or country;

1 and

2 (2) will be used to transport:

3 (A) farm products produced in this state from the
4 place of production to a place of market or storage or a railhead
5 that is not more than 75 miles from the place of production;

6 (B) machinery used to harvest farm products
7 produced in this state; or

8 (C) farm products produced outside this state
9 from the point of entry into this state to a place of market,
10 storage, or processing or a railhead or seaport that is not more
11 than 80 miles from the point of entry.

12 (b) The department shall issue a distinguishing insignia
13 for a vehicle issued a permit under this section. The insignia must
14 be attached to the vehicle in lieu of regular license plates and
15 must show the permit expiration date. A permit issued under this
16 section is valid until the earlier of:

17 (1) the date the vehicle's registration in the owner's
18 home state or country expires; or

19 (2) the 30th day after the date the permit is issued.

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

21 (1) applying to the department as [~~on a form~~]
22 prescribed by the department;

23 (2) paying a fee equal to 1/12 the registration fee
24 prescribed by this chapter for the vehicle;

25 (3) furnishing satisfactory evidence that the motor
26 vehicle is insured under an insurance policy that complies with
27 Section 601.072 and that is written by:

1 (A) an insurance company or surety company
2 authorized to write motor vehicle liability insurance in this
3 state; or

4 (B) with the department's approval, a surplus
5 lines insurer that meets the requirements of Chapter 981, Insurance
6 Code, and rules adopted by the commissioner of insurance under that
7 chapter, if the applicant is unable to obtain insurance from an
8 insurer described by Paragraph (A); and

9 (4) furnishing evidence that the vehicle has been
10 inspected as required under Chapter 548.

11 (d) A nonresident owner may not obtain more than three
12 permits under this section during a registration year.

13 (e) A vehicle for which a permit is issued under this
14 section may not be operated in this state after the permit expires
15 unless the owner:

16 (1) obtains another temporary permit; or

17 (2) registers the vehicle under Section 502.253,
18 502.254, 502.256 [~~502.162~~, ~~502.165~~, ~~502.166~~], or 502.255
19 [~~502.167~~], as appropriate, for the remainder of the registration
20 year.

21 (f) A vehicle for which a permit is issued under this
22 section may not be registered under Section 502.433 [~~502.163~~].

23 (g) A mileage referred to in this section is a state highway
24 mileage.

25 [~~(h) A person operating a vehicle under a permit issued~~
26 ~~under this section commits an offense if the person:~~

27 [~~(1) transports farm products to a place of market,~~

1 ~~storage, or processing or a railhead or seaport that is farther from~~
2 ~~the place of production or point of entry, as appropriate, than the~~
3 ~~distance provided for in the permit; or~~

4 ~~(2) follows a route other than that prescribed by the~~
5 ~~Texas Transportation Commission.~~

6 ~~(i) An offense under Subsection (h) is a misdemeanor~~
7 ~~punishable by a fine of not less than \$25 or more than \$200.]~~

8 SECTION 95. Section 502.353, Transportation Code, is
9 transferred to Subchapter C, Chapter 502, Transportation Code,
10 renumbered as Section 502.093, Transportation Code, and amended to
11 read as follows:

12 Sec. 502.093 [~~502.353~~]. [~~FOREIGN COMMERCIAL VEHICLES,~~
13 ANNUAL PERMITS [~~, OFFENSE~~]. (a) The department may issue an annual
14 permit in lieu of registration to a foreign commercial motor
15 vehicle, trailer, or semitrailer that[+]

16 [~~(1)~~] is subject to registration in this state[+] and
17 [~~(2)~~] is not authorized to travel on a public highway
18 because of the lack of registration in this state or the lack of
19 reciprocity with the state or country in which the vehicle is
20 registered.

21 (b) A permit issued under this section[+]
22 [~~(1) is in lieu of registration, and~~
23 [~~(2)~~] is valid for a vehicle registration year to
24 begin on the first day of a calendar month designated by the
25 department and end on the last day of the last calendar month of the
26 registration year.

27 (c) A permit may not be issued under this section for the

1 importation of citrus fruit into this state from a foreign country
2 except for foreign export or processing for foreign export.

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

4 (1) applying in the manner prescribed by [~~to~~] the
5 department;

6 (2) paying a registration fee in the amount required
7 by Subsection (e) in the manner prescribed by the department,
8 including a service charge for a credit card payment or escrow
9 account [~~cash or by postal money order or certified check~~]; and

10 (3) furnishing evidence of financial responsibility
11 for the motor vehicle that complies with Sections 502.046(c)
12 [~~502.153(c)~~] and 601.168(a), the policies to be written by an
13 insurance company or surety company authorized to write motor
14 vehicle liability insurance in this state.

15 (e) The fee for a permit under this section is the fee that
16 would be required for registering the vehicle under Section 502.253
17 [~~502.162~~] or 502.255 [~~502.167~~], except as provided by Subsection
18 (f).

19 (f) A vehicle registered under this section is exempt from
20 the token fee and is not required to display the associated
21 distinguishing license plate if the vehicle:

22 (1) is a semitrailer that has a gross weight of more
23 than 6,000 pounds; and

24 (2) is used or intended to be used in combination with
25 a truck tractor or commercial motor vehicle with a gross vehicle
26 weight [~~manufacturer's rated carrying capacity~~] of more than 10,000
27 pounds [~~one ton~~].

1 (g) A vehicle registered under this section is not subject
2 to the fee required by Section 502.401 [~~502.172~~] or 502.403
3 [~~502.173~~].

4 [~~(h) The department may:~~

5 [~~(1) adopt rules to administer this section, and~~

6 [~~(2) prescribe an application for a permit and other~~
7 ~~forms under this section.~~

8 [~~(i) A person who violates this section commits an offense.~~

9 ~~An offense under this section is a misdemeanor punishable by a fine~~
10 ~~not to exceed \$200.]~~

11 SECTION 96. Section 502.352, Transportation Code, is
12 transferred to Subchapter C, Chapter 502, Transportation Code,
13 renumbered as Section 502.094, Transportation Code, and amended to
14 read as follows:

15 Sec. 502.094 [~~502.352~~]. 72-HOUR OR 144-HOUR PERMITS
16 [~~FOREIGN COMMERCIAL VEHICLES~~]. (a) The department may issue a

17 temporary registration permit in lieu of registration for a
18 commercial motor vehicle, trailer, semitrailer, or motor bus that:

19 (1) is owned by a resident of the United States,
20 Canada, or the United Mexican States;

21 (2) is subject to registration in this state; and

22 (3) is not authorized to travel on a public highway
23 because of the lack of registration in this state or the lack of
24 reciprocity with the state or province in which the vehicle is
25 registered.

26 (b) A permit issued under this section[+

27 [~~(1) is in lieu of registration, and~~

1 ~~[(2)]~~ is valid for the period stated on the permit,
2 effective from the date and time shown on the receipt issued as
3 evidence of registration under this section.

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

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

8 (2) paying a fee of \$25 for a 72-hour permit or \$50 for
9 a 144-hour permit in the manner prescribed by the department that
10 may include a registration service charge for a credit card payment
11 or escrow account ~~[+]~~

12 ~~[(A) in cash,~~

13 ~~[(B) by postal money order,~~

14 ~~[(C) by certified check,~~

15 ~~[(D) by wire transfer through the department's~~
16 ~~wire service agent, if any,~~

17 ~~[(E) by an escrow account, or~~

18 ~~[(F) where the service is provided, by a credit~~
19 ~~card issued by:~~

20 ~~[(i) a financial institution chartered by a~~
21 ~~state or the United States, or~~

22 ~~[(ii) a nationally recognized credit~~
23 ~~organization approved by the Texas Transportation Commission,~~

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

26 (3) ~~[(4)]~~ furnishing to the county
27 assessor-collector, the department, or the department's wire

1 service agent, evidence of financial responsibility for the vehicle
2 that complies with Sections 502.046(c) [~~502.153(e)~~] and 601.168(a)
3 [~~and is written by an insurance company or surety company~~
4 ~~authorized to write motor vehicle liability insurance in this~~
5 ~~state~~].

6 (d) A county assessor-collector shall report and send a fee
7 collected under this section in the manner provided by Section
8 502.198 [~~Sections 502.102 and 502.105~~]. Each week, a wire service
9 agent shall send to the department a report of all permits issued by
10 the agent during the previous week. The department by rule shall
11 prescribe the format [~~form~~] and content of a report required by this
12 subsection.

13 (e) [~~The department may:~~
14 [~~(1) adopt rules to administer this section; and~~
15 [~~(2) prescribe an application for a permit and other~~
16 ~~forms under this section.~~

17 [~~(f)~~] A vehicle issued a permit under this section is
18 subject to Subchapters B and F, Chapter 548, unless the vehicle:

19 (1) is registered in another state of the United
20 States, in a province of Canada, or in a state of the United Mexican
21 States; or

22 (2) is mobile drilling or servicing equipment used in
23 the production of gas, crude petroleum, or oil, including a mobile
24 crane or hoisting equipment, mobile lift equipment, forklift, or
25 tug.

26 (f) [~~(g)~~] A commercial motor vehicle, trailer, semitrailer,
27 or motor bus apprehended for violating a registration law of this

1 state:

- 2 (1) may not be issued a permit under this section; and
3 (2) is immediately subject to registration in this
4 state.

5 (g) [~~(h)~~] A person who operates a commercial motor vehicle,
6 trailer, or semitrailer with an expired permit issued under this
7 section is considered to be operating an unregistered vehicle
8 subject to each penalty prescribed by law.

9 (h) [~~(i)~~] The department may establish one or more escrow
10 accounts in the state highway fund for the prepayment of a 72-hour
11 permit or a 144-hour permit. Any fee established by the department
12 for the administration of this subsection shall be administered as
13 required by an agreement entered into by the department.

14 (i) The department may refuse and may instruct a county
15 assessor-collector to refuse to issue a temporary registration for
16 any vehicle if, in the department's opinion, the vehicle or the
17 owner of the vehicle has been involved in operations that
18 constitute an abuse of the privilege granted by this section. A
19 registration issued after notice of the involvement is received is
20 void.

21 SECTION 97. Section 502.354, Transportation Code, is
22 transferred to Subchapter C, Chapter 502, Transportation Code,
23 renumbered as Section 502.095, Transportation Code, and amended to
24 read as follows:

25 Sec. 502.095 [~~502.354~~]. ONE-TRIP [~~SINGLE~~] OR 30-DAY TRIP
26 PERMITS[~~, OFFENSE~~]. (a) The department may issue a temporary
27 permit in lieu of registration for a vehicle [~~that~~].

1 ~~[(1) is]~~ subject to registration in this state that~~[+~~
2 ~~and~~

3 ~~[(2)]~~ is not authorized to travel on a public highway
4 because of the lack of registration in this state or the lack of
5 reciprocity with the state or country in which the vehicle is
6 registered.

7 (b) A permit issued under this section~~[+~~
8 ~~[(1) is in lieu of registration, and~~
9 ~~[(2)]~~ is valid for:

- 10 (1) ~~[(A)]~~ one trip, as provided by Subsection (c); or
11 (2) ~~[(B)]~~ 30 days, as provided by Subsection (d).

12 (c) A one-trip permit is valid for one trip between the
13 points of origin and destination and those intermediate points
14 specified in the application and registration receipt. Unless the
15 vehicle is a bus operating under charter that is not covered by a
16 reciprocity agreement with the state or country in which the bus is
17 registered, a one-trip permit is for the transit of the vehicle
18 only, and the vehicle may not be used for the transportation of any
19 passenger or property. A one-trip permit may not be valid for
20 longer than 15 days from the effective date of registration.

21 (d) A 30-day permit may be issued only to a passenger
22 vehicle, a private bus, a trailer or semitrailer with a gross weight
23 of not more than 10,000 pounds, a light truck, or a light commercial
24 vehicle with a gross vehicle weight ~~[manufacturer's rated carrying~~
25 ~~capacity]~~ of more than 10,000 pounds ~~[one ton]~~ that will operate
26 unladen. A person may obtain multiple 30-day permits. The
27 department may issue a single registration receipt to apply to all

1 of the periods for which the vehicle is registered.

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

3 (1) applying as [~~on a form~~] provided by the department
4 to:

5 (A) the county assessor-collector of the county
6 in which the vehicle will first be operated on a public highway; or

7 (B) the department in Austin or at one of the
8 department's vehicle title and registration regional offices;

9 (2) paying a fee, in the manner prescribed by the
10 department including a registration service charge for a credit
11 card payment or escrow account [~~cash or by postal money order or~~
12 ~~certified check,~~] of:

13 (A) \$5 for a one-trip permit; or

14 (B) \$25 for each 30-day period; and

15 (3) furnishing evidence of financial responsibility
16 for the vehicle in a form listed under Section 502.046(c)
17 [~~502.153(c)~~].

18 (f) A registration receipt [~~and temporary tag~~] shall be
19 carried in the vehicle at all times during the period in which it is
20 valid [~~issued on forms provided by the department~~]. The temporary
21 tag must contain all pertinent information required by this section
22 and must be displayed in the rear window of the vehicle so that the
23 tag is clearly visible and legible when viewed from the rear of the
24 vehicle. If the vehicle does not have a rear window, the temporary
25 tag must be attached on or carried in the vehicle to allow ready
26 inspection. The registration receipt must be carried in the
27 vehicle at all times during the period in which it is valid.

1 (g) The department may refuse and may instruct a county
2 assessor-collector to refuse to issue a temporary registration for
3 any vehicle if, in the department's opinion, the vehicle or the
4 owner of the vehicle has been involved in operations that
5 constitute an abuse of the privilege granted by this section. A
6 registration issued after notice to a county assessor-collector
7 under this subsection is void.

8 ~~[(h) A person issued a temporary registration under this~~
9 ~~section who operates a vehicle in violation of Subsection (f)~~
10 ~~commits an offense. An offense under this subsection is a Class C~~
11 ~~misdemeanor.~~

12 ~~[(i) The department may:~~
13 ~~[(1) adopt rules to administer this section; and~~
14 ~~[(2) prescribe an application for a permit and other~~
15 ~~forms under this section.]~~

16 SECTION 98. The heading to Subchapter D, Chapter 502,
17 Transportation Code, is amended to read as follows:

18 SUBCHAPTER D. VEHICLES NOT ISSUED REGISTRATION [~~PROCEDURES AND~~
19 ~~FEES~~]

20 SECTION 99. Section 502.006, Transportation Code, is
21 transferred to Subchapter D, Chapter 502, Transportation Code,
22 renumbered as Section 502.140, Transportation Code, and amended to
23 read as follows:

24 Sec. 502.140 [~~502.006~~]. ALL-TERRAIN VEHICLES. (a) Except
25 as provided by Subsection (b), a person may not register an
26 all-terrain vehicle, with or without design alterations, for
27 operation on a public highway.

1 (b) The state, a county, or a municipality may register an
2 all-terrain vehicle for operation on a public beach or highway to
3 maintain public safety and welfare.

4 (c) [~~(e)~~] Section 502.401 [~~502.172~~] does not apply to an
5 all-terrain vehicle.

6 (d) Operation in compliance with Section 663.037 does not
7 require registration.

8 SECTION 100. Section 502.0071, Transportation Code, is
9 transferred to Subchapter D, Chapter 502, Transportation Code,
10 renumbered as Section 502.141, Transportation Code, and amended to
11 read as follows:

12 Sec. 502.141 [~~502.0071~~]. GOLF CARTS. A [~~An owner of a~~] golf
13 cart may be operated on a public highway without registration [~~is~~
14 ~~not required to register the golf cart~~] if:

15 (1) the operation of the golf cart occurs in the
16 daytime, as defined by Section 541.401; and

17 (2) the operation:

18 (A) does not exceed a distance of two miles from
19 the point of origin to the destination if driven to and from a golf
20 course;

21 (B) occurs entirely within a master planned
22 community with a uniform set of restrictive covenants that has had a
23 plat approved by a county or a municipality; or

24 (C) occurs on a public or private beach.

25 SECTION 101. Section 502.0072, Transportation Code, is
26 transferred to Subchapter D, Chapter 502, Transportation Code, and
27 renumbered as Section 502.142, Transportation Code, to read as

1 follows:

2 Sec. 502.142 [~~502.0072~~]. MANUFACTURED HOUSING.
3 Manufactured housing, as defined by Section 1201.003, Occupations
4 Code, is not a vehicle subject to this chapter.

5 SECTION 102. Section 502.0073, Transportation Code, is
6 transferred to Subchapter D, Chapter 502, Transportation Code,
7 renumbered as Section 502.143, Transportation Code, and amended to
8 read as follows:

9 Sec. 502.143 [~~502.0073~~]. OTHER VEHICLES [~~POWER SWEEPERS~~].

10 [~~(a)~~] An owner [~~of a power sweeper~~] is not required to register the
11 following vehicles for operation on a public highway:

- 12 (1) power sweepers;
- 13 (2) motorized mobility devices;
- 14 (3) electric personal assistive mobility devices; and
- 15 (4) electric bicycles [~~sweeper~~].

16 ~~[(b) In this section, "power sweeper" means an implement,~~
17 ~~with or without motive power, designed for the removal by broom,~~
18 ~~vacuum, or regenerative air system of debris, dirt, gravel, litter,~~
19 ~~or sand from asphaltic concrete or cement concrete surfaces,~~
20 ~~including surfaces of parking lots, roads, streets, highways, and~~
21 ~~warehouse floors. The term includes a vehicle on which the~~
22 ~~implement is permanently mounted if the vehicle is used only as a~~
23 ~~power sweeper.]~~

24 SECTION 103. Section 502.0078, Transportation Code, is
25 transferred to Subchapter D, Chapter 502, Transportation Code, and
26 renumbered as Section 502.144, Transportation Code, to read as
27 follows:

1 Sec. 502.144 [~~502.0078~~]. VEHICLES OPERATED ON PUBLIC
2 HIGHWAY SEPARATING REAL PROPERTY UNDER VEHICLE OWNER'S CONTROL.
3 Where a public highway separates real property under the control of
4 the owner of a motor vehicle, the operation of the motor vehicle by
5 the owner or the owner's agent or employee across the highway is not
6 a use of the motor vehicle on the public highway.

7 SECTION 104. Section 502.0079, Transportation Code, is
8 transferred to Subchapter D, Chapter 502, Transportation Code,
9 renumbered as Section 502.145, Transportation Code, and amended to
10 read as follows:

11 Sec. 502.145 [~~502.0079~~]. VEHICLES OPERATED BY CERTAIN
12 NONRESIDENTS. (a) [~~A nonresident owner of a motor vehicle,~~
13 ~~trailer, or semitrailer that is registered in the state or country~~
14 ~~in which the person resides may operate the vehicle to transport~~
15 ~~persons or property for compensation without being registered in~~
16 ~~this state, if the person does not exceed two trips in a calendar~~
17 ~~month and each trip does not exceed four days.~~

18 [~~(b)~~] A nonresident owner of a privately owned vehicle that
19 ~~is not registered in this state may not make more than five~~
20 ~~occasional trips in any calendar month into this state using the~~
21 ~~vehicle. Each occasional trip into this state may not exceed five~~
22 ~~days.~~

23 [~~(c)~~] A nonresident owner of a privately owned passenger car
24 that is registered in the state or country in which the person
25 resides and that is not operated for compensation may operate the
26 car in this state for the period in which the car's license plates
27 are valid. In this subsection, "nonresident" means a resident of a

1 state or country other than this state whose presence in this state
2 is as a visitor and who does not engage in gainful employment or
3 enter into business or an occupation, except as may otherwise be
4 provided by any reciprocal agreement with another state or country.

5 (b) [~~(d)~~] This section does not prevent:

6 (1) a nonresident owner of a motor vehicle from
7 operating the vehicle in this state for the sole purpose of
8 marketing farm products raised exclusively by the person; or

9 (2) a resident of an adjoining state or country from
10 operating in this state a privately owned and registered vehicle to
11 go to and from the person's place of regular employment and to make
12 trips to purchase merchandise, if the vehicle is not operated for
13 compensation.

14 (c) [~~(e)~~] The privileges provided by this section may be
15 allowed only if, under the laws of the appropriate state or country,
16 similar privileges are granted to vehicles registered under the
17 laws of this state and owned by residents of this state.

18 (d) [~~(f)~~] This section does not affect the right or status
19 of a vehicle owner under any reciprocal agreement between this
20 state and another state or country.

21 SECTION 105. Section 504.504, Transportation Code, is
22 transferred to Subchapter D, Chapter 502, Transportation Code,
23 renumbered as Section 502.146, Transportation Code, and amended to
24 read as follows:

25 Sec. 502.146 [~~504.504~~]. CERTAIN FARM VEHICLES AND DRILLING
26 AND CONSTRUCTION EQUIPMENT. (a) The department shall issue
27 specialty license plates to a vehicle described by Subsection (b)

1 or (c). The fee for the license plates is \$5.

2 (b) An owner is not required to register a vehicle that is
3 used only temporarily on the highways if the vehicle is:

4 (1) a farm trailer or farm semitrailer with a gross
5 weight of more than 4,000 pounds but not more than 34,000 pounds
6 that is used exclusively to transport:

7 (A) seasonally harvested agricultural products
8 or livestock from the place of production to the place of
9 processing, market, or storage; or

10 (B) farm supplies from the place of loading to
11 the farm;

12 (2) machinery used exclusively for the purpose of
13 drilling water wells; ~~[or]~~

14 (3) oil well servicing or drilling machinery; or

15 (4) construction machinery ~~[that is not designed to~~
16 ~~transport persons or property on a public highway].~~

17 (c) An owner is not required to register a vehicle that is:

18 (1) a farm trailer or farm semitrailer owned by a
19 cotton gin and used exclusively to transport agricultural products
20 without charge from the place of production to the place of
21 processing, market, or storage;

22 (2) a trailer used exclusively to transport fertilizer
23 without charge from a place of supply or storage to a farm; or

24 (3) a trailer used exclusively to transport cottonseed
25 without charge from a place of supply or storage to a farm or place
26 of processing.

27 (d) A vehicle described by Subsection (b) is exempt from the

1 inspection requirements of Subchapters B and F, Chapter 548.

2 (e) This section does not apply to a farm trailer or farm
3 semitrailer that:

4 (1) is used for hire;

5 (2) has metal tires operating in contact with the
6 highway;

7 (3) is not equipped with an adequate hitch pinned or
8 locked so that it will remain securely engaged to the towing vehicle
9 while in motion; or

10 (4) is not operated and equipped in compliance with
11 all other law.

12 (f) A vehicle to which this section applies that is operated
13 on a public highway in violation of this section is considered to be
14 operated while unregistered and is immediately subject to the
15 applicable registration fees and penalties prescribed by this
16 chapter [~~Chapter 502~~].

17 (g) In this section, the gross weight of a trailer or
18 semitrailer is the combined weight of the vehicle and the load
19 carried on the highway.

20 SECTION 106. The heading to Subchapter E, Chapter 502,
21 Transportation Code, is amended to read as follows:

22 SUBCHAPTER E. ADMINISTRATION OF FEES [~~SPECIALLY DESIGNATED LICENSE~~
23 ~~PLATES; EXEMPTIONS FOR GOVERNMENTAL AND QUASI-GOVERNMENTAL~~
24 ~~VEHICLES~~]

25 SECTION 107. Section 502.159, Transportation Code, is
26 transferred to Subchapter E, Chapter 502, Transportation Code,
27 renumbered as Section 502.190, Transportation Code, and amended to

1 read as follows:

2 Sec. 502.190 [~~502.159~~]. SCHEDULE OF REGISTRATION FEES. The
3 department shall post [~~compile and furnish to each county~~
4 ~~assessor-collector~~] a complete schedule of registration fees on the
5 Internet [~~to be collected on the various makes, models, and types of~~
6 ~~vehicles~~].

7 SECTION 108. Section 502.004, Transportation Code, is
8 transferred to Subchapter E, Chapter 502, Transportation Code,
9 renumbered as Section 502.191, Transportation Code, and amended to
10 read as follows:

11 Sec. 502.191 [~~502.004~~]. COLLECTION OF FEES. (a) A person
12 may not collect a registration fee under this chapter unless the
13 person is:

- 14 (1) an officer or employee of the department; or
15 (2) a county assessor-collector or a deputy county
16 assessor-collector.

17 (b) The department may accept electronic payment by
18 electronic funds transfer, credit card, or debit card of any fee
19 that the department is authorized to collect under this chapter.

20 (c) The department may collect a fee for processing a
21 payment by electronic funds transfer, credit card, or debit card.
22 The amount of the fee must be reasonably related to the expense
23 incurred by the department in processing the payment by electronic
24 funds transfer, credit card, or debit card and may not be more than
25 five percent of the amount of the registration fee being paid.

26 (d) In addition to the fee authorized by Subsection (b), the
27 department may collect from a person making payment by electronic

1 funds transfer, credit card, or debit card an amount equal to the
2 amount of any registration transaction fee charged to the
3 department by a vendor providing services in connection with
4 payments made by electronic funds transfer, credit card, or debit
5 card. The limitation prescribed by Subsection (c) on the amount of
6 a fee does not apply to a fee collected under this subsection.

7 (e) If, for any reason, the payment of a fee under this
8 chapter by electronic funds transfer, credit card, or debit card is
9 not honored by the funding institution or by the electronic funds
10 transfer, credit card, or debit card company on which the funds are
11 drawn, the department may collect from the person who owes the fee
12 being collected a service charge that is for the collection of that
13 original amount and is in addition to the original fee. The amount
14 of the service charge must be reasonably related to the expense
15 incurred by the department in collecting the original amount.

16 SECTION 109. Subchapter E, Chapter 502, Transportation
17 Code, is amended by adding Section 502.192 to read as follows:

18 Sec. 502.192. TRANSFER FEE. The purchaser of a used motor
19 vehicle shall pay, in addition to any fee required under Chapter 501
20 for the transfer of title, a transfer fee of \$2.50 for the transfer
21 of the registration of the motor vehicle. The county
22 assessor-collector may retain as commission for services provided
23 under this subchapter half of each transfer fee collected.

24 SECTION 110. Section 502.181, Transportation Code, is
25 transferred to Subchapter E, Chapter 502, Transportation Code,
26 renumbered as Section 502.193, Transportation Code, and amended to
27 read as follows:

1 Sec. 502.193 [~~502.181~~]. PAYMENT [~~OF REGISTRATION FEE~~] BY
2 CHECK DRAWN AGAINST INSUFFICIENT FUNDS. (a) A county
3 assessor-collector who receives from any person a check or draft
4 for [~~drawn on a bank or trust company in~~] payment of a registration
5 fee for a registration year that has not ended [~~on a motor vehicle,~~
6 ~~trailer, or motorcycle sidecar~~] that is returned unpaid because of
7 insufficient funds or no funds in the bank or trust company to the
8 credit of the drawer of the check or draft shall immediately certify
9 the fact to the sheriff or a constable or highway patrol officer in
10 the county. The certification must:

- 11 (1) be under the assessor-collector's official seal;
12 (2) include the name and address of the person who gave
13 [~~the assessor-collector~~] the check or draft;
14 (3) include the license plate number and make of the
15 vehicle; and
16 (4) be accompanied by the check or draft.

17 (b) On receiving a complaint under Subsection (a) from the
18 county assessor-collector, the sheriff, constable, or highway
19 patrol officer shall find the person who gave [~~the~~
20 ~~assessor-collector~~] the check or draft, if the person is in the
21 county, and demand immediate redemption of the check or draft from
22 the person. If the person fails or refuses to redeem the check or
23 draft, the sheriff, constable, or highway patrol officer shall:

- 24 (1) seize and remove the license plates and
25 registration insignia from the vehicle; and
26 (2) return the license plates and registration
27 insignia to the county assessor-collector.

1 SECTION 111. Section 502.182, Transportation Code, is
2 transferred to Subchapter E, Chapter 502, Transportation Code,
3 renumbered as Section 502.194, Transportation Code, and amended to
4 read as follows:

5 Sec. 502.194 [~~502.182~~]. CREDIT FOR REGISTRATION FEE PAID ON
6 MOTOR VEHICLE SUBSEQUENTLY DESTROYED. (a) The owner of a motor
7 vehicle that is destroyed to the extent that it cannot afterwards be
8 operated on a public highway is entitled to a registration fee
9 credit if the prorated portion of the registration fee for the
10 remainder of the registration year is more than \$15. The owner must
11 claim the credit by[+]

12 [~~(1)~~] sending the registration fee receipt [~~and the~~
13 ~~license plates~~] for the vehicle to the department[+, and

14 [~~(2)~~ ~~executing a statement on a form provided by the~~
15 ~~department showing that the license plates have been surrendered to~~
16 ~~the department~~].

17 (b) The department, on satisfactory proof that the vehicle
18 is destroyed, shall issue a registration fee credit slip to the
19 owner in an amount equal to the prorated portion of the registration
20 fee for the remainder of the registration year. The owner, during
21 the same or the next registration year, may use the registration fee
22 credit slip as payment or part payment for the registration of
23 another vehicle to the extent of the credit.

24 [~~(c)~~ ~~A statement executed under Subsection (a)(2) shall be~~
25 ~~delivered to a purchaser of the destroyed vehicle. The purchaser~~
26 ~~may surrender the statement to the department in lieu of the vehicle~~
27 ~~license plates.~~

1 ~~[(d) The department shall adopt rules to administer this~~
2 ~~section.]~~

3 SECTION 112. Section 502.183, Transportation Code, is
4 transferred to Subchapter E, Chapter 502, Transportation Code,
5 renumbered as Section 502.195, Transportation Code, and amended to
6 read as follows:

7 Sec. 502.195 [~~502.183~~]. REFUND OF OVERCHARGED REGISTRATION
8 FEE. (a) The owner of a motor vehicle [~~that is required to be~~
9 ~~registered~~] who pays an annual registration fee in excess of the
10 statutory amount is entitled to a refund of the overcharge.

11 (b) The county assessor-collector who collects the
12 excessive fee shall refund an overcharge on presentation to the
13 assessor-collector of satisfactory evidence of the overcharge[~~-~~
14 ~~The owner must make a claim for a refund of an overcharge~~] not later
15 than the first [~~fifth~~] anniversary of the date the excessive
16 registration fee was paid.

17 (c) A refund shall be paid from the fund in which the
18 county's share of registration fees is deposited.

19 SECTION 113. Section 502.051, Transportation Code, is
20 transferred to Subchapter E, Chapter 502, Transportation Code, and
21 renumbered as Section 502.196, Transportation Code, to read as
22 follows:

23 Sec. 502.196 [~~502.051~~]. DEPOSIT OF REGISTRATION FEES IN
24 STATE HIGHWAY FUND. Except as otherwise provided by this chapter,
25 the Texas Transportation Commission and the department shall
26 deposit all money received from registration fees in the state
27 treasury to the credit of the state highway fund.

1 SECTION 114. Section 502.101, Transportation Code, is
2 transferred to Subchapter E, Chapter 502, Transportation Code, and
3 renumbered as Section 502.197, Transportation Code, to read as
4 follows:

5 Sec. 502.197 [~~502.101~~]. REGISTRATION BY MAIL OR ELECTRONIC
6 MEANS; SERVICE CHARGE. (a) A county assessor-collector may
7 collect a service charge of \$1 from each applicant registering a
8 vehicle by mail. The service charge shall be used to pay the costs
9 of handling and postage to mail the registration receipt and
10 insignia to the applicant.

11 (b) With the approval of the commissioners court of a
12 county, a county assessor-collector may contract with a private
13 entity to enable an applicant for registration to use an electronic
14 off-premises location. A private entity may charge an applicant
15 not more than \$1 for the service provided.

16 (c) The department may adopt rules to cover the timely
17 application for and issuance of registration receipts and insignia
18 by mail or through an electronic off-premises location.

19 SECTION 115. Section 502.102, Transportation Code, is
20 transferred to Subchapter E, Chapter 502, Transportation Code,
21 renumbered as Section 502.198, Transportation Code, and amended to
22 read as follows:

23 Sec. 502.198 [~~502.102~~]. DISPOSITION OF FEES GENERALLY.
24 (a) Except as provided by Section 502.1982 [~~Sections 502.103 and~~
25 ~~502.104~~], this section applies to all fees collected by a county
26 assessor-collector under this chapter.

27 (b) Each Monday, a county assessor-collector shall credit

1 to the county road and bridge fund an amount equal to the net
2 collections made during the preceding week until the amount so
3 credited for the calendar year equals the total of:

4 (1) \$60,000;

5 (2) \$350 for each mile of county road maintained by the
6 county, according to the most recent information available from the
7 department, not to exceed 500 miles; and

8 (3) an additional amount of fees equal to the amount
9 calculated under Section 502.1981 [~~502.1025~~].

10 (c) After the credits to the county road and bridge fund
11 equal the total computed under Subsection (b), each Monday the
12 county assessor-collector shall:

13 (1) credit to the county road and bridge fund an amount
14 equal to 50 percent of the net collections made during the preceding
15 week, until the amount so credited for the calendar year equals
16 \$125,000; and

17 (2) send to the department an amount equal to 50
18 percent of those collections.

19 (d) After the credits to the county road and bridge fund
20 equal the total amounts computed under Subsections (b) and (c)(1),
21 each Monday the county assessor-collector shall send to the
22 department all collections made during the preceding week.

23 [~~(e) Each Monday the county assessor-collector shall send~~
24 ~~to the department a copy of each receipt issued the previous week~~
25 ~~for a registration fee under this chapter.~~]

26 SECTION 116. Section 502.1025, Transportation Code, is
27 transferred to Subchapter E, Chapter 502, Transportation Code,

1 renumbered as Section 502.1981, Transportation Code, and amended to
2 read as follows:

3 Sec. 502.1981 [~~502.1025~~]. CALCULATION OF ADDITIONAL FEE
4 AMOUNTS RETAINED BY A COUNTY. (a) The county tax
5 assessor-collector each calendar year shall calculate five percent
6 of the tax and penalties collected by the county tax
7 assessor-collector under Chapter 152, Tax Code, in the preceding
8 calendar year. In addition, the county tax assessor-collector
9 shall calculate each calendar year an amount equal to five percent
10 of the tax and penalties that the comptroller:

11 (1) collected under Section 152.047, Tax Code, in the
12 preceding calendar year; and

13 (2) determines are attributable to sales in the
14 county.

15 (b) A county tax assessor-collector shall retain under
16 Section 502.198(b) [~~502.102(b)~~] fees based on the following
17 percentage of the amounts calculated under Subsection [~~subsection~~]

18 (a) during each of the following fiscal years:

- 19 (1) [~~in fiscal year 2006, 90 percent,~~
- 20 [~~(2) in fiscal year 2007, 80 percent,~~
- 21 [~~(3) in fiscal year 2008, 70 percent,~~
- 22 [~~(4) in fiscal year 2009, 60 percent,~~
- 23 [~~(5) in fiscal year 2010, 50 percent,~~
- 24 [~~(6) in fiscal year 2011, 40 percent,~~
- 25 [~~(7) in fiscal year 2012, 30 percent,~~
- 26 [~~(8)~~] in fiscal year 2013, 20 percent;
- 27 (2) [~~(9)~~] in fiscal year 2014, 10 percent;

1 (3) [~~10~~] in fiscal year 2015 and succeeding years, 0
2 percent.

3 (c) The county shall credit the amounts retained under
4 Subsection (b) to the county road and bridge fund. Money credited
5 to the fund under this section may only be used for:

6 (1) county road construction, maintenance, and
7 repair;

8 (2) bridge construction, maintenance, and repair;

9 (3) the purchase of right-of-way for road or highway
10 purposes; or

11 (4) the relocation of utilities for road or highway
12 purposes.

13 SECTION 117. Section 502.103, Transportation Code, is
14 transferred to Subchapter E, Chapter 502, Transportation Code,
15 renumbered as Section 502.1982, Transportation Code, and amended to
16 read as follows:

17 Sec. 502.1982 [~~502.103~~]. DISPOSITION OF OPTIONAL COUNTY
18 ROAD AND BRIDGE FEE. Each Monday a county assessor-collector shall
19 apportion the collections for the preceding week for a fee imposed
20 under Section 502.401 [~~502.172~~] by:

21 (1) crediting an amount equal to 97 percent of the
22 collections to the county road and bridge fund; and

23 (2) sending to the department an amount equal to three
24 percent of the collections to defray the department's costs of
25 administering Section 502.401 [~~502.172~~].

26 SECTION 118. Section 502.106, Transportation Code, is
27 transferred to Subchapter E, Chapter 502, Transportation Code,

1 renumbered as Section 502.1983, Transportation Code, and amended to
2 read as follows:

3 Sec. 502.1983 [~~502.106~~]. DEPOSIT OF FEES IN
4 INTEREST-BEARING ACCOUNT. (a) Except as provided by Section
5 502.1982 [~~Sections 502.103 and 502.104~~], a county
6 assessor-collector may:

7 (1) deposit the fees in an interest-bearing account or
8 certificate in the county depository; and

9 (2) send the fees to the department not later than the
10 34th day after the date the fees are due [~~under Section 502.104~~].

11 (b) The county owns all interest earned on fees deposited
12 under this section. The county treasurer shall credit the interest
13 to the county general fund.

14 SECTION 119. Section 502.107, Transportation Code, is
15 transferred to Subchapter E, Chapter 502, Transportation Code, and
16 renumbered as Section 502.1984, Transportation Code, to read as
17 follows:

18 Sec. 502.1984 [~~502.107~~]. INTEREST ON FEES. (a) A fee
19 required to be sent to the department under this chapter bears
20 interest for the benefit of the state highway fund at an annual rate
21 of 10 percent beginning on the 60th day after the date the county
22 assessor-collector collects the fee.

23 (b) The department shall audit the registration and
24 transfer fees collected and disbursed by each county
25 assessor-collector and shall determine the exact amount of interest
26 due on any fee not sent to the department.

27 (c) The state has a claim against a county

1 assessor-collector and the sureties on the assessor-collector's
2 official bond for the amount of interest due on a fee.

3 SECTION 120. Section 502.108, Transportation Code, is
4 transferred to Subchapter E, Chapter 502, Transportation Code,
5 renumbered as Section 502.1985, Transportation Code, and amended to
6 read as follows:

7 Sec. 502.1985 [~~502.108~~]. USE OF REGISTRATION FEES RETAINED
8 BY COUNTY. (a) Money credited to the county road and bridge fund
9 under Section 502.198 [~~502.102~~] or 502.1982 [~~502.103~~] may not be
10 used to pay the compensation of the county judge or a county
11 commissioner. The money may be used only for the construction and
12 maintenance of lateral roads in the county, under the supervision
13 of the county engineer.

14 (b) If there is not a county engineer, the commissioners
15 court of the county may require the services of the department's
16 district engineer or resident engineer to supervise the
17 construction and surveying of lateral roads in the county.

18 (c) A county may use money allocated to it under this
19 chapter to:

20 (1) pay obligations issued in the construction or
21 improvement of any roads, including state highways in the county;

22 (2) improve the roads in the county road system; or

23 (3) construct new roads.

24 (d) To the maximum extent possible, contracts for roads
25 constructed by a county using funds provided under this chapter
26 should be awarded by competitive bids.

27 SECTION 121. Section 502.110, Transportation Code, is

1 transferred to Subchapter E, Chapter 502, Transportation Code, and
2 renumbered as Section 502.1986, Transportation Code, to read as
3 follows:

4 Sec. 502.1986 [~~502.110~~]. CONTINGENT PROVISION FOR
5 DISTRIBUTION OF FEES BETWEEN STATE AND COUNTIES. If the method of
6 distributing vehicle registration fees collected under this
7 chapter between the state and counties is declared invalid because
8 of inequality of collection or distribution of those fees, 60
9 percent of each fee shall be distributed to the county collecting
10 the fee and 40 percent shall be sent to the state in the manner
11 provided by this chapter.

12 SECTION 122. The heading to Subchapter F, Chapter 502,
13 Transportation Code, is amended to read as follows:

14 SUBCHAPTER F. REGULAR REGISTRATION FEES [~~SPECIALIZED LICENSE~~
15 ~~PLATES, EXEMPTIONS FOR PRIVATELY OWNED VEHICLES~~]

16 SECTION 123. Section 502.160, Transportation Code, is
17 transferred to Subchapter F, Chapter 502, Transportation Code,
18 renumbered as Section 502.251, Transportation Code, and amended to
19 read as follows:

20 Sec. 502.251 [~~502.160~~]. FEE: MOTORCYCLE OR MOPED. The fee
21 for a registration year for registration of a motorcycle or moped is
22 \$30.

23 SECTION 124. Section 502.161, Transportation Code, is
24 transferred to Subchapter F, Chapter 502, Transportation Code,
25 renumbered as Section 502.252, Transportation Code, and amended to
26 read as follows:

27 Sec. 502.252 [~~502.161~~]. FEE: PASSENGER CAR, MUNICIPAL BUS,

1 PRIVATE BUS. (a) The fee for a registration year for registration
2 of a passenger car, a municipal bus, or a private bus that weighs
3 6,000 pounds or less is:

4 (1) \$40.50 for a vehicle the model year of which is
5 more than six years before the year in which the registration year
6 begins;

7 (2) \$50.50 for a vehicle the model year of which is
8 more than three years but is six years or less before the year in
9 which the registration year begins; or

10 (3) \$58.50 for a vehicle the model year of which is
11 three years or less before the year in which the registration year
12 begins.

13 (b) The fee for a registration year for registration of a
14 passenger car, a municipal bus, or a private bus that weighs more
15 than 6,000 pounds is \$25 plus 60 cents for each 100 pounds.

16 (c) For registration purposes, the weight of a passenger
17 car, a municipal bus, or a private bus is the weight generally
18 accepted as its correct shipping weight plus 100 pounds.

19 ~~[(d) In this section, "private bus" has the meaning assigned~~
20 ~~by Section 502.294.]~~

21 SECTION 125. Section 502.162, Transportation Code, is
22 transferred to Subchapter F, Chapter 502, Transportation Code,
23 renumbered as Section 502.253, Transportation Code, and amended to
24 read as follows:

25 Sec. 502.253 [~~502.162~~]. FEE: COMMERCIAL MOTOR VEHICLE OR
26 TRUCK-TRACTOR. [~~(a)~~] The fee for a registration year for
27 registration of a commercial motor vehicle or truck-tractor is \$25

1 plus an amount determined according to the vehicle's gross weight
 2 and tire equipment, as follows:

	Gross weight in pounds	Fee for each 100 pounds or fraction of 100 pounds	
		Equipped with pneumatic tires	Equipped with solid tires
9	1-6,000	\$0.44	\$0.55
10	6,001-8,000	0.495	0.66
11	8,001-10,000	0.605	0.77
12	10,001-17,000	0.715	0.88
13	17,001-24,000	0.77	0.99
14	24,001-31,000	0.88	1.10
15	31,001 and over	0.99	1.32

16 ~~[(b) The gross weight of a vehicle is the actual weight of~~
 17 ~~the vehicle, fully equipped with a body and other equipment, as~~
 18 ~~certified by a public weigher or a license and weight inspector of~~
 19 ~~the Department of Public Safety, plus its net carrying capacity.~~

20 ~~[(c) The net carrying capacity of a vehicle other than a bus~~
 21 ~~is the heaviest net load to be carried on the vehicle, but not less~~
 22 ~~than the manufacturer's rated carrying capacity.~~

23 ~~[(d) The net carrying capacity of a bus is computed by~~
 24 ~~multiplying its seating capacity by 150 pounds. The seating~~
 25 ~~capacity of a bus is:~~

26 ~~[(1) the manufacturer's rated seating capacity,~~
 27 ~~excluding the operator's seat, or~~

28 ~~[(2) if the manufacturer has not rated the vehicle for~~
 29 ~~seating capacity, a number computed by allowing one passenger for~~
 30 ~~each 16 inches of seating on the bus, excluding the operator's~~

1 ~~seat.]~~

2 SECTION 126. Section 502.166, Transportation Code, is
3 transferred to Subchapter F, Chapter 502, Transportation Code,
4 renumbered as Section 502.254, Transportation Code, and amended to
5 read as follows:

6 Sec. 502.254 [~~502.166~~]. FEE: TRAILER OR SEMITRAILER.

7 [~~(a)~~] The fee for a registration year for registration of a trailer
8 or semitrailer is \$25 plus an amount determined according to the
9 vehicle's gross weight and tire equipment, as follows:

Gross weight in pounds	Fee for each 100 pounds or fraction of 100 pounds	
	Equipped with pneumatic tires	Equipped with solid tires
1-6,000	\$0.33	\$0.44
6,001-8,000	0.44	0.55
8,001-10,000	0.55	0.66
10,001-17,000	0.66	0.88
17,001 and over	0.715	0.99

21 [~~(b)~~] ~~The gross weight of a trailer or semitrailer is the~~
22 ~~actual weight of the vehicle, as certified by a public weigher or a~~
23 ~~license and weight inspector of the Department of Public Safety,~~
24 ~~plus its net carrying capacity.~~

25 [~~(c)~~] ~~The net carrying capacity of a vehicle is the heaviest~~
26 ~~net load to be carried on the vehicle, but not less than the~~
27 ~~manufacturer's rated carrying capacity.~~

28 [~~(d)~~] ~~The department may issue specially designed license~~
29 ~~plates for rental trailers and travel trailers that include, as~~
30 ~~appropriate, the words "rental trailer" or "travel trailer."~~

1 ~~[(c) In this section:~~

2 ~~[(1) "Rental fleet" means five or more vehicles that~~
3 ~~are:~~

4 ~~[(A) owned by the same owner,~~

5 ~~[(B) offered for rent or rented without drivers,~~

6 ~~and~~

7 ~~[(C) designated by the owner in the manner~~
8 ~~prescribed by the department as a rental fleet.~~

9 ~~[(2) "Rental trailer" means a utility trailer that:~~

10 ~~[(A) has a gross weight of 4,000 pounds or less,~~

11 ~~and~~

12 ~~[(B) is part of a rental fleet.~~

13 ~~[(3) "Travel trailer" means a house trailer-type~~
14 ~~vehicle or a camper trailer that is:~~

15 ~~[(A) less than eight feet in width or 40 feet in~~
16 ~~length, exclusive of any hitch installed on the vehicle, and~~

17 ~~[(B) designed primarily for use as temporary~~
18 ~~living quarters in connection with recreational, camping, travel,~~
19 ~~or seasonal use and not as a permanent dwelling, provided that~~
20 ~~"travel trailer" shall not include a utility trailer, enclosed~~
21 ~~trailer, or other trailer not having human habitation as its~~
22 ~~primary purpose.]~~

23 SECTION 127. Section 502.167, Transportation Code, is
24 transferred to Subchapter F, Chapter 502, Transportation Code,
25 renumbered as Section 502.255, Transportation Code, and amended to
26 read as follows:

27 Sec. 502.255 [~~502.167~~]. TRUCK-TRACTOR OR COMMERCIAL MOTOR

1 VEHICLE COMBINATION FEE; SEMITRAILER TOKEN FEE. (a) This section
2 applies only to a truck-tractor or commercial motor vehicle with a
3 gross vehicle weight [~~manufacturer's rated carrying capacity~~] of
4 more than 18,000 pounds [~~one ton~~] that is used or is to be used in
5 combination with a semitrailer that has a gross weight of more than
6 6,000 pounds.

7 (b) Notwithstanding Section 502.253 [~~502.162~~], the fee for
8 a registration year for registration of a truck-tractor or
9 commercial motor vehicle is \$40 plus an amount determined according
10 to the combined gross weight of the vehicles, as follows:

11 12 13 14	Combined gross weight in pounds	Fee for each 100 pounds or fraction of 100 pounds
15	18,000-36,000	\$0.60
16	36,001-42,000	0.75
17	42,001-62,000	0.90
18	62,001 and over	1.00

19 (c) Notwithstanding Section 502.254 [~~502.166~~], the fee for
20 a registration year for registration of a semitrailer used in the
21 manner described by Subsection (a), regardless of the date the
22 semitrailer is registered, is:

23 (1) \$30, for a semitrailer being propelled by a power
24 unit for which a permit under Section 623.011 has been issued; or

25 (2) \$15, for a semitrailer being propelled by a power
26 unit for which a permit under Section 623.011 has not been issued.

27 (d) A registration made under Subsection (c) is valid only
28 when the semitrailer is used in the manner described by Subsection
29 (a).

1 (e) For registration purposes, a semitrailer converted to a
2 trailer by means of an auxiliary axle assembly retains its status as
3 a semitrailer.

4 (f) A combination of vehicles may not be registered under
5 this section for a combined gross weight of less than 18,000 pounds.

6 (g) This section does not apply to:

7 (1) a combination of vehicles that includes a vehicle
8 that has a distinguishing license plate under Section 502.146
9 [~~504.504~~];

10 (2) a truck-tractor or commercial motor vehicle
11 registered or to be registered with \$5 distinguishing license
12 plates for which the vehicle is eligible under this chapter;

13 (3) a truck-tractor or commercial motor vehicle used
14 exclusively in combination with a semitrailer of the travel trailer
15 [~~housetrailer~~] type; or

16 (4) a vehicle registered or to be registered:

17 (A) with a temporary registration permit;

18 (B) under Section 502.433 [~~502.163~~]; or

19 (C) under Section 502.435 [~~502.188~~].

20 (h) The department may adopt rules to administer this
21 section.

22 (i) The department may issue specially designed license
23 plates for token trailers.

24 (j) A person may register a semitrailer under this section
25 for a registration period of five consecutive years if the person:

26 (1) applies to the department for the five-year
27 registration;

1 (2) provides proof of the person's eligibility to
2 register the vehicle under this subsection as required by the
3 department; and

4 (3) pays a fee of \$15, plus any applicable fee under
5 Section 502.401 [~~502.172~~], for each year included in the
6 registration period.

7 (k) If during the five-year registration period for a
8 vehicle registered under Subsection (j) the amount of a fee imposed
9 under that subsection is increased, the owner of the vehicle is
10 liable to the department for the amount of the increase. If the
11 amount of a fee is decreased, the owner of the vehicle is not
12 entitled to a refund.

13 [~~(1) In this section:~~

14 [~~(1) "Combined gross weight" means the empty weight of~~
15 ~~the truck-tractor or commercial motor vehicle combined with the~~
16 ~~empty weight of the heaviest semitrailer used or to be used in~~
17 ~~combination with the truck-tractor or commercial motor vehicle plus~~
18 ~~the heaviest net load to be carried on the combination during the~~
19 ~~registration year.~~

20 [~~(2) "Empty weight" means the unladen weight of the~~
21 ~~truck-tractor or commercial motor vehicle and semitrailer~~
22 ~~combination fully equipped, as certified by a public weigher or~~
23 ~~license and weight inspector of the Department of Public Safety.~~

24 [~~(3) "Token trailer" means a semitrailer that:~~

25 [~~(A) has a gross weight of more than 6,000~~
26 ~~pounds, and~~

27 [~~(B) is operated in combination with a truck or a~~

1 ~~truck-tractor that has been issued:~~

2 [~~(i) an apportioned license plate,~~

3 [~~(ii) a combination license plate, or~~

4 [~~(iii) a forestry vehicle license plate.~~

5 [~~(4) "Apportioned license plate" means a license plate~~
6 ~~issued in lieu of truck license plates or combination license~~
7 ~~plates to a motor carrier in this state who proportionally~~
8 ~~registers a vehicle owned by the carrier in one or more other~~
9 ~~states.~~

10 [~~(5) "Combination license plate" means a license plate~~
11 ~~issued for a truck or truck-tractor that:~~

12 [~~(A) has a manufacturer's rated carrying~~
13 ~~capacity of more than one ton, and~~

14 [~~(B) is used or intended to be used in~~
15 ~~combination with a semitrailer that has a gross weight of more than~~
16 ~~6,000 pounds.]~~

17 SECTION 128. Section 502.165, Transportation Code, is
18 transferred to Subchapter F, Chapter 502, Transportation Code, and
19 renumbered as Section 502.256, Transportation Code, to read as
20 follows:

21 Sec. 502.256 [~~502.165~~]. FEE: ROAD TRACTOR. The fee for a
22 registration year for registration of a road tractor is \$25 plus an
23 amount determined according to the vehicle's weight as certified by
24 a public weigher or a license and weight inspector of the Department
25 of Public Safety, as follows:

26		Fee for each 100 pounds
27		or
28	Gross weight in	fraction of 100 pounds
29	pounds	

1		
2	1-4,000	\$0.275
3	4,001-6,000	0.55
4	6,001-8,000	0.66
5	8,001-10,000	0.825
6	10,001 and over	1.10

7 SECTION 129. The heading to Subchapter G, Chapter 502,
8 Transportation Code, is amended to read as follows:

9 SUBCHAPTER G. ADDITIONAL FEES [~~TEMPORARY REGISTRATION~~]

10 SECTION 130. Section 502.1705, Transportation Code, is
11 transferred to Subchapter G, Chapter 502, Transportation Code,
12 renumbered as Section 502.356, Transportation Code, and amended to
13 read as follows:

14 Sec. 502.356 [~~502.1705~~]. [~~ADDITIONAL FEE FOR~~] AUTOMATED
15 REGISTRATION AND TITLING [~~TITLE~~] SYSTEM. (a) In addition to other
16 registration fees for a license plate or set of license plates or
17 other device used as the registration insignia, a fee of \$1 shall be
18 collected.

19 (b) The department may use money collected under this
20 section to enhance and provide [~~perform one or more of the~~
21 ~~following:~~

22 [~~(1) enhancing the department's automated~~
23 ~~registration and title system,~~

24 [~~(2) providing for the automated on-site production of~~
25 ~~registration insignia, or~~

26 [~~(3) providing~~] for automated on-premises and
27 off-premises [~~self-service~~] registration and titling-related
28 services.

29 (c) This section applies only in a county in which the
30 department's automated registration and title system has been

1 implemented and in which 50,000 or more motor vehicles were
2 registered during the preceding year.

3 SECTION 131. Section 502.1715, Transportation Code, as
4 amended by Chapters 892 (S.B. 1670) and 1108 (H.B. 2337), Acts of
5 the 79th Legislature, Regular Session, 2005, is transferred to
6 Subchapter G, Chapter 502, Transportation Code, renumbered as
7 Section 502.357, Transportation Code, and reenacted and amended to
8 read as follows:

9 Sec. 502.357 [~~502.1715~~]. FINANCIAL RESPONSIBILITY
10 [~~ADDITIONAL FEE FOR CERTAIN DEPARTMENT~~] PROGRAMS. (a) In
11 addition to other fees imposed for registration of a motor vehicle,
12 at the time of application for registration or renewal of
13 registration of a motor vehicle for which the owner is required to
14 submit evidence of financial responsibility under Section 502.046
15 [~~502.153~~], the applicant shall pay a fee of \$1. In addition to other
16 fees imposed for registration of a motor vehicle, at the time of
17 application for registration of a motor vehicle that is subject to
18 Section 501.0234, the applicant shall pay a fee of \$1. Fees
19 collected under this section shall be remitted weekly to the
20 department.

21 (b) Fees collected under this section shall be deposited to
22 the credit of the state highway fund. Subject to appropriations,
23 the money shall be used by the Department of Public Safety to:

24 (1) support the Department of Public Safety's
25 reengineering of the driver's license system to provide for the
26 issuance by the Department of Public Safety of a driver's license or
27 personal identification certificate, to include use of image

1 comparison technology;

2 (2) establish and maintain a system to support the
3 driver responsibility program under Chapter 708; and

4 (3) make lease payments to the master lease purchase
5 program for the financing of the driver's license reengineering
6 project.

7 (c) Fees collected under this section shall be deposited to
8 the credit of the state highway fund. Subject to appropriation, the
9 money may be used by the Department of Public Safety, the Texas
10 Department of Insurance, the Department of Information Resources,
11 and the department to carry out Subchapter N, Chapter 601.

12 (d) The Department of Public Safety, the Texas Department of
13 Insurance, the Department of Information Resources, and the
14 department shall jointly adopt rules and develop forms necessary to
15 administer this section.

16 SECTION 132. Section 502.1675, Transportation Code, is
17 transferred to Subchapter G, Chapter 502, Transportation Code,
18 renumbered as Section 502.358, Transportation Code, and amended to
19 read as follows:

20 Sec. 502.358 [~~502.1675~~]. TEXAS EMISSIONS REDUCTION PLAN
21 SURCHARGE. (a) In addition to the registration fees charged under
22 Section 502.255 [~~502.167~~], a surcharge is imposed on the
23 registration of a truck-tractor or commercial motor vehicle under
24 that section in an amount equal to 10 percent of the total fees due
25 for the registration of the truck-tractor or commercial motor
26 vehicle under that section.

27 (b) The county tax assessor-collector shall remit the

1 surcharge collected under this section to the comptroller at the
2 time and in the manner prescribed by the comptroller for deposit in
3 the Texas emissions reduction plan fund.

4 (c) This section expires August 31, 2013.

5 SECTION 133. Section 502.171, Transportation Code, is
6 transferred to Subchapter G, Chapter 502, Transportation Code,
7 renumbered as Section 502.359, Transportation Code, and amended to
8 read as follows:

9 Sec. 502.359 [~~502.171~~]. ADDITIONAL FEE FOR CERTAIN
10 VEHICLES USING DIESEL MOTOR. (a) The registration fee under this
11 chapter for a motor vehicle other than a passenger car, a truck with
12 a gross vehicle weight [~~manufacturer's rated carrying capacity~~] of
13 18,000 pounds [~~two tons~~] or less, or a vehicle registered in
14 combination under Section 502.255 [~~502.167~~] is increased by 11
15 percent if the vehicle has a diesel motor.

16 (b) The [~~A county assessor-collector shall show on the~~]
17 registration receipt for a motor vehicle, other than a passenger
18 car or a truck with a gross vehicle weight [~~manufacturer's rated~~
19 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less, must show
20 that the vehicle has a diesel motor.

21 (c) The department may adopt rules to administer this
22 section.

23 SECTION 134. Section 502.170, Transportation Code, is
24 transferred to Subchapter G, Chapter 502, Transportation Code, and
25 renumbered as Section 502.360, Transportation Code, to read as
26 follows:

27 Sec. 502.360 [~~502.170~~]. ADDITIONAL FEE FOR REFLECTORIZED

1 LICENSE PLATES. (a) In addition to the other registration fees
2 for a license plate or set of license plates or other device used as
3 the registration insignia, 30 cents shall be collected.

4 (b) The department shall use money collected under this
5 section to purchase equipment and material for the production and
6 manufacture of reflectorized license plates.

7 SECTION 135. The heading to Subchapter H, Chapter 502,
8 Transportation Code, is amended to read as follows:

9 SUBCHAPTER H. OPTIONAL FEES [~~OFFENSES AND PENALTIES~~]

10 SECTION 136. Section 502.172, Transportation Code, is
11 transferred to Subchapter H, Chapter 502, Transportation Code,
12 renumbered as Section 502.401, Transportation Code, and amended to
13 read as follows:

14 Sec. 502.401 [~~502.172~~]. OPTIONAL COUNTY FEE FOR ROAD AND
15 BRIDGE FUND. (a) The commissioners court of a county by order may
16 impose an additional fee, not to exceed \$10, for registering a
17 vehicle in the county.

18 (b) A vehicle that may be registered under this chapter
19 without payment of a registration fee may be registered in a county
20 imposing a fee under this section without payment of the additional
21 fee.

22 (c) A fee imposed under this section may take effect only on
23 January 1 of a year. The county must adopt the order and notify the
24 department not later than September 1 of the year preceding the year
25 in which the fee takes effect.

26 (d) A fee imposed under this section may be removed. The
27 removal may take effect only on January 1 of a year. A county may

1 remove the fee only by:

- 2 (1) rescinding the order imposing the fee; and
- 3 (2) notifying the department not later than September
- 4 1 of the year preceding the year in which the removal takes effect.

5 (e) The county assessor-collector of a county imposing a fee
6 under this section shall collect the additional fee for a vehicle
7 when other fees imposed under this chapter are collected.

8 (f) The department shall collect the additional fee on a
9 vehicle that is owned by a resident of a county imposing a fee under
10 this section [~~and~~] that [~~, under this chapter,~~] must be registered
11 directly with the department. The department shall send all fees
12 collected for a county under this subsection to the county
13 treasurer to be credited to the county road and bridge fund.

14 (g) The department shall adopt rules [~~and develop forms~~]
15 necessary to administer registration [~~by mail~~] for a vehicle being
16 registered in a county imposing a fee under this section.

17 SECTION 137. Section 502.1725, Transportation Code, is
18 transferred to Subchapter H, Chapter 502, Transportation Code,
19 renumbered as Section 502.402, Transportation Code, and amended to
20 read as follows:

21 Sec. 502.402 [~~502.1725~~]. OPTIONAL COUNTY FEE FOR
22 TRANSPORTATION PROJECTS. (a) This section applies only to a
23 county:

- 24 (1) that borders the United Mexican States;
- 25 (2) that has a population of more than 300,000; and
- 26 (3) in which the largest municipality has a population
- 27 of less than 300,000.

1 (b) The commissioners court of a county by order may impose
2 an additional fee, not to exceed \$10, for [~~registering~~] a vehicle
3 registered in the county.

4 (c) A vehicle that may be registered under this chapter
5 without payment of a registration fee may be registered [~~in a county~~
6 ~~imposing a fee~~] under this section without payment of the
7 additional fee.

8 (d) A fee imposed under this section may take effect [~~only~~
9 ~~on January 1 of a year. The county must adopt the order~~] and
10 [~~notify the department not later than September 1 of the year~~
11 ~~preceding the year in which the fee takes effect.~~

12 [~~(e) A fee imposed under this section may~~] be removed in
13 accordance with Section 502.401 requirements[~~. The removal may~~
14 ~~take effect only on January 1 of a year. A county may remove the~~
15 ~~fee only by:~~

16 [(1) ~~rescinding the order imposing the fee, and~~
17 [(2) ~~notifying the department not later than September~~
18 ~~1 of the year preceding the year in which the removal takes effect~~].

19 (e) [(f)] The [~~county assessor-collector of a county~~
20 ~~imposing a fee under this section shall collect the~~] additional fee
21 shall be collected for a vehicle when other fees imposed under this
22 chapter are collected. The [~~county shall send the~~] fee revenue
23 collected shall be sent to the regional mobility authority of the
24 county to fund long-term transportation projects in the county.

25 (f) [(g) ~~The department shall collect the additional fee~~
26 ~~on a vehicle that is owned by a resident of a county imposing a fee~~
27 ~~under this section and that, under this chapter, must be registered~~

1 ~~directly with the department. The department shall send all fees~~
2 ~~collected for a county under this subsection to the regional~~
3 ~~mobility authority of the county to fund long-term transportation~~
4 ~~projects in the county.~~

5 ~~[(h)]~~ The department shall adopt rules ~~[and develop forms]~~
6 necessary to administer registration ~~[by mail]~~ for a vehicle being
7 registered in a county imposing a fee under this section.

8 SECTION 138. Section 502.173, Transportation Code, is
9 transferred to Subchapter H, Chapter 502, Transportation Code,
10 renumbered as Section 502.403, Transportation Code, and amended to
11 read as follows:

12 Sec. 502.403 ~~[502.173]~~. OPTIONAL COUNTY FEE FOR CHILD
13 SAFETY. (a) The commissioners court of a county that has a
14 population greater than 1.3 million and in which a municipality
15 with a population of more than one million is primarily located may
16 impose by order an additional fee of not less than 50 cents or more
17 than \$1.50 for ~~[registering]~~ a vehicle registered in the county.
18 The commissioners court of any other county may impose by order an
19 additional fee of not more than \$1.50 for registering a vehicle in
20 the county.

21 (b) A vehicle that may be registered under this chapter
22 without payment of a registration fee may be registered ~~[in a county~~
23 ~~imposing a fee under this section]~~ without payment of the
24 additional fee.

25 (c) A fee imposed under this section may take effect ~~[only~~
26 ~~on January 1 of a year. The county must adopt the order]~~ and ~~[notify~~
27 ~~the department not later than September 10 of the year preceding the~~

1 ~~year in which the fee takes effect.~~

2 ~~[(d) A fee imposed under this section may]~~ be removed in
3 accordance with the provisions of Section 502.401. ~~[The removal~~
4 ~~may take effect only on January 1 of a year. A county may remove the~~
5 ~~fee only by:~~

6 ~~[(1) rescinding the order imposing the fee; and~~

7 ~~[(2) notifying the department not later than September~~
8 ~~1 of the year preceding the year in which the removal takes effect.]~~

9 (d) ~~[(e)]~~ The ~~[county assessor-collector of a county~~
10 ~~imposing a fee under this section shall collect the]~~ additional fee
11 shall be collected for a vehicle when other fees imposed under this
12 chapter are collected.

13 (e) ~~[(f)]~~ A county imposing a fee under this section may
14 deduct for administrative costs an amount of not more than 10
15 percent of the revenue it receives from the fee. The county may
16 also deduct from the fee revenue an amount proportional to the
17 percentage of county residents who live in unincorporated areas of
18 the county. After making the deductions provided for by this
19 subsection, the county shall send the remainder of the fee revenue
20 to the municipalities in the county according to their population.

21 (f) ~~[(g)]~~ A municipality with a population greater than
22 850,000 shall deposit revenue from a fee imposed under this
23 subsection to the credit of the child safety trust fund created
24 under Section 106.001, Local Government Code. A municipality with a
25 population less than 850,000 shall use revenue from a fee imposed
26 under this section in accordance with Subsection (f), Article
27 102.014, Code of Criminal Procedure.

1 (g) [~~(h)~~] After deducting administrative costs, a county
2 may use revenue from a fee imposed under this section only for a
3 purpose permitted by Subsection (g), Article 102.014, Code of
4 Criminal Procedure.

5 SECTION 139. Section 502.174, Transportation Code, is
6 transferred to Subchapter H, Chapter 502, Transportation Code,
7 renumbered as Section 502.404, Transportation Code, and amended to
8 read as follows:

9 Sec. 502.404 [~~502.174~~]. VOLUNTARY ASSESSMENT FOR YOUNG
10 FARMER LOAN GUARANTEES. (a) When a person registers a commercial
11 motor vehicle under Section 502.433 [~~502.163~~], the person shall pay
12 a voluntary assessment of \$5.

13 (b) The county assessor-collector shall send an assessment
14 collected under this section to the comptroller, at the time and in
15 the manner prescribed by the Texas Agricultural Finance Authority,
16 for deposit in the Texas agricultural fund to the credit of the
17 young farmer loan guarantee account.

18 (c) The Texas Agricultural Finance Authority shall
19 prescribe procedures under which an assessment collected under this
20 section may be refunded. The county assessor-collector of the
21 county in which an assessment is collected shall:

- 22 (1) implement the refund procedures; and
23 (2) provide notice of those procedures to a person
24 paying an assessment at the time of payment.

25 SECTION 140. Section 502.1745, Transportation Code, is
26 transferred to Subchapter H, Chapter 502, Transportation Code,
27 renumbered as Section 502.405, Transportation Code, and amended to

1 read as follows:

2 Sec. 502.405 [~~502.1745~~]. DONOR EDUCATION, AWARENESS, AND
3 REGISTRY PROGRAM [~~VOLUNTARY FEE~~]. (a) The department shall
4 provide to each county assessor-collector the educational
5 materials for prospective donors provided as required by the Donor
6 Education, Awareness, and Registry Program of Texas under Chapter
7 49, Health and Safety Code. The [~~A county assessor-collector shall~~
8 ~~make the~~] educational materials shall be made available in each
9 office authorized to accept applications for registration of motor
10 vehicles.

11 (b) A person may elect to pay [~~county assessor-collector~~
12 ~~shall collect~~] an additional fee of \$1 for the registration or
13 renewal of registration of a motor vehicle to pay the costs of the
14 Donor Education, Awareness, and Registry Program of Texas,
15 established under Chapter 49, Health and Safety Code, and of the
16 Texas Organ, Tissue, and Eye Donor Council, established under
17 Chapter 113, Health and Safety Code[~~, if the person registering or~~
18 ~~renewing the registration of a motor vehicle opts to pay the~~
19 ~~additional fee~~]. Notwithstanding any other provision of this
20 chapter, the county assessor-collector shall remit all fees
21 collected under this subsection to the comptroller, who shall
22 maintain the identity of the source of the fees.

23 (c) Three percent of all money collected under this section
24 may be appropriated only to the department to administer this
25 section.

26 SECTION 141. The heading to Subchapter I, Chapter 502,
27 Transportation Code, is amended to read as follows:

1 SUBCHAPTER I. ALTERNATE REGISTRATION FEES [~~TRANSFER AND REMOVAL OF~~
2 ~~LICENSE PLATES FOR THE SALE OR TRANSFER OF USED VEHICLES~~]

3 SECTION 142. Section 502.164, Transportation Code, is
4 transferred to Subchapter I, Chapter 502, Transportation Code, and
5 renumbered as Section 502.431, Transportation Code, to read as
6 follows:

7 Sec. 502.431 [~~502.164~~]. FEE: MOTOR VEHICLE USED
8 EXCLUSIVELY TO TRANSPORT AND SPREAD FERTILIZER. The fee for a
9 registration year for registration of a motor vehicle designed or
10 modified and used exclusively to transport to the field and spread
11 fertilizer, including agricultural limestone, is \$75.

12 SECTION 143. Section 502.1586, Transportation Code, is
13 transferred to Subchapter I, Chapter 502, Transportation Code,
14 renumbered as Section 502.432, Transportation Code, and amended to
15 read as follows:

16 Sec. 502.432 [~~502.1586~~]. [~~REGISTRATION PERIOD FOR~~
17 ~~TRUCK-TRACTOR OR COMMERCIAL MOTOR~~] VEHICLE TRANSPORTING SEASONAL
18 AGRICULTURAL PRODUCTS. (a) The department shall provide for a
19 monthly registration period for a truck-tractor or a commercial
20 motor vehicle that:

21 (1) is used exclusively to transport a seasonal
22 agricultural product; and

23 (2) would otherwise be registered for a vehicle
24 registration year.

25 (b) The department shall [~~adopt forms for registration~~
26 ~~under this section. An applicant must indicate the number of months~~
27 ~~registration is applied for.~~

1 ~~[(c) The department shall design,~~ prescribe ~~[, and~~
2 ~~furnish]~~ a registration receipt that is valid until the expiration
3 of the designated registration period.

4 (c) ~~[(d)]~~ The registration fee for a registration under
5 this section is computed at a rate of one-twelfth the annual
6 registration fee under Section 502.253 ~~[502.162]~~, 502.433
7 ~~[502.163]~~, or 502.255 ~~[502.167]~~, as applicable, multiplied by the
8 number of months in the registration period specified in the
9 application for the registration, which may not be less than one
10 month or longer than six months.

11 (d) ~~[(e) A person issued a registration under this section~~
12 ~~commits an offense if the person, during the registration period~~
13 ~~for the truck-tractor or commercial motor vehicle, uses the~~
14 ~~truck-tractor or commercial motor vehicle for a purpose other than~~
15 ~~to transport a seasonal agricultural product.~~

16 ~~[(f) A truck-tractor or commercial motor vehicle may not be~~
17 ~~registered under this section for a registration period that is~~
18 ~~less than one month or longer than six months.~~

19 ~~[(g)]~~ For purposes of this section, "to transport a seasonal
20 agricultural product" includes any transportation activity
21 necessary for the production, harvest, or delivery of an
22 agricultural product that is produced seasonally.

23 SECTION 144. Section 502.163, Transportation Code, is
24 transferred to Subchapter I, Chapter 502, Transportation Code,
25 renumbered as Section 502.433, Transportation Code, and amended to
26 read as follows:

27 Sec. 502.433 ~~[502.163]~~. FEE: COMMERCIAL FARM MOTOR VEHICLE

1 ~~[USED PRIMARILY FOR FARM PURPOSES; OFFENSE]~~. (a) The registration
2 fee for a commercial motor vehicle as a farm vehicle is 50 percent
3 of the applicable fee under Section 502.253 ~~[502.162]~~ if the
4 vehicle's owner will use the vehicle for commercial purposes only
5 to transport:

6 (1) the person's own poultry, dairy, livestock,
7 livestock products, timber in its natural state, or farm products
8 to market or another place for sale or processing;

9 (2) laborers from their place of residence to the
10 owner's farm or ranch; or

11 (3) without charge, materials, tools, equipment, or
12 supplies from the place of purchase or storage to the owner's farm
13 or ranch exclusively for the owner's use or for use on the farm or
14 ranch.

15 (b) A commercial motor vehicle may be registered under this
16 section despite its use for transporting without charge the owner
17 or a member of the owner's family:

18 (1) to attend church or school;

19 (2) to visit a doctor for medical treatment or
20 supplies; or

21 (3) for other necessities of the home or family.

22 (c) Subsection (b) does not permit the use of a vehicle
23 registered under this section in connection with gainful employment
24 other than farming or ranching.

25 (d) The department shall provide distinguishing license
26 plates for a vehicle registered under this section.

27 (e) The owner of a commercial motor vehicle registered under

1 this section commits an offense if the person uses or permits to be
2 used the vehicle for a purpose other than one permitted by this
3 section. Each use or permission for use in violation of this
4 section is a separate offense.

5 ~~[(f) An offense under this section is a misdemeanor~~
6 ~~punishable by a fine of not less than \$25 or more than \$200.]~~

7 SECTION 145. Section 502.351, Transportation Code, is
8 transferred to Subchapter I, Chapter 502, Transportation Code,
9 renumbered as Section 502.434, Transportation Code, and amended to
10 read as follows:

11 Sec. 502.434 [~~502.351~~]. FARM VEHICLES: EXCESS WEIGHT.

12 (a) The owner of a registered commercial motor vehicle,
13 truck-tractor, trailer, or semitrailer may obtain a short-term
14 permit to haul loads of a weight more than that for which the
15 vehicle is registered by paying an additional fee before the
16 additional weight is hauled to transport:

17 (1) the person's own seasonal agricultural products to
18 market or another point for sale or processing;

19 (2) seasonal laborers from their place of residence to
20 a farm or ranch; or

21 (3) materials, tools, equipment, or supplies, without
22 charge, from the place of purchase or storage to a farm or ranch
23 exclusively for use on the farm or ranch.

24 (b) A permit may not be issued under this section for a
25 period that is less than one month or that:

26 (1) is greater than one year; or

27 (2) extends beyond the expiration of the registration

1 year for the vehicle.

2 (c) A permit issued under this section for a quarter must be
3 for a calendar quarter.

4 (d) The fee for a permit under this section is a percentage
5 of the difference between the registration fee otherwise prescribed
6 [~~by this chapter~~] for the vehicle and the annual fee for the desired
7 weight, as follows:

8	One month (30 consecutive days)	10 percent
9	One quarter	30 percent
10	Two quarters	60 percent
11	Three quarters	90 percent

12 (e) The department shall design, prescribe, and furnish a
13 sticker, plate, or other means of indicating the additional weight
14 and the registration period for each vehicle registered under this
15 section.

16 SECTION 146. Section 502.188, Transportation Code, is
17 transferred to Subchapter I, Chapter 502, Transportation Code,
18 renumbered as Section 502.435, Transportation Code, and amended to
19 read as follows:

20 Sec. 502.435 [~~502.188~~]. CERTAIN SOIL CONSERVATION
21 EQUIPMENT. (a) The owner of a truck-tractor, semitrailer, or
22 low-boy trailer used on a highway exclusively to transport the
23 owner's soil conservation machinery or equipment used in clearing
24 real property, terracing, or building farm ponds, levees, or
25 ditches may register the vehicle for a fee equal to 50 percent of
26 the fee otherwise prescribed by this chapter for the vehicle.

27 (b) An owner may register only one truck-tractor and only

1 one semitrailer or low-boy trailer under this section.

2 (c) An owner [~~applying for registration under this section~~]
3 must certify [~~submit a statement~~] that the vehicle is to be used
4 only as provided by Subsection (a).

5 (d) The registration receipt issued for a vehicle
6 registered under this section must be carried in or on the vehicle
7 and [~~shall~~] state the nature of the operation for which the vehicle
8 may be used. [~~The receipt must be carried at all times in or on the~~
9 ~~vehicle to permit ready inspection.~~]

10 (e) A vehicle to which this section applies that is operated
11 on a public highway in violation of this section is considered to be
12 operated while unregistered and is immediately subject to the
13 applicable registration fees and penalties prescribed by this
14 chapter.

15 SECTION 147. Chapter 502, Transportation Code, is amended
16 by adding Subchapter J to read as follows:

17 SUBCHAPTER J. REGISTRATIONS EXEMPT FROM FEES

18 SECTION 148. Section 502.201, Transportation Code, is
19 transferred to Subchapter J, Chapter 502, Transportation Code, as
20 added by this Act, renumbered as Section 502.451, Transportation
21 Code, and amended to read as follows:

22 Sec. 502.451 [~~502.201~~]. [~~LICENSE PLATES FOR~~] EXEMPT
23 VEHICLES. (a) Before license plates are issued or delivered to
24 the owner of a vehicle that is exempt by law from payment of
25 registration fees, the department must approve the application for
26 registration. The department may not approve an application if
27 there is the appearance that:

1 (1) the vehicle was transferred to the owner or
2 purported owner:

3 (A) for the sole purpose of evading the payment
4 of registration fees; or

5 (B) in bad faith; or

6 (2) the vehicle is not being used in accordance with
7 the exemption requirements.

8 (b) The department shall revoke the registration of a
9 vehicle issued license plates under this section and may recall the
10 plates if the vehicle is no longer:

11 (1) owned and operated by the person whose ownership
12 of the vehicle qualified the vehicle for the exemption; or

13 (2) used in accordance with the exemption
14 requirements.

15 (c) The owner of a vehicle described by Subsection (b) shall
16 return the license plates and registration receipt to the
17 department for cancellation.

18 (d) The department shall provide by rule for the issuance of
19 specially designated license plates for vehicles that are exempt by
20 law. Except as provided by Subsection (g), the license plates must
21 bear the word "exempt."

22 (e) A license plate under Subsection (d) is not issued
23 annually, but remains on the vehicle until:

24 (1) the registration is revoked as provided by
25 Subsection (b); or

26 (2) the plate is lost, stolen, or mutilated.

27 (f) A person who operates on a public highway a vehicle

1 after the registration has been revoked is liable for the penalties
2 for failing to register a vehicle.

3 (g) The department shall provide by rule for the issuance of
4 regularly designed license plates not bearing the word "exempt" for
5 a vehicle that is exempt by law and that is:

6 (1) a law enforcement vehicle, if the agency certifies
7 to the department that the vehicle will be dedicated to law
8 enforcement activities;

9 (2) a vehicle exempt from inscription requirements
10 under a rule adopted as provided by Section 721.003; or

11 (3) a vehicle exempt from inscription requirements
12 under an order or ordinance adopted by a governing body of a
13 municipality or commissioners court of a county as provided by
14 Section 721.005, if the applicant presents a copy of the order or
15 ordinance.

16 SECTION 149. Section 502.2015, Transportation Code, is
17 transferred to Subchapter J, Chapter 502, Transportation Code, as
18 added by this Act, renumbered as Section 502.452, Transportation
19 Code, and amended to read as follows:

20 Sec. 502.452 [~~502.2015~~]. LIMITATION ON ISSUANCE OF EXEMPT
21 LICENSE PLATES; SEIZURE OF CERTAIN VEHICLES. (a) The department
22 may not issue exempt license plates for a vehicle owned by the
23 United States, this state, or a political subdivision of this state
24 unless when application is made for registration of the vehicle,
25 the person who under Section 502.453 [~~502.202~~] has authority to
26 certify to the department that the vehicle qualifies for
27 registration under that section also certifies in writing to the

1 department that there is printed on each side of the vehicle, in
2 letters that are at least two inches high or in an emblem that is at
3 least 100 square inches in size, the name of the agency, department,
4 bureau, board, commission, or officer of the United States, this
5 state, or the political subdivision of this state that has custody
6 of the vehicle. The letters or emblem must be of a color
7 sufficiently different from the body of the vehicle to be clearly
8 legible from a distance of 100 feet.

9 (b) The department may not issue exempt license plates for a
10 vehicle owned by a person other than the United States, this state,
11 or a political subdivision of this state unless, when application
12 is made for registration of the vehicle, the person who under
13 Section 502.453 [~~502.202~~] has authority to certify to the
14 department that the vehicle qualifies for registration under that
15 section also certifies in writing to the department that the name of
16 the owner of the vehicle is printed on the vehicle in the manner
17 prescribed by Subsection (a).

18 (c) A peace officer listed in Article 2.12, Code of Criminal
19 Procedure, may seize a motor vehicle displaying exempt license
20 plates if the vehicle is:

- 21 (1) operated on a public highway; and
22 (2) not identified in the manner prescribed by
23 Subsection (a) or (b), unless the vehicle is covered by Subsection
24 (f).

25 (d) A peace officer who seizes a motor vehicle under
26 Subsection (c) may require that the vehicle be:

- 27 (1) moved to the nearest place of safety off the

1 main-traveled part of the highway; or

2 (2) removed and placed in the nearest vehicle storage
3 facility designated or maintained by the law enforcement agency
4 that employs the peace officer.

5 (e) To obtain the release of the vehicle, in addition to any
6 other requirement of law, the owner of a vehicle seized under
7 Subsection (c) must:

8 (1) remedy the defect by identifying the vehicle as
9 required by Subsection (a) or (b); or

10 (2) agree in writing with the law enforcement agency
11 to provide evidence to that agency, before the 10th day after the
12 date the vehicle is released, that the defect has been remedied by
13 identifying the vehicle as required by Subsection (a) or (b).

14 (f) Subsections (a) and (b) do not apply to a vehicle to
15 which Section 502.451(g) [~~502.201(g) or 502.206~~] applies.

16 (g) For purposes of this section, an exempt license plate is
17 a license plate issued by the department that is plainly marked with
18 the word "exempt."

19 SECTION 150. Section 502.202, Transportation Code, is
20 transferred to Subchapter J, Chapter 502, Transportation Code, as
21 added by this Act, renumbered as Section 502.453, Transportation
22 Code, and amended to read as follows:

23 Sec. 502.453 [~~502.202~~]. GOVERNMENT-OWNED VEHICLES; PUBLIC
24 SCHOOL BUSES; FIRE-FIGHTING VEHICLES; COUNTY MARINE LAW
25 ENFORCEMENT VEHICLES. (a) The owner of a motor vehicle, trailer,
26 or semitrailer may annually apply for registration under Section
27 502.451 [~~502.201~~] and is exempt from the payment of a registration

1 fee under this chapter if the vehicle is:

2 (1) owned by and used exclusively in the service of:

3 (A) the United States;

4 (B) this state; or

5 (C) a county, municipality, or school district in
6 this state;

7 (2) owned by a commercial transportation company and
8 used exclusively to provide public school transportation services
9 to a school district under Section 34.008, Education Code;

10 (3) designed and used exclusively for fire fighting;

11 (4) owned by a volunteer fire department and used
12 exclusively in the conduct of department business; [~~or~~]

13 (5) privately owned and used by a volunteer
14 exclusively in county marine law enforcement activities, including
15 rescue operations, under the direction of the sheriff's department;
16 or

17 (6) used by law enforcement under an alias for covert
18 criminal investigations.

19 (b) An application for registration under this section must
20 be made by a person having the authority to certify that the vehicle
21 meets the exemption requirements prescribed by Subsection (a). An
22 application for registration under this section of a fire-fighting
23 vehicle described by Subsection (a)(3) must include a reasonable
24 description of the vehicle and of any fire-fighting equipment
25 mounted on the vehicle. An application for registration under this
26 section of a vehicle described by Subsection (a)(5) must include a
27 statement signed by a person having the authority to act for a

1 sheriff's department that the vehicle is used exclusively in marine
2 law enforcement activities under the direction of the sheriff's
3 department.

4 SECTION 151. Section 502.203, Transportation Code, is
5 transferred to Subchapter J, Chapter 502, Transportation Code, as
6 added by this Act, renumbered as Section 502.454, Transportation
7 Code, and amended to read as follows:

8 Sec. 502.454 [~~502.203~~]. VEHICLES USED BY NONPROFIT
9 DISASTER RELIEF ORGANIZATIONS. (a) The owner of a commercial
10 motor vehicle, trailer, or semitrailer may apply for registration
11 under Section 502.451 [~~502.201~~] and is exempt from the payment of
12 the registration fee that would otherwise be required by this
13 chapter if the vehicle is owned and used exclusively for
14 emergencies by a nonprofit disaster relief organization.

15 (b) An application for registration under this section must
16 include:

17 (1) a statement by the owner of the vehicle that the
18 vehicle is used exclusively for emergencies and has not been used
19 for any other purpose;

20 (2) a statement signed by an officer of the nonprofit
21 disaster relief organization that the vehicle has not been used for
22 any purpose other than emergencies and qualifies for registration
23 under this section; and

24 (3) a reasonable description of the vehicle and the
25 emergency equipment included in the vehicle.

26 (c) An applicant for registration under this section must
27 pay a fee of \$5.

1 (d) A commercial motor vehicle registered under this
2 section must display the name of the organization that owns it on
3 each front door.

4 (e) A vehicle registered under this section must display at
5 all times an appropriate license plate showing the vehicle's
6 status.

7 (f) A vehicle registered under this section that is used for
8 any purpose other than an emergency may not again be registered
9 under this section.

10 SECTION 152. Section 502.2035, Transportation Code, is
11 transferred to Subchapter J, Chapter 502, Transportation Code, as
12 added by this Act, and renumbered as Section 502.455,
13 Transportation Code, to read as follows:

14 Sec. 502.455 [~~502.2035~~]. TRAILERS AND SEMITRAILERS OWNED
15 BY RELIGIOUS ORGANIZATIONS. (a) A trailer or semitrailer may be
16 registered without payment if the trailer or semitrailer is:

17 (1) owned by an organization that qualifies as a
18 religious organization under Section 11.20, Tax Code; and

19 (2) used primarily for the purpose of transporting
20 property in connection with the charitable activities and functions
21 of the organization.

22 (b) An application for registration under this section must
23 include a statement signed by an officer of the religious
24 organization stating that the trailer or semitrailer qualifies for
25 registration under this section.

26 SECTION 153. Section 502.204, Transportation Code, is
27 transferred to Subchapter J, Chapter 502, Transportation Code, as

1 added by this Act, renumbered as Section 502.456, Transportation
2 Code, and amended to read as follows:

3 Sec. 502.456 [~~502.204~~]. EMERGENCY SERVICES VEHICLES.

4 (a) A vehicle may be registered without payment if:

5 (1) the vehicle is owned or leased by an emergency
6 medical services provider that:

7 (A) is a nonprofit entity; or

8 (B) is created and operated by:

9 (i) a county;

10 (ii) a municipality; or

11 (iii) any combination of counties and
12 municipalities through a contract, joint agreement, or other method
13 provided by Chapter 791, Government Code, or other law authorizing
14 counties and municipalities to provide joint programs; and

15 (2) the vehicle:

16 (A) is authorized under an emergency medical
17 services provider license issued by the Department of State [~~Texas~~
18 ~~Board of~~] Health Services under Chapter 773, Health and Safety
19 Code, and is used exclusively as an emergency medical services
20 vehicle; or

21 (B) is an emergency medical services chief or
22 supervisor vehicle and is used exclusively as an emergency services
23 vehicle.

24 (b) A vehicle may be registered without payment of a
25 registration fee if the vehicle:

26 (1) is owned by the Civil Air Patrol, Texas Wing; and

27 (2) is used exclusively as an emergency services

1 vehicle by members of the Civil Air Patrol, Texas Wing.

2 (c) An application for registration under Subsection (a)
3 must be accompanied by a copy of the license issued by the
4 Department of State [~~Texas Board of~~] Health Services. An
5 application for registration of an emergency medical services
6 vehicle must include a statement signed by an officer of the
7 emergency medical services provider that the vehicle is used
8 exclusively as an emergency response vehicle and qualifies for
9 registration under this section. An application for registration
10 of an emergency medical services chief or supervisor vehicle must
11 include a statement signed by an officer of the emergency medical
12 services provider stating that the vehicle qualifies for
13 registration under this section.

14 (d) An application for registration under Subsection (b)
15 must include a statement signed by an officer of the Civil Air
16 Patrol, Texas Wing, that the vehicle is used exclusively as an
17 emergency services vehicle by members of the Civil Air Patrol,
18 Texas Wing.

19 (e) The department must approve an application for
20 registration under this section as provided by Section 502.451
21 [~~502.201~~].

22 SECTION 154. Section 520.0225, Transportation Code, is
23 transferred to Subchapter J, Chapter 502, Transportation Code, as
24 added by this Act, renumbered as Section 502.457, Transportation
25 Code, and amended to read as follows:

26 Sec. 502.457 [~~520.0225~~]. PERSONS ON ACTIVE DUTY IN ARMED
27 FORCES OF UNITED STATES. (a) This section applies only to a used

1 motor vehicle that is owned by a person who:

2 (1) is on active duty in the armed forces of the United
3 States;

4 (2) is stationed in or has been assigned to another
5 nation under military orders; and

6 (3) has registered the vehicle or been issued a
7 license for the vehicle under the applicable status of forces
8 agreement by:

9 (A) the appropriate branch of the armed forces of
10 the United States; or

11 (B) the nation in which the person is stationed
12 or to which the person has been assigned.

13 (b) The requirement [~~in Section 520.021~~] that a used vehicle
14 be registered under the law of this state does not apply to a
15 vehicle described by Subsection (a). In lieu of delivering the
16 license receipt to the transferee of the vehicle, as required by
17 Section 501.0721 [~~520.022~~], the person selling, trading, or
18 otherwise transferring a used motor vehicle described by Subsection
19 (a) shall deliver to the transferee:

20 (1) a letter written on official letterhead by the
21 owner's unit commander attesting to the registration of the vehicle
22 under Subsection (a)(3); or

23 (2) the registration receipt issued by the appropriate
24 branch of the armed forces or host nation.

25 (c) A registration receipt issued by a host nation that is
26 not written in the English language must be accompanied by:

27 (1) a written translation of the registration receipt

1 in English; and

2 (2) an affidavit, in English and signed by the person
3 translating the registration receipt, attesting to the person's
4 ability to translate the registration receipt into English.

5 SECTION 155. Chapter 502, Transportation Code, is amended
6 by adding Subchapter K to read as follows:

7 SUBCHAPTER K. OFFENSES AND PENALTIES

8 SECTION 156. Section 502.401, Transportation Code, is
9 transferred to Subchapter K, Chapter 502, Transportation Code, as
10 added by this Act, renumbered as Section 502.471, Transportation
11 Code, and amended to read as follows:

12 Sec. 502.471 [~~502.401~~]. GENERAL PENALTY. (a) A person
13 commits an offense if the person violates a provision of this
14 chapter and no other penalty is prescribed for the violation.

15 (b) Unless otherwise specified, an [~~This section does not~~
16 ~~apply to a violation of Section 502.003, 502.101, 502.109, 502.112,~~
17 ~~502.113, 502.114, 502.152, 502.164, or 502.282.~~

18 [~~(c) An~~] offense under this section is a misdemeanor
19 punishable by a fine not to exceed \$200.

20 SECTION 157. Section 502.402, Transportation Code, is
21 transferred to Subchapter K, Chapter 502, Transportation Code, as
22 added by this Act, renumbered as Section 502.472, Transportation
23 Code, and amended to read as follows:

24 Sec. 502.472 [~~502.402~~]. OPERATION OF VEHICLE UNDER
25 IMPROPER REGISTRATION [~~UNREGISTERED MOTOR VEHICLE~~]. [~~(a)~~] A
26 person commits an offense if the person operates a motor vehicle
27 that has not been registered or registered for a class other than

1 that to which the vehicle belongs as required by law. [~~An offense~~
2 ~~under this subsection is a misdemeanor punishable by a fine not to~~
3 ~~exceed \$200.~~]

4 SECTION 158. Section 502.404, Transportation Code, is
5 transferred to Subchapter K, Chapter 502, Transportation Code, as
6 added by this Act, renumbered as Section 502.473, Transportation
7 Code, and amended to read as follows:

8 Sec. 502.473 [~~502.404~~]. OPERATION OF VEHICLE WITHOUT
9 [~~LICENSE PLATE OR~~] REGISTRATION INSIGNIA. (a) A person commits an
10 offense if the person operates on a public highway during a
11 registration period a passenger car, ~~or~~ commercial motor vehicle,
12 road tractor, motorcycle, trailer, or semitrailer that does not
13 display a [~~two license plates, at the front and rear of the vehicle,~~
14 ~~that have been:~~

15 [~~(1) assigned by the department for the period; or~~
16 [~~(2)~~] validated [~~by a~~] registration insignia issued by
17 the department that establishes that the vehicle is registered [~~for~~
18 ~~the period~~].

19 (b) Subsection [~~A person commits an offense if the person~~
20 ~~operates on a public highway during a registration period a~~
21 ~~passenger car or commercial motor vehicle, other than a vehicle~~
22 ~~assigned license plates for the registration period, that does not~~
23 ~~properly display the registration insignia issued by the department~~
24 ~~that establishes that the license plates have been validated for~~
25 ~~the period.~~

26 [~~(c) A person commits an offense if the person operates on a~~
27 ~~public highway during a registration period a road tractor,~~

1 ~~motorcycle, trailer, or semitrailer that does not display a license~~
2 ~~plate, attached to the rear of the vehicle, that has been:~~

3 ~~(1) assigned by the department for the period; or~~

4 ~~(2) validated by a registration insignia issued by~~
5 ~~the department that establishes that the vehicle is registered for~~
6 ~~the period.~~

7 ~~[(d) Subsections]~~ (a) does ~~[and (b) do]~~ not apply to a
8 dealer operating a vehicle as provided by law.

9 (c) ~~[(e) An offense under this section is a misdemeanor~~
10 ~~punishable by a fine not to exceed \$200.~~

11 ~~[(f)]~~ A court may dismiss a charge brought under Subsection
12 (a) if the defendant:

13 (1) remedies the defect before the defendant's first
14 court appearance; or ~~[and]~~

15 (2) ~~[pays an administrative fee not to exceed \$10.~~

16 ~~[(g) A court may dismiss a charge brought under Subsection~~
17 ~~(b) if the defendant:~~

18 ~~[(1)]~~ shows that ~~[+~~

19 ~~[(A)]~~ the passenger car or commercial ~~[motor]~~
20 vehicle was issued a registration insignia by the department that
21 was attached to the passenger car or commercial vehicle that
22 establishes that the vehicle was registered for the period during
23 which the offense was committed; and

24 (3) ~~[(B) the registration insignia described in~~
25 ~~Paragraph (A) was attached to the passenger car or commercial motor~~
26 ~~vehicle before the defendant's first court appearance; and~~

27 ~~[(2)]~~ pays an administrative fee not to exceed \$10.

1 SECTION 159. Subchapter K, Chapter 502, Transportation
2 Code, as added by this Act, is amended by adding Section 502.474 to
3 read as follows:

4 Sec. 502.474. OPERATION OF ONE-TRIP PERMIT VEHICLE. A
5 person commits an offense if the person operates a vehicle for which
6 a one-trip permit is required without the registration receipt and
7 properly displayed temporary tag.

8 SECTION 160. Section 502.409, Transportation Code, as
9 amended by Chapters 30 (S.B. 369) and 1027 (H.B. 1623), Acts of the
10 80th Legislature, Regular Session, 2007, is transferred to
11 Subchapter K, Chapter 502, Transportation Code, as added by this
12 Act, renumbered as Section 502.475, Transportation Code, and
13 amended to read as follows:

14 Sec. 502.475 [~~502.409~~]. WRONG, FICTITIOUS, ALTERED, OR
15 OBSCURED INSIGNIA [~~LICENSE PLATE~~]. (a) A person commits an
16 offense if the person attaches to or displays on a motor vehicle [~~a~~
17 ~~number plate or~~] registration insignia that:

- 18 (1) is assigned to a different motor vehicle;
- 19 (2) is assigned to the vehicle under any other motor
20 vehicle law other than by the department;
- 21 (3) is assigned for a registration period other than
22 the registration period in effect; or
- 23 (4) is fictitious[~~+~~
- 24 [~~(5) has blurring or reflective matter that~~
25 ~~significantly impairs the readability of the name of the state in~~
26 ~~which the vehicle is registered or the letters or numbers of the~~
27 ~~license plate number at any time;~~

1 ~~[(6) has an attached illuminated device or sticker,~~
2 ~~decal, emblem, or other insignia that is not authorized by law and~~
3 ~~that interferes with the readability of the letters or numbers of~~
4 ~~the license plate number or the name of the state in which the~~
5 ~~vehicle is registered; or~~

6 ~~[(7) has a coating, covering, protective material, or~~
7 ~~other apparatus that:~~

8 ~~[(A) distorts angular visibility or~~
9 ~~detectability;~~

10 ~~[(B) alters or obscures one-half or more of the~~
11 ~~name of the state in which the vehicle is registered; or~~

12 ~~[(C) alters or obscures the letters or numbers of~~
13 ~~the license plate number or the color of the plate].~~

14 (b) An ~~[Except as provided by Subsection (f), an]~~ offense
15 under Subsection (a) is a misdemeanor punishable by a fine of not
16 more than \$200, unless it is shown at the trial of the offense that
17 the owner knowingly altered or made illegible the letters, numbers,
18 and other identification marks, in which case the offense is a Class
19 B misdemeanor.

20 ~~[(c) Subsection (a)(7) may not be construed to apply to:~~

21 ~~[(1) a trailer hitch installed on a vehicle in a normal~~
22 ~~or customary manner;~~

23 ~~[(2) a transponder, as defined by Section 228.057,~~
24 ~~that is attached to a vehicle in the manner required by the issuing~~
25 ~~authority;~~

26 ~~[(3) a wheelchair lift or wheelchair carrier that is~~
27 ~~attached to a vehicle in a normal or customary manner;~~

1 ~~[(4) a trailer being towed by a vehicle; or~~

2 ~~[(5) a bicycle rack that is attached to a vehicle in a~~
3 ~~normal or customary manner.~~

4 ~~[(c) A court may dismiss a charge brought under Subsection~~
5 ~~(a)(3), (5), (6), or (7) if the defendant.~~

6 ~~[(1) remedies the defect before the defendant's first~~
7 ~~court appearance; and~~

8 ~~[(2) pays an administrative fee not to exceed \$10.~~

9 ~~[(f) An offense under Subsection (a)(4) is a Class B~~
10 ~~misdemeanor.]~~

11 SECTION 161. Subchapter K, Chapter 502, Transportation
12 Code, as added by this Act, is amended by adding Sections 502.476,
13 502.477, 502.478, and 502.479 to read as follows:

14 Sec. 502.476. FOREIGN COMMERCIAL REGISTRATION; OFFENSE. A
15 person who violates Section 502.093 commits an offense.

16 Sec. 502.477. NONRESIDENT-OWNED VEHICLES USED TO TRANSPORT
17 AGRICULTURAL PRODUCT; OFFENSE. (a) A person operating a vehicle
18 under a permit issued under Section 502.092 commits an offense if
19 the person:

20 (1) transports farm products to a place of market,
21 storage, or processing or a railhead or seaport that is farther from
22 the place of production or point of entry, as appropriate, than the
23 distance provided for in the permit; or

24 (2) follows a route other than that prescribed by the
25 department.

26 (b) An offense under this section is a misdemeanor
27 punishable by a fine of not less than \$25 or more than \$200.

1 Sec. 502.478. COMMERCIAL MOTOR VEHICLE USED PRIMARILY FOR
2 AGRICULTURAL PURPOSES; OFFENSE. An offense under Section 502.432
3 is a misdemeanor punishable by a fine of not less than \$25 or more
4 than \$200.

5 Sec. 502.479. SEASONAL AGRICULTURAL VEHICLE; OFFENSE. A
6 person issued a registration under Section 502.432 commits an
7 offense if the person, during the registration period, uses the
8 truck-tractor or commercial motor vehicle for a purpose other than
9 to transport a seasonal agricultural product.

10 SECTION 162. Section 520.014, Transportation Code, is
11 transferred to Subchapter K, Chapter 502, Transportation Code, as
12 added by this Act, renumbered as Section 502.480, Transportation
13 Code, and amended to read as follows:

14 Sec. 502.480 [~~520.014~~]. VIOLATION BY COUNTY
15 ASSESSOR-COLLECTOR; PENALTY. (a) A county assessor-collector
16 commits an offense if the county assessor-collector knowingly
17 accepts an application for the registration of a motor vehicle
18 that:

19 (1) has had the original motor number or vehicle
20 identification number removed, erased, or destroyed; and

21 (2) does not bear a motor number or vehicle
22 identification number assigned by the department.

23 (b) An offense under this section is a misdemeanor
24 punishable by a fine of not less than \$10 and not more than \$50.

25 SECTION 163. Chapter 502, Transportation Code, is amended
26 by adding Subchapter L to read as follows:

1 SUBCHAPTER L. REGISTRATION AND TRANSFER OF USED VEHICLES

2 SECTION 164. Section 502.451, Transportation Code, is
3 transferred to Subchapter L, Chapter 502, Transportation Code, as
4 added by this Act, renumbered as Section 502.491, Transportation
5 Code, and amended to read as follows:

6 Sec. 502.491 [~~502.451~~]. TRANSFER OF VEHICLE REGISTRATION
7 [~~AND REMOVAL OF LICENSE PLATES~~]. (a) On the sale or transfer of a
8 motor vehicle [~~to a dealer~~], [~~as defined by Section 503.001, who~~
9 ~~holds a general distinguishing number issued under Chapter 503, the~~
10 ~~dealer shall remove each license plate and~~] the registration
11 insignia issued for the motor vehicle shall be removed.

12 [~~(a-1) On a sale or transfer of a motor vehicle to a person~~
13 ~~that does not hold a general distinguishing number issued under~~
14 ~~Chapter 503, the seller or transferor may remove each license plate~~
15 ~~and the registration insignia issued for the motor vehicle.]~~

16 (b) [~~A license plate removed from a motor vehicle under~~
17 ~~Subsection (a) or (a-1) must be:~~

18 [~~(1) disposed of in the manner specified by the~~
19 ~~department, or~~

20 [~~(2) transferred to another vehicle owned by the~~
21 ~~seller or transferor as provided by Section 502.452.~~

22 [~~(c)~~] The part of the registration period remaining at the
23 time of the sale or transfer shall continue with the vehicle being
24 sold or transferred and does not transfer with the license plates or
25 registration validation insignia. To continue the remainder of
26 the registration period, the purchaser or transferee must file the
27 documents required under Section 501.145 [~~520.031~~].

1 SECTION 165. Section 502.454, Transportation Code, is
2 transferred to Subchapter L, Chapter 502, Transportation Code, as
3 added by this Act, renumbered as Section 502.492, Transportation
4 Code, and amended to read as follows:

5 Sec. 502.492 [~~502.454~~]. TEMPORARY PERMIT FOR A VEHICLE
6 PURCHASED [~~IN A PRIVATE PARTY TRANSACTION~~]. (a) A purchaser [~~or~~
7 ~~transferee~~] may obtain from the department a temporary
8 [~~single-trip~~] permit to operate a motor vehicle:

9 (1) that is subject to registration in this state;

10 (2) from which the license plates and the registration
11 insignia have been removed as authorized by Section 502.491
12 [~~502.451(a-1)~~]; and

13 (3) that is not authorized to travel on a public
14 roadway because the required license plates and the registration
15 insignia are not attached to the vehicle.

16 (b) The department may issue the permit in accordance with
17 this section.

18 (c) A permit issued under this section is valid for one trip
19 between the point of origin and the destination and those
20 intermediate points specified in the permit.

21 (d) A permit issued under this section may not be valid for
22 longer than a five-day period.

23 (e) A person may obtain a permit under this section by
24 applying, as [~~on a form~~] provided by the department, to the
25 department. Application may be made using the department's
26 Internet website.

27 (f) A person is eligible to receive only one permit under

1 this section for a motor vehicle.

2 (g) A permit receipt issued under this section must be in
3 ~~on~~ a manner ~~form~~ provided by the department. The receipt must
4 contain the information required by this section and shall be
5 carried in the vehicle at all times during which it is valid.

6 (h) The department may refuse to issue a permit under this
7 section for any vehicle if in the department's opinion the
8 applicant has been involved in operations that constitute an abuse
9 of the privilege granted under this section.

10 SECTION 166. The heading to Chapter 504, Transportation
11 Code, is amended to read as follows:

12 CHAPTER 504. ~~[SPECIALTY]~~ LICENSE PLATES

13 SECTION 167. Subsection (a), Section 504.001,
14 Transportation Code, is amended to read as follows:

15 (a) In this chapter:

16 (1) ~~[r]~~ "commission" and "director" have the meanings
17 assigned by Section 201.001; and

18 (2) "seller" and "purchaser" have the meanings
19 assigned by Section 501.002.

20 SECTION 168. Section 504.004, Transportation Code, is
21 renumbered as Section 504.0011, Transportation Code, and amended to
22 read as follows:

23 Sec. 504.0011 ~~[504.004]~~. RULES ~~[AND FORMS]~~. The commission
24 may adopt rules ~~[and the department may issue forms]~~ to implement
25 and administer this chapter.

26 SECTION 169. Section 504.002, Transportation Code, is
27 amended to read as follows:

1 Sec. 504.002. [~~PROVISIONS OF~~] GENERAL PROVISIONS
2 [~~APPLICABILITY~~]. Unless expressly provided by this chapter or by
3 department rule:

4 (1) except for license plates specified as exempt,
5 [~~any vehicle is eligible to be issued specialty license plates,~~
6 ~~provided that the department may vary the design of a license plate~~
7 ~~to accommodate or reflect its use on a motor vehicle other than a~~
8 ~~passenger car or light truck,~~

9 [~~(2) an application for specialty license plates must~~
10 ~~be submitted in the manner specified by the department, provided~~
11 ~~that if issuance of a specialty license plate is limited to~~
12 ~~particular persons or motor vehicles, the application must be~~
13 ~~accompanied by evidence satisfactory to the department that the~~
14 ~~applicant or the applicant's vehicle is eligible,~~

15 [~~(3)~~] the fee for issuance of a [~~specialty~~] license
16 plate, including replacement plates, is in addition to each other
17 fee that is paid for [~~or~~] at the time of the registration of the
18 motor vehicle and shall be deposited to the credit of the state
19 highway fund;

20 (2) [~~(4) each fee described by this chapter is an~~
21 ~~annual fee, provided that the department may prorate the fee for a~~
22 ~~specialty license plate fee on a monthly basis to align the license~~
23 ~~plate fee to the registration period for the motor vehicle for which~~
24 ~~the license plate was issued, and if a fee is prorated the~~
25 ~~allocation of the fee by this chapter to an account or fund shall be~~
26 ~~prorated in proportion,~~

27 [~~(5)~~] the department is the exclusive owner of the

1 design of each [~~specialty~~] license plate;

2 (3) [~~(6)~~] ~~the director may refuse to issue a specialty~~
3 ~~license plate with a design or alphanumeric pattern that the~~
4 ~~director considers potentially objectionable to one or more members~~
5 ~~of the public and the director's refusal may not be overturned in~~
6 ~~the absence of an abuse of discretion;~~

7 [~~(7)~~] ~~for each specialty license plate that is issued~~
8 ~~through a county tax assessor-collector and for which the~~
9 ~~department is allocated a portion of a fee for administrative~~
10 ~~costs, the department shall credit 50 cents from its administrative~~
11 ~~costs to the county treasurer of the applicable county, who shall~~
12 ~~credit the money to the general fund of the county to defray the~~
13 ~~costs to the county of administering this chapter;~~

14 [~~(8)~~] if a [~~specialty~~] license plate is lost, stolen,
15 or mutilated, an application for a replacement plate must be
16 accompanied by the fee prescribed by Section 502.060
17 [~~502.184(a)(2)~~];

18 [~~(9)~~] ~~if the owner of a motor vehicle for which a~~
19 ~~specialty license plate is issued disposes of the vehicle or for any~~
20 ~~reason ceases to be eligible for that specialty license plate, the~~
21 ~~owner shall return the specialty license plate to the department];~~

22 and

23 (4) the department shall prepare the designs and
24 specifications of license plates [~~(10)~~] ~~a person who is issued a~~
25 ~~specialty license plate may not transfer it to another person or~~
26 ~~vehicle without first receiving approval from the department].~~

27 SECTION 170. Section 504.103, Transportation Code, is

1 transferred to Subchapter A, Chapter 504, Transportation Code,
2 renumbered as Section 504.005, Transportation Code, and amended to
3 read as follows:

4 Sec. 504.005 [~~504.103~~]. DESIGN AND ALPHANUMERIC PATTERN.
5 The department has sole control over the design, typeface, color,
6 and alphanumeric pattern for all [~~a personalized~~] license plates
7 [~~plate~~].

8 SECTION 171. Subchapter A, Chapter 504, Transportation
9 Code, is amended by adding Section 504.006 to read as follows:

10 Sec. 504.006. DESIGN OF LICENSE PLATES. (a) The
11 department shall prepare the designs and specifications of license
12 plates and devices selected by the commission to be used as a unique
13 identifier.

14 (b) The department shall design each license plate to
15 include a design at least one-half inch wide that represents in
16 silhouette the shape of Texas and that appears between letters and
17 numerals. The department may omit the silhouette of Texas from
18 specially designed license plates.

19 (c) To promote highway safety, each license plate shall be
20 made with a reflectorized material that provides effective and
21 dependable brightness for the period for which the plate is issued.

22 SECTION 172. Section 502.053, Transportation Code, is
23 transferred to Subchapter A, Chapter 504, Transportation Code,
24 renumbered as Section 504.007, Transportation Code, and amended to
25 read as follows:

26 Sec. 504.007 [~~502.053~~]. COST OF MANUFACTURING [~~LICENSE~~
27 ~~PLATES OR REGISTRATION INSIGNIA~~]. (a) The Texas Department of

1 Transportation shall reimburse the Texas Department of Criminal
2 Justice for the cost of manufacturing license plates [~~or~~
3 ~~registration insignia~~] as [~~the license plates or insignia and~~] the
4 invoices [~~invoice~~] for the license plates [~~or insignia~~] are
5 delivered to the Texas Department of Transportation.

6 (b) When manufacturing is started, the Texas Department of
7 Criminal Justice and [~~7~~] the Texas Department of Transportation,
8 [~~and the comptroller,~~] after negotiation, shall set the price to be
9 paid for each license plate [~~or insignia~~]. The price must be
10 determined from:

- 11 (1) the cost of metal, paint, and other materials
12 purchased;
- 13 (2) the inmate maintenance cost per shift [~~day~~];
- 14 (3) overhead expenses;
- 15 (4) miscellaneous charges; and
- 16 (5) a previously agreed upon [~~approved~~] amount of
17 profit for the work.

18 [~~(c) The annual profit received by the Texas Department of~~
19 ~~Criminal Justice from all contracts for the manufacturing of~~
20 ~~license plates or related manufacturing may not be less than the~~
21 ~~profit received by the Texas Department of Corrections for~~
22 ~~manufacturing license plates for use in 1974.~~]

23 SECTION 173. Subchapter A, Chapter 504, Transportation
24 Code, is amended by adding Sections 504.008 and 504.009 to read as
25 follows:

26 Sec. 504.008. REPLACEMENT OF LICENSE PLATE. (a) The owner
27 of a registered motor vehicle may obtain replacement license plates

1 through the county assessor-collector by:

2 (1) certifying that the replacement plates will not be
3 used on any other vehicle owned or operated by the person making the
4 statement;

5 (2) paying a fee of \$5 plus the fees required by
6 Sections 502.356(a) and 502.360 for each set of replacement license
7 plates, unless otherwise specified by law; and

8 (3) returning each replaced plate in the owner's
9 possession.

10 (b) A fee is not required under this section if the
11 replacement fee has been paid under Section 502.060. No fee is
12 required for the replacement of specialized license plates issued
13 under Section 504.202, 504.305, 504.308, 504.315(c), (e), or (f),
14 504.513, or 504.515.

15 (c) The owner of a vehicle issued license plates approved
16 under Section 504.501(b) or 504.502(c) may obtain approval of
17 another set of license plates as provided by Section 504.501 or
18 504.502, respectively. The fee for approval of replacement license
19 plates is \$5.

20 (d) Replacement license plates may not be issued except in
21 compliance with this section.

22 (e) A county assessor-collector shall retain \$2.50 of each
23 fee collected under this section and shall report and send the
24 remainder to the department as provided by Section 502.060.

25 (f) Replacement license plates may be used in the
26 registration year in which the plates are issued and during each
27 succeeding year of the six-year period as prescribed by Section

1 502.059(b) if the registration insignia is properly displayed on
2 the vehicle.

3 (g) Subsection (f) does not apply to the issuance of
4 specialized license plates for limited distribution, including
5 state official license plates, exempt plates for governmental
6 entities, and temporary registration plates.

7 (h) The owner of a vehicle listed in Section 502.059(f) or
8 504.011(d) may obtain replacement plates and a replacement
9 registration insignia by paying a fee of \$5 plus the fees required
10 by Sections 502.356(a) and 502.360(a).

11 Sec. 504.009. SPECIALTY LICENSE PLATES. (a) The
12 department shall prepare the designs and specifications of
13 specialty license plates.

14 (b) Any motor vehicle other than a vehicle manufactured for
15 off-highway use only is eligible to be issued specialty license
16 plates, provided that the department may vary the design of a
17 license plate to accommodate or reflect its use on a motor vehicle
18 other than a passenger car or light truck.

19 (c) An application for specialty license plates must be
20 submitted in the manner specified by the department, provided that
21 if issuance of a specialty license plate is limited to particular
22 persons or motor vehicles, the application must be accompanied by
23 evidence satisfactory to the department that the applicant or the
24 applicant's vehicle is eligible.

25 (d) Each fee described by this chapter is an annual fee,
26 provided that the department may prorate the fee for a specialty
27 license plate fee on a monthly basis to align the license plate fee

1 to the registration month for the motor vehicle for which the
2 license plate was issued, and if a fee is prorated the allocation of
3 the fee by this chapter to an account or fund shall be prorated in
4 proportion.

5 (e) The director or the director's designee may refuse to
6 issue a specialty license plate with a design or alphanumeric
7 pattern that the director or designee considers potentially
8 objectionable to one or more members of the public and the director
9 or designee's refusal may not be overturned in the absence of an
10 abuse of discretion.

11 (f) The department is the exclusive owner of the design of
12 each license plate.

13 (g) For each specialty license plate that is issued by a
14 county assessor-collector and for which the department is allocated
15 a portion of the fee for administrative costs, the department shall
16 credit 50 cents from its administrative costs to the county
17 treasurer of the applicable county, who shall credit the money to
18 the general fund of the county to defray the costs to the county of
19 administering this chapter.

20 (h) A replacement license plate of a specialty license plate
21 must be accompanied by an application for a replacement plate and
22 the fee prescribed by Section 504.008.

23 (i) If the owner of a motor vehicle for which a specialty
24 license plate is issued disposes of the vehicle or for any reason
25 ceases to be eligible for that specialty license plate, the owner
26 shall return the specialty license plate to the department.

27 (j) A person who is issued a specialty license plate may not

1 transfer the plate to another person or vehicle unless the
2 department approves the transfer.

3 SECTION 174. Section 504.003, Transportation Code, is
4 renumbered as Section 504.010, Transportation Code, and amended to
5 read as follows:

6 Sec. 504.010 [~~504.003~~]. SOUVENIR LICENSE PLATES. (a) The
7 department may issue a souvenir version of any specialty license
8 plate for any vehicle [~~, including a motorcycle~~].

9 (b) The fee for a single souvenir license plate is \$20. The
10 fee shall be deposited to the credit of the state highway fund
11 unless the souvenir license plate is a replica of a specialty
12 license plate issued under Subchapter G or I for which the fee is
13 deposited to an account other than the state highway fund, in which
14 case:

15 (1) \$10 of the fee for the souvenir license plate shall
16 be deposited to the credit of the designated account; and

17 (2) \$10 of the fee for the souvenir license plate shall
18 be deposited to the credit of the state highway fund.

19 (c) If the souvenir license plate is personalized, the fee
20 for the plate is \$40. Of the fee:

21 (1) \$20 shall be deposited to the credit of the state
22 highway fund;

23 (2) \$10 shall be deposited to the credit of the
24 designated account if the souvenir license plate is a replica of a
25 specialty license plate issued under Subchapter G or I for which the
26 fee is deposited to a designated account other than the state
27 highway fund; and

1 (3) the remainder shall be deposited to the credit of
2 the general revenue fund.

3 (d) A souvenir license plate may not be used on a motor
4 vehicle[~~, including a motorcycle,~~] and is not an insignia of
5 registration for a motor vehicle. Each souvenir license plate must
6 be identified by the department in a way that identifies it to law
7 enforcement officers and others as a souvenir license plate.

8 (e) A beneficiary of a specialty license plate issued under
9 Subchapter G or I, as designated by the applicable section of those
10 subchapters, may purchase the specialty license plates, in minimum
11 quantity amounts determined by the department [~~boxes of 25,~~] for
12 use or resale by the beneficiary. The beneficiary shall pay the
13 required fee per plate, less the amount of the fee that would be
14 deposited to the credit of the designated account.

15 SECTION 175. Subchapter A, Chapter 504, Transportation
16 Code, is amended by adding Section 504.011 to read as follows:

17 Sec. 504.011. ISSUANCE OF LICENSE PLATE. (a) On payment
18 of the prescribed fee, an applicant for motor vehicle registration
19 shall be issued a license plate or set of plates.

20 (b) Subject to Subchapter I, the department shall issue only
21 one license plate or set of plates for a vehicle during a seven-year
22 period.

23 (c) On application and payment of the prescribed fee for a
24 renewal of the registration of a vehicle for the first through the
25 seventh year the department shall issue a registration insignia for
26 the validation of the license plate or plates to be attached as
27 provided by Chapter 502.

1 (d) The registration insignia for validation of a license
2 plate shall be attached to the rear license plate of the vehicle, if
3 the vehicle is:

4 (1) a motorcycle;

5 (2) machinery used exclusively to drill water wells or
6 construction machinery for which a distinguishing license plate has
7 been issued under Section 502.146; or

8 (3) oil well servicing, oil clean out, or oil well
9 drilling machinery or equipment for which a distinguishing license
10 plate has been issued under Subchapter G, Chapter 623.

11 SECTION 176. Subsection (a), Section 504.101,
12 Transportation Code, is amended to read as follows:

13 (a) The department shall issue personalized license plates.
14 The department may not issue more than one set of license plates
15 with the same alphanumeric pattern. All personalized license
16 plates issued before January 1, 2013, may continue to be renewed in
17 accordance with the law at the time of initial issuance.

18 SECTION 177. Subsections (b), (d), and (g), Section
19 504.201, Transportation Code, are amended to read as follows:

20 (b) The department shall issue specialty license plates for
21 a motor vehicle that:

22 (1) has a gross vehicle weight [~~manufacturer's rated~~
23 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less; and

24 (2) is regularly operated for noncommercial use by or
25 for the transportation of a person with a permanent disability.

26 (d) The initial application for specialty license plates
27 under this section must be accompanied by a written statement from a

1 physician who is licensed to practice medicine in this state or in a
2 state adjacent to this state or who is authorized by applicable law
3 to practice medicine in a hospital or other health facility of the
4 Department of Veterans Affairs. If the applicant has a mobility
5 problem caused by a disorder of the foot, the written statement may
6 be issued by a person licensed to practice podiatry in this state or
7 a state adjacent to this state. In this subsection, "podiatry" has
8 the meaning assigned by Section 681.001. The statement must
9 certify that the person making the application or on whose behalf
10 the application is made is legally blind or has a mobility problem
11 that substantially impairs the person's ability to ambulate. The
12 statement must also certify whether a mobility problem is temporary
13 or permanent. A written statement is not required as acceptable
14 medical proof if:

- 15 (1) the person with a disability:
- 16 (A) has had a limb, hand, or foot amputated; or
- 17 (B) must use a wheelchair; and
- 18 (2) the applicant executes a statement [~~and the county~~
19 ~~assessor-collector processing the application execute an~~
20 ~~affidavit~~] attesting to the person's disability before the county
21 assessor-collector.

22 (g) In addition to a license plate issued under this
23 section, an eligible person is entitled to be issued a set of the
24 license plates for each motor vehicle owned by the person that has a
25 gross vehicle weight [~~carrying capacity~~] of 18,000 pounds [~~two~~
26 ~~tons~~] or less and is equipped with special equipment that:

- 27 (1) is designed to allow a person who has lost the use

1 of one or both of the person's legs to operate the vehicle; and

2 (2) is not standard equipment on that type of vehicle
3 for use by a person who has use of both legs.

4 SECTION 178. Subsection (b), Section 504.202,
5 Transportation Code, is amended to read as follows:

6 (b) A veteran of the United States armed forces is entitled
7 to register, for the person's own use, two motor vehicles under this
8 section if:

9 (1) the person has suffered, as a result of military
10 service:

11 (A) at least a 50 percent service-connected
12 disability; or

13 (B) a 40 percent service-connected disability
14 because of the amputation of a lower extremity;

15 (2) the person receives compensation from the United
16 States because of the disability; and

17 (3) the motor vehicle:

18 (A) is owned by the person; and

19 (B) has a gross vehicle weight [~~manufacturer's~~
20 ~~rated carrying capacity~~] of 18,000 pounds [~~two tons~~] or less.

21 SECTION 179. Subsection (b), Section 504.203,
22 Transportation Code, is amended to read as follows:

23 (b) An application for license plates under this section
24 must be accompanied by a written statement acknowledged [~~signed~~] by
25 the administrator or manager of the institution, facility, or
26 retirement community certifying that the institution, facility, or
27 retirement community regularly transports, as a part of the

1 services that the institution, facility, or retirement community
2 provides, one or more eligible persons who reside in the
3 institution, facility, or retirement community. The department
4 shall determine the eligibility of the institution, facility, or
5 retirement community on the evidence the applicant provides.

6 SECTION 180. Section 504.3011, Transportation Code, is
7 amended to read as follows:

8 Sec. 504.3011. DESIGN OF CERTAIN LICENSE PLATES FOR THE
9 MILITARY. [~~(a) License plates issued under Section 504.303 must~~
10 ~~at a minimum bear a color depiction of the emblem of the appropriate~~
11 ~~branch of the United States armed forces.~~

12 [~~(b) License plates issued under Section 504.308(a) or~~
13 ~~504.315(c), (f), or (g) must at a minimum bear a color depiction of~~
14 ~~the appropriate medal.~~

15 [~~(c)~~] The department shall design military license plates
16 that bear a color depiction of the emblem of the appropriate branch
17 of the United States armed forces or a color depiction of the
18 appropriate medal as provided by the United States Department of
19 Defense [~~to which this section applies in consultation with~~
20 ~~veterans organizations~~].

21 SECTION 181. Subsection (d), Section 504.315,
22 Transportation Code, is amended to read as follows:

23 (d) The department shall issue specialty license plates for
24 survivors of the attack on Pearl Harbor on December 7, 1941. The
25 license plates must include the words "Pearl Harbor Survivor" [~~and~~
26 ~~must be consecutively numbered~~]. A person is eligible if the
27 person:

- 1 (1) served in the United States armed forces;
- 2 (2) was stationed in the Hawaiian Islands on December
- 3 7, 1941; and
- 4 (3) survived the attack on Pearl Harbor on December 7,
- 5 1941.

6 SECTION 182. Subchapter E, Chapter 504, Transportation
7 Code, is amended by adding Section 504.400 to read as follows:

8 Sec. 504.400. FEES FOR CERTAIN RESTRICTED PLATES. The
9 department shall issue, without charge, not more than three sets of
10 specialty license plates under this subchapter.

11 SECTION 183. Subsection (a), Section 504.401,
12 Transportation Code, is amended to read as follows:

13 (a) The department shall issue [~~without charge~~] specialty
14 license plates that include the words "State Official" to a state
15 official. [~~The license plates must include the words "State~~
16 ~~Official."~~]

17 SECTION 184. Subsection (a), Section 504.402,
18 Transportation Code, is amended to read as follows:

19 (a) The department shall issue [~~without charge~~] specialty
20 license plates to [~~for~~] members of congress, which [~~. License~~
21 ~~plates issued under this section~~] must include the words "U.S.
22 Congress."

23 SECTION 185. Subsection (a), Section 504.403,
24 Transportation Code, is amended to read as follows:

25 (a) The department shall issue [~~without charge~~] specialty
26 license plates for a current or visiting state or federal judge.
27 The license plates must include the words "State Judge" or "U.S.

1 Judge," as appropriate.

2 SECTION 186. Subdivision (2), Subsection (d), Section
3 504.403, Transportation Code, is amended to read as follows:

4 (2) "State judge" means:

5 (A) a justice of the supreme court;

6 (B) a judge of the court of criminal appeals;

7 (C) a judge of a court of appeals of this state;

8 (D) a district court judge;

9 (E) a presiding judge of an administrative
10 judicial district; or

11 (F) a statutory county court judge.

12 SECTION 187. Section 504.404, Transportation Code, is
13 amended to read as follows:

14 Sec. 504.404. FEDERAL ADMINISTRATIVE LAW JUDGES.

15 [~~(a)~~] The department shall issue [~~without charge~~] specialty
16 license plates to [~~for~~] current federal administrative law judges
17 that [~~. The license plates shall~~] bear the words "U.S. A. L. Judge."

18 [~~(b) A person may be issued three sets of license plates~~
19 ~~under this section.~~]

20 SECTION 188. Subsection (a), Section 504.405,
21 Transportation Code, is amended to read as follows:

22 (a) The department shall issue [~~without charge~~] specialty
23 license plates for current county judges of this state that [~~. The~~
24 ~~license plates shall~~] bear the words "County Judge."

25 SECTION 189. Section 504.406, Transportation Code, is
26 amended to read as follows:

27 Sec. 504.406. TEXAS CONSTABLES. The department shall issue

1 ~~[without charge]~~ specialty license plates for Texas constables
2 that~~[. The license plates shall]~~ bear the words "Texas Constable."

3 SECTION 190. Section 504.412, Transportation Code, is
4 renumbered as Section 504.4061, Transportation Code, and is amended
5 to read as follows:

6 Sec. 504.4061 ~~[504.412]~~. FOREIGN ORGANIZATION VEHICLES.
7 ~~[(a)]~~ The department shall issue specialty license plates for an
8 instrumentality established by a foreign government recognized by
9 the United States before January 1, 1979, that is without official
10 representation or diplomatic relations with the United States. The
11 license plates must include the words "Foreign Organization" ~~[and~~
12 ~~shall remain valid for five years.~~

13 ~~[(b) A person entitled to specialty license plates under~~
14 ~~this section may register the vehicle without payment of any fee~~
15 ~~paid for or at the time of registration].~~

16 SECTION 191. Section 504.509, Transportation Code, is
17 transferred to Subchapter E, Chapter 504, Transportation Code, and
18 renumbered as Section 504.414, Transportation Code, to read as
19 follows:

20 Sec. 504.414 ~~[504.509]~~. VEHICLES CARRYING MOBILE AMATEUR
21 RADIO EQUIPMENT. (a) The department shall issue specialty license
22 plates for a person who holds an amateur radio station license
23 issued by the Federal Communications Commission and who operates
24 receiving and transmitting mobile amateur radio equipment. The
25 license plates shall include the person's amateur call letters as
26 assigned by the Federal Communications Commission. A person may
27 register more than one vehicle equipped with mobile amateur radio

1 equipment under this section, and the department shall issue
2 license plates that include the same amateur call letters for each
3 vehicle.

4 (b) The fee for issuance of the license plates is \$2 for the
5 first year and \$1 for each subsequent year.

6 SECTION 192. The heading to Subchapter F, Chapter 504,
7 Transportation Code, is amended to read as follows:

8 SUBCHAPTER F. SPECIALTY LICENSE PLATES WITH RESTRICTED
9 DISTRIBUTION AND REGULAR LICENSE PLATE FEES [~~FOR CERTAIN VEHICLES~~]

10 SECTION 193. The heading to Section 504.501, Transportation
11 Code, is amended to read as follows:

12 Sec. 504.501. CLASSIC MOTOR VEHICLES AND TRAVEL TRAILERS.

13 SECTION 194. Subsection (a), Section 504.501,
14 Transportation Code, is amended to read as follows:

15 (a) The department shall issue specialty license plates for
16 a motor vehicle that is at least 25 years old. The license plates
17 must include the word "Classic" [~~words "Classic Auto," "Classic~~
18 ~~Motorcycle," or "Classic Truck"~~] or a similar designation, as
19 appropriate.

20 SECTION 195. The heading to Section 504.502, Transportation
21 Code, is amended to read as follows:

22 Sec. 504.502. ANTIQUE [~~CERTAIN EXHIBITION~~] VEHICLES;
23 OFFENSE.

24 SECTION 196. Subsections (b) and (g), Section 504.502,
25 Transportation Code, are amended to read as follows:

26 (b) The license plates must include the words "Antique
27 Vehicle." [~~"Antique Auto," "Antique Truck," "Antique Motorcycle,"~~

1 ~~or "Military Vehicle," as appropriate.]~~

2 (g) A person entitled to specialty license plates or to
3 department approval under this section may register the vehicle
4 without payment of any fees paid for or at the time of registration
5 except the fee for the license plate. ~~[An owner of a vehicle
6 registered under this subsection who violates this section commits
7 an offense. An offense under this section is a misdemeanor
8 punishable by a fine of not less than \$5 or more than \$200.]~~

9 SECTION 197. Section 504.503, Transportation Code, is
10 amended to read as follows:

11 Sec. 504.503. MUNICIPAL, MOTOR, AND PRIVATE BUSES.
12 ~~[(a)]~~ The department shall issue without charge specialty license
13 plates for municipal buses, motor buses, and private buses. The
14 license plates must include the words "City Bus," "Motor Bus," or
15 "Private Bus," as appropriate.

16 ~~[(b) In this section, "private bus" means a bus that:~~
17 ~~[(1) is not operated for hire; and~~
18 ~~[(2) is not classified as a municipal bus or a motor~~
19 ~~bus.]~~

20 SECTION 198. The heading to Section 504.506, Transportation
21 Code, is amended to read as follows:

22 Sec. 504.506. ~~[CERTAIN]~~ LOG LOADER VEHICLES.

23 SECTION 199. Sections 504.407, 504.408, 504.409, 504.410,
24 and 504.411, Transportation Code, are transferred to Subchapter F,
25 Chapter 504, Transportation Code, renumbered as Sections 504.511,
26 504.512, 504.513, 504.514, and 504.515, Transportation Code, and
27 amended to read as follows:

1 Sec. 504.511 [~~504.407~~]. PEACE OFFICERS WOUNDED OR KILLED IN
2 LINE OF DUTY. (a) The department shall issue specialty license
3 plates for:

4 (1) a person wounded in the line of duty as a peace
5 officer; or

6 (2) a surviving spouse, parent, brother, sister, or
7 adult child, including an adopted child or stepchild, of a person
8 killed in the line of duty as a peace officer.

9 (b) License plates issued under this section must include
10 the words "To Protect and Serve" above an insignia depicting a
11 yellow rose superimposed over the outline of a badge.

12 (c) The fee for issuance of the license plates is \$20.

13 (d) In this section, "peace officer" has the meaning
14 assigned by Section 1.07, Penal Code.

15 Sec. 504.512 [~~504.408~~]. GOLD STAR MOTHER, SPOUSE, OR FAMILY
16 MEMBER. (a) The department shall issue a specialty license plate
17 for the mother, surviving spouse, or immediate family member of a
18 person who died while serving in the United States armed
19 forces. License plates issued under this section must include the
20 words "Gold Star Mother," "Gold Star Spouse," or "Gold Star Family"
21 and a gold star. A person may not be issued more than one set of the
22 license plates at a time.

23 (a-1) In this section "immediate family member" means the
24 parent, child, or sibling of a person who died while serving in the
25 United States armed forces.

26 (b) The fee for issuance of the license plates is \$10.

27 Sec. 504.513 [~~504.409~~]. VOLUNTEER FIREFIGHTERS. (a) The

1 department shall issue specialty license plates for volunteer
2 firefighters certified by:

- 3 (1) the Texas Commission on Fire Protection; or
4 (2) the State Firemen's and Fire Marshals' Association
5 of Texas.

6 (b) The fee for issuance of the license plates is \$4.

7 (c) A person may be issued only one set of the license
8 plates.

9 Sec. 504.514 [~~504.410~~]. EMERGENCY MEDICAL SERVICES
10 PERSONNEL. (a) The department shall issue specialty license
11 plates for emergency medical services personnel certified by the
12 [~~Texas~~] Department of State Health Services under Subchapter C,
13 Chapter 773, Health and Safety Code.

14 (b) The fee for issuance of the license plates is \$8.

15 (c) A person may be issued only one set of the license
16 plates.

17 Sec. 504.515 [~~504.411~~]. HONORARY CONSULS. (a) The
18 department shall issue specialty license plates for a person who is
19 an honorary consul authorized by the United States to perform
20 consular duties. License plates issued under this section must
21 include the words "Honorary Consul."

22 (b) The fee for issuance of the license plates is \$40.

23 SECTION 200. Subchapter F, Chapter 504, Transportation
24 Code, is amended by adding Section 504.516 to read as follows:

25 Sec. 504.516. RENTAL TRAILER OR TRAVEL TRAILER FEE:
26 TRAILER OR SEMITRAILER. (a) The department may issue specially
27 designed license plates for rental trailers and travel trailers

1 that include, as appropriate, the words "rental trailer" or "travel
2 trailer."

3 (b) In this section:

4 (1) "Rental fleet" means vehicles that are designated
5 in the manner prescribed by the department as a rental fleet.

6 (2) "Rental trailer" means a utility trailer.

7 (3) "Travel trailer" has the meaning assigned by
8 Section 501.002.

9 SECTION 201. Subsection (a), Section 504.614,
10 Transportation Code, is amended to read as follows:

11 (a) The department may issue specialty license plates that
12 include the name and insignia of a professional sports team located
13 in this state. The department shall design the license plates in
14 consultation with the professional sports team and may enter a
15 trademark license with the professional sports team or its league
16 to implement this section. A license plate may be issued under this
17 section only for a professional sports team that:

18 (1) certifies to the department that the requirements
19 of Section 504.702 are met [~~it has determined that at least 3,500~~
20 ~~persons will apply for the plates~~]; and

21 (2) plays its home games in a facility constructed or
22 operated, in whole or in part, with public funds.

23 SECTION 202. Subsection (a), Section 504.615,
24 Transportation Code, is amended to read as follows:

25 (a) The department shall issue specialty license plates
26 that include the name and insignia of a college. The department
27 shall design the license plates in consultation with the applicable

1 college. The department may issue a license plate under this
2 section only for a college that certifies to the department that the
3 requirements of Section 504.702 are met [~~it has determined that at~~
4 ~~least 1,500 persons will apply for the plates~~].

5 SECTION 203. Subsection (a), Section 504.616,
6 Transportation Code, is amended to read as follows:

7 (a) The department shall issue specialty license plates
8 including the words "Texas Reads" that [~~"Texas Reads." The~~
9 ~~department shall design the license plates to~~] incorporate one or
10 more submissions from middle school students in a competition
11 conducted by the department.

12 SECTION 204. Subsection (a), Section 504.647,
13 Transportation Code, is amended to read as follows:

14 (a) The department shall issue Fight Terrorism specialty
15 license plates that [~~. The license plates shall~~] include a
16 pentagon-shaped border surrounding:

17 (1) the date "9-11-01" with the likeness of the World
18 Trade Center towers forming the "11";

19 (2) the likeness of the United States flag; and

20 (3) the words "Fight Terrorism."

21 SECTION 205. Section 504.413, Transportation Code, is
22 transferred to Subchapter G, Chapter 504, Transportation Code, and
23 renumbered as Section 504.659, Transportation Code, to read as
24 follows:

25 Sec. 504.659 [~~504.413~~]. MEMBERS OF AMERICAN LEGION.

26 (a) The department shall issue specialty license plates for
27 members of the American Legion. The license plates shall include

1 the words "Still Serving America" and the emblem of the American
2 Legion. The department shall design the license plates in
3 consultation with the American Legion.

4 (b) The fee for the license plates is \$30.

5 (c) After deduction of \$8 to reimburse the department for
6 its administrative costs, the remainder of the fee for issuance of
7 the license plates shall be deposited to the credit of the American
8 Legion, Department of Texas account in the state treasury. Money in
9 the account may be used only by the Texas Veterans Commission in
10 making grants to the American Legion Endowment Fund for
11 scholarships and youth programs sponsored by the American Legion,
12 Department of Texas.

13 SECTION 206. Section 504.702, Transportation Code, is
14 amended by amending Subsection (b) and adding Subsections (e) and
15 (f) to read as follows:

16 (b) The department may manufacture the specialty license
17 plates only if a request for manufacture of the license plates is
18 filed with the department. The request must be:

19 (1) made in ~~on~~ a manner prescribed ~~[form adopted]~~ by
20 the department;

21 (2) filed before the fifth anniversary of the
22 effective date of the law that authorizes the issuance of the
23 specialty license plates; and

24 (3) accompanied by~~+~~

25 ~~[(A)]~~ a deposit of \$8,000~~[, or~~

26 ~~[(B)] applications for issuance of at least 1,900~~
27 ~~sets of the license plates plus the fees for issuance of that number~~

1 ~~of sets~~].

2 (e) The department may issue license plates under:

3 (1) Section 504.614 for a particular professional
4 sports team only if \$8,000 has been deposited with the department
5 for that sports team; or

6 (2) Section 504.615 for a particular institution of
7 higher education or private college or university only if \$8,000
8 has been deposited with the department for that institution,
9 college, or university.

10 (f) Money deposited with the department under Subsection
11 (b)(3) or (e) shall be returned by the department to the person who
12 made the deposit after 800 sets of plates have been issued.

13 SECTION 207. Subsections (a) and (b), Section 504.801,
14 Transportation Code, are amended to read as follows:

15 (a) The department may create new specialty license plates
16 on its own initiative or on receipt of an application from a
17 potential sponsor. A new specialty license plate created under
18 this section must comply with each requirement of Section 504.702
19 unless the license is created by the department on its own
20 initiative. The department may permit a specialty license plate
21 created under this section to be personalized. The redesign of an
22 existing specialty license plate at the request of a sponsor shall
23 be treated like the issuance of a new specialty license plate[
24 ~~except that the department may require a lower deposit amount to~~
25 ~~reflect the actual costs of redesigning the license plate~~].

26 (b) Any nonprofit entity [~~person~~] may submit an application
27 to the department to sponsor a new specialty license plate [~~by~~

1 ~~submitting an application to the department~~]. An application may
2 nominate a state agency to receive funds derived from the issuance
3 of the license plates. The application may also identify uses to
4 which those funds should be appropriated.

5 SECTION 208. Section 504.851, Transportation Code, is
6 amended by amending Subsections (a), (b), (c), (d), (f), (g), and
7 (h) and adding Subsection (n) to read as follows:

8 (a) The department shall enter into a contract with the
9 private vendor whose proposal is most advantageous to the state, as
10 determined from competitive sealed proposals that satisfy the
11 requirements of this section:

12 (1) [~~r~~] for the exclusive marketing and sale of
13 souvenir or [~~+~~

14 [~~(1)~~] personalized license plates authorized by
15 Section 504.101 with the exception that personalized plates issued
16 before September 1, 2009, may be renewed in accordance with the law
17 at that time; or

18 (2) for the marketing and sale of, with the agreement
19 of the private vendor, other specialty license plates authorized by
20 this subchapter.

21 (b) Instead of the fees established by Section 504.101(c),
22 the commission by order [~~rule~~] shall establish fees for the
23 issuance or renewal of personalized license or personalized
24 souvenir plates that are marketed and sold by the private
25 vendor. Fees must be reasonable and not less than the greater of:

26 (1) the amounts necessary to allow the department to
27 recover all reasonable costs to the department associated with the

1 evaluation of the competitive sealed proposals received by the
2 department and with the implementation and enforcement of the
3 contract, including direct, indirect, and administrative costs; or

4 (2) the amount established by Section 504.101(c).

5 (c) The commission by order [~~rule~~] shall establish standard
6 [~~the~~] fees for the issuance or renewal of souvenir license plates,
7 specialty license plates, or souvenir or specialty license plates
8 that are personalized that are marketed and sold by the private
9 vendor. Fees must be reasonable and not less than the amounts
10 necessary to allow the department to recover all reasonable costs
11 to the department associated with the evaluation of the competitive
12 sealed proposals received by the department and with the
13 implementation and enforcement of the contract, including direct,
14 indirect, and administrative costs. A fee established under this
15 subsection is in addition to:

16 (1) the registration fee and any optional registration
17 fee prescribed by this chapter for the vehicle for which specialty
18 license plates are issued;

19 (2) any additional fee prescribed by this subchapter
20 for the issuance of specialty license plates for that vehicle; and

21 (3) any additional fee prescribed by this subchapter
22 for the issuance of personalized license plates for that vehicle.

23 (d) Specialty license or specialty personalized plates may
24 be sold for varying periods, including a permanent sale that may be
25 made through auction [~~At any time as necessary to comply with~~
26 ~~Subsection (b) or (c), the commission may increase or decrease the~~
27 ~~amount of a fee established under the applicable subsection)].~~

1 (f) The department may approve new design and color
2 combinations for specialty or personalized license plates that are
3 marketed and sold by a private vendor under a contract entered into
4 with the private vendor. Each approved license plate design and
5 color combination remains the property of the department.

6 (g) [~~The department may approve new design and color~~
7 ~~combinations for specialty license plates authorized by this~~
8 ~~chapter, including specialty license plates that may be~~
9 ~~personalized, that are marketed and sold by a private vendor under a~~
10 ~~contract entered into with the private vendor. Each approved~~
11 ~~license plate design and color combination remains the property of~~
12 ~~the department.] Except as otherwise provided by this chapter,
13 this subsection does not authorize a~~+~~~~

14 [~~(1) the department to approve a design or color~~
15 ~~combination for a specialty license plate that is inconsistent with~~
16 ~~the design or color combination specified for the license plate by~~
17 ~~the section of this chapter that authorizes the issuance of the~~
18 ~~specialty license plate, or~~

19 [~~(2) the~~] private vendor to market and sell a
20 specialty license plate with a design or color combination that is
21 issued as a license plate designed for a nonprofit organization
22 [~~inconsistent with the design or color combination specified by~~
23 ~~that section].~~

24 (h) Subject to the limitations provided by Subsection
25 [~~Subsections (g) and~~] (g-1), the department may cancel a license
26 plate or require the discontinuation of a license plate design or
27 color combination that is marketed and sold by a private vendor

1 under contract at any time if the department determines that the
2 cancellation or discontinuation is in the best interest of this
3 state or the motoring public.

4 (n) If the vendor ceases operation, the program may be
5 operated temporarily by the department until another vendor is
6 selected and commences operation.

7 SECTION 209. Chapter 504, Transportation Code, is amended
8 by adding Subchapter K to read as follows:

9 SUBCHAPTER K. TRANSFER AND REMOVAL OF LICENSE PLATES

10 SECTION 210. Section 502.451, Transportation Code, is
11 transferred to Subchapter K, Chapter 504, Transportation Code, as
12 added by this Act, renumbered as Section 504.901, Transportation
13 Code, and amended to read as follows:

14 Sec. 504.901 [~~502.451~~]. ~~TRANSFER [OF VEHICLE REGISTRATION]~~
15 ~~AND REMOVAL OF LICENSE PLATES.~~ (a) On the sale or transfer of a
16 motor vehicle [~~to a dealer, as defined by Section 503.001, who holds~~
17 ~~a general distinguishing number issued under Chapter 503, the~~
18 ~~dealer shall remove~~] each license plate [~~and the registration~~
19 ~~insignia~~] issued for the motor vehicle shall be removed.

20 [~~(a-1) On a sale or transfer of a motor vehicle to a person~~
21 ~~that does not hold a general distinguishing number issued under~~
22 ~~Chapter 503, the seller or transferor may remove each license plate~~
23 ~~and the registration insignia issued for the motor vehicle.]~~

24 (b) A license plate removed from a motor vehicle under
25 Subsection (a) [~~or (a-1)~~] must be:

26 (1) transferred to another motor vehicle that is
27 titled in the seller's name [~~disposed of in the manner specified by~~

1 ~~the department~~]; or

2 (2) transferred to a [~~another~~] vehicle that is
3 purchased [~~owned~~] by the seller [~~or transferor as provided by~~
4 ~~Section 502.452~~].

5 (c) To be eligible for transfer, license plates must be
6 appropriate for the class of vehicle to which the plates are being
7 transferred. If the vehicle is a different classification the
8 owner must:

9 (1) pay the applicable title and vehicle registration
10 fees;

11 (2) obtain a new registration insignia; and

12 (3) dispose of the license plates in the manner
13 specified by the department, or if the applicant fails to remove and
14 transfer the license plates, purchase replacement license plates in
15 accordance with this chapter [~~The part of the registration period~~
16 ~~remaining at the time of the sale or transfer shall continue with~~
17 ~~the vehicle being sold or transferred and does not transfer with the~~
18 ~~license plates or registration validation insignia. To continue~~
19 ~~the remainder of the registration period, the purchaser or~~
20 ~~transferee must file the documents required under Section 520.031].~~

21 SECTION 211. Chapter 504, Transportation Code, is amended
22 by adding Subchapter L to read as follows:

23 SUBCHAPTER L. OFFENSES AND PENALTIES

24 Sec. 504.941. ANTIQUE VEHICLES; OFFENSE. (a) A person who
25 violates Section 504.502 commits an offense. An offense under this
26 section is a misdemeanor punishable by a fine of not less than \$5 or
27 more than \$200.

1 (b) It is an affirmative defense to prosecution under this
2 section that at the time of the offense the vehicle was en route to
3 or from a location for the purpose of routine maintenance of the
4 vehicle.

5 Sec. 504.942. LOG LOADER VEHICLES; PENALTIES. A vehicle
6 operated in violation of Section 504.506 is considered to be
7 operated or moved while unregistered and is immediately subject to
8 the applicable fees and penalties prescribed by this chapter.

9 Sec. 504.943. OPERATION OF VEHICLE WITHOUT LICENSE PLATE.

10 (a) A person commits an offense if the person operates on a public
11 highway during a registration period:

12 (1) a passenger car, as defined by Section 541.201, or
13 commercial motor vehicle that does not display two license plates
14 issued by the department and attached to the front and rear of the
15 vehicle; or

16 (2) a road tractor, motorcycle, trailer, or
17 semitrailer that does not display a license plate assigned by the
18 department and attached to the rear of the vehicle.

19 (b) Subsection (a) does not apply to a person who holds a
20 general distinguishing number operating a vehicle as provided by
21 law.

22 (c) An offense under this section is a misdemeanor
23 punishable by a fine not to exceed \$200.

24 (d) A court may dismiss a charge brought under Subsection
25 (a) if the defendant:

26 (1) remedies the defect before the defendant's first
27 court appearance; and

1 (2) pays an administrative fee not to exceed \$10.

2 SECTION 212. Section 502.408, Transportation Code, is
3 transferred to Subchapter L, Chapter 504, Transportation Code, as
4 added by this Act, renumbered as Section 504.944, Transportation
5 Code, and amended to read as follows:

6 Sec. 504.944 [~~502.408~~]. OPERATION OF VEHICLE WITH WRONG
7 LICENSE PLATE. [~~(a)~~] A person commits an offense if the person
8 operates, or as the owner permits another to operate, on a public
9 highway a motor vehicle that has attached to it a number plate or
10 registration insignia issued for a different vehicle. An offense
11 under this subsection is a misdemeanor punishable by a fine not to
12 exceed \$200.

13 SECTION 213. Subchapter L, Chapter 504, Transportation
14 Code, as added by this Act, is amended by adding Section 504.945 to
15 read as follows:

16 Sec. 504.945. WRONG, FICTITIOUS, ALTERED, OR OBSCURED
17 LICENSE PLATE. (a) A person commits an offense if the person
18 attaches to or displays on a motor vehicle a license plate that:

19 (1) is issued for a different motor vehicle;

20 (2) is issued for the vehicle under any other motor
21 vehicle law other than by the department;

22 (3) is assigned for a registration period other than
23 the registration period in effect;

24 (4) is fictitious;

25 (5) has blurring or reflective matter that
26 significantly impairs the readability of the name of the state in
27 which the vehicle is registered or the letters or numbers of the

1 license plate number at any time;

2 (6) has an attached illuminated device or sticker,
3 decal, emblem, or other insignia that is not authorized by law and
4 that interferes with the readability of the letters or numbers of
5 the license plate number or the name of the state in which the
6 vehicle is registered; or

7 (7) has a coating, covering, protective substance, or
8 other material that:

9 (A) distorts angular visibility or
10 detectability;

11 (B) alters or obscures one-half or more of the
12 name of the state in which the vehicle is registered; or

13 (C) alters or obscures the letters or numbers of
14 the license plate number or the color of the plate.

15 (b) Except as provided by Subsection (e), an offense under
16 Subsection (a) is a misdemeanor punishable by a fine of not more
17 than \$200, unless it is shown at the trial of the offense that the
18 owner knowingly altered or made illegible the letters, numbers, and
19 other identification marks, in which case the offense is a Class B
20 misdemeanor.

21 (c) Subsection (a)(7) may not be construed to apply to:

22 (1) a trailer hitch installed on a vehicle in a normal
23 or customary manner;

24 (2) a transponder, as defined by Section 228.057, that
25 is attached to a vehicle in the manner required by the issuing
26 authority;

27 (3) a wheelchair lift or wheelchair carrier that is

1 attached to a vehicle in a normal or customary manner;
2 (4) a trailer being towed by a vehicle; or
3 (5) a bicycle or motorcycle rack that is attached to a
4 vehicle in a normal or customary manner.

5 (d) A court may dismiss a charge brought under Subsection
6 (a)(3), (5), (6), or (7) if the defendant:

7 (1) remedies the defect before the defendant's first
8 court appearance; and

9 (2) pays an administrative fee not to exceed \$10.

10 (e) An offense under Subsection (a)(4) is a Class B
11 misdemeanor.

12 SECTION 214. Subchapter A, Chapter 520, Transportation
13 Code, is amended by adding Sections 520.003 and 520.004 to read as
14 follows:

15 Sec. 520.003. RULES. The department may adopt rules to
16 administer this chapter.

17 Sec. 520.004. DEPARTMENT RESPONSIBILITIES. The department
18 has jurisdiction over the registration and titling of, and the
19 issuance of license plates to, motor vehicles in compliance with
20 the applicable statutes. The department:

21 (1) shall provide services that are reasonable,
22 adequate, and efficient;

23 (2) shall establish standards for service quality; and

24 (3) may enter into an agreement with a person involved
25 in the transaction processing, including a lienholder or an
26 electronic verification service, only to facilitate the processing
27 of electronic title benefits so as to benefit this state and

1 minimize inconveniences to the general public.

2 SECTION 215. Section 501.137, Transportation Code, is
3 transferred to Subchapter A, Chapter 520, Transportation Code,
4 renumbered as Section 520.005, Transportation Code, and amended to
5 read as follows:

6 Sec. 520.005 [~~501.137~~]. DUTY OF COUNTY ASSESSOR-COLLECTOR.

7 (a) Each county assessor-collector shall comply with Chapter 501
8 [~~this chapter~~].

9 (b) An assessor-collector who fails or refuses to comply
10 with Chapter 501 [~~this chapter~~] is liable on the
11 assessor-collector's official bond for resulting damages suffered
12 by any person.

13 SECTION 216. Section 502.109, Transportation Code, is
14 transferred to Subchapter A, Chapter 520, Transportation Code,
15 renumbered as Section 520.006, Transportation Code, and amended to
16 read as follows:

17 Sec. 520.006 [~~502.109~~]. COMPENSATION OF

18 ASSESSOR-COLLECTOR. (a) A county assessor-collector shall
19 receive a fee of \$1.90 for each receipt issued under Chapter 502
20 [~~this chapter. If the assessor-collector may be compensated by~~
21 ~~fees, a fee received is compensation for services under this~~
22 ~~chapter. The assessor-collector shall deduct the fee weekly from~~
23 ~~the gross collections made under this chapter~~].

24 (b) A county assessor-collector who is compensated under
25 this section shall pay the entire expense of issuing registration
26 receipts and license plates under Chapter 501 or 502 [~~this chapter~~]
27 from the compensation allowed under this section.

1 SECTION 217. Section 502.111, Transportation Code, is
2 transferred to Subchapter A, Chapter 520, Transportation Code,
3 renumbered as Section 520.007, Transportation Code, and amended to
4 read as follows:

5 Sec. 520.007 [~~502.111~~]. COUNTY BRANCH OFFICES. (a) The
6 commissioners court of a county may authorize the county
7 assessor-collector to:

8 (1) establish a suboffice or branch office for vehicle
9 registration at one or more locations in the county other than the
10 county courthouse; or

11 (2) appoint a deputy to register vehicles in the same
12 manner and with the same authority as though done in the office of
13 the assessor-collector.

14 (b) The report of vehicles registered through a suboffice or
15 branch office shall be made through the office of the county
16 assessor-collector.

17 SECTION 218. Section 502.114, Transportation Code, is
18 transferred to Subchapter A, Chapter 520, Transportation Code,
19 renumbered as Section 520.008, Transportation Code, and amended to
20 read as follows:

21 Sec. 520.008 [~~502.114~~]. FULL-SERVICE DEPUTIES. (a) A
22 full-service deputy appointed under Section 520.0091 [~~502.112~~]
23 shall accept any application for registration, registration
24 renewal, or title transfer that the county assessor-collector may
25 accept.

26 (b) A full-service deputy may charge and retain an
27 additional motor vehicle registration fee not to exceed \$5 for each

1 motor vehicle registration issued.

2 (c) A county assessor-collector may delegate to a
3 full-service deputy, in the manner selected by the
4 assessor-collector, the authority to use data processing equipment
5 and software provided by the department for use in the titling and
6 registration of motor vehicles. The department may not limit a
7 county assessor-collector's ability to delegate the
8 assessor-collector's functions regarding the titling and
9 registration of motor vehicles to a qualified full-service deputy
10 in the manner the assessor-collector considers appropriate.

11 SECTION 219. Section 502.113, Transportation Code, is
12 transferred to Subchapter A, Chapter 520, Transportation Code,
13 renumbered as Section 520.009, Transportation Code, and amended to
14 read as follows:

15 Sec. 520.009 [~~502.113~~]. LIMITED-SERVICE DEPUTIES. (a) A
16 limited-service deputy appointed under Section 520.0091 [~~502.112~~]
17 may only accept registration renewal cards provided by the
18 department and may not prepare or accept an application for title
19 transfer.

20 (b) The county assessor-collector may pay a limited-service
21 deputy an amount not to exceed the fee the assessor-collector could
22 collect under Section 520.006(a) [~~502.109(a)~~] for each
23 registration receipt issued. The commissioners court of the county
24 may permit a limited-service deputy to charge and retain an
25 additional fee not to exceed \$1 for each registration receipt
26 issued.

27 SECTION 220. Section 502.112, Transportation Code, is

1 transferred to Subchapter A, Chapter 520, Transportation Code, and
2 renumbered as Section 520.0091, Transportation Code, to read as
3 follows:

4 Sec. 520.0091 [~~502.112~~]. DEPUTY ASSESSOR-COLLECTORS.

5 (a) A county assessor-collector, with the approval of the
6 commissioners court of the county, may deputize an individual or
7 business entity to:

8 (1) issue motor vehicle registration receipts as a
9 limited-service deputy; or

10 (2) issue motor vehicle registration receipts and
11 prepare or accept applications for title transfers as a
12 full-service deputy.

13 (b) An individual or business entity is eligible to be
14 deputized as a limited-service deputy if the person:

15 (1) is trained to issue registration receipts by the
16 county assessor-collector; and

17 (2) posts a bond payable to the county
18 assessor-collector:

19 (A) in an amount determined by the
20 assessor-collector; and

21 (B) conditioned on the person's proper
22 accounting and remittance of all fees the person collects.

23 (c) An individual or business entity is eligible to be
24 deputized as a full-service deputy if the person:

25 (1) meets the requirements of Subsection (b); and

26 (2) has experience in title transfers.

27 (d) A person deputized under this section shall keep a

1 separate account of the fees collected and a record of daily
2 receipts.

3 SECTION 221. Section 501.136, Transportation Code, is
4 transferred to Subchapter A, Chapter 520, Transportation Code,
5 renumbered as Section 520.0092, Transportation Code, and amended to
6 read as follows:

7 Sec. 520.0092 [~~501.136~~]. ACTS BY DEPUTY COUNTY
8 ASSESSOR-COLLECTOR. A deputy county assessor-collector, other
9 than a limited service deputy appointed under Section 520.0091
10 [~~502.112~~], may perform the duties of an assessor-collector under
11 Chapter 501 [~~this chapter~~].

12 SECTION 222. Section 520.002, Transportation Code, is
13 renumbered as Section 520.0093, Transportation Code, and amended to
14 read as follows:

15 Sec. 520.0093 [~~520.002~~]. LEASE OF ADDITIONAL COMPUTER
16 EQUIPMENT. (a) This section applies only to the lease of
17 equipment [~~to a county~~] for the operation of the automated
18 registration and titling [~~title~~] system in addition to the
19 equipment provided by the department at no cost to the county under
20 a formula prescribed by the department.

21 (b) On the request of the tax assessor-collector of a
22 county, the department may enter into an agreement with the
23 commissioners court of that county under which the department
24 leases additional equipment to the county for the use of the tax
25 assessor-collector in operating the automated registration and
26 titling [~~title~~] system in that county.

27 (c) A county may install equipment leased under this section

1 at offices of the county or of an agent of the county.

2 (d) Equipment leased under this section:

3 (1) remains the property of the department; and

4 (2) must be used primarily for the automated
5 registration and titling [~~title~~] system.

6 (e) Under the agreement, the department shall charge [~~the~~
7 ~~county~~] an amount not less than the amount of the cost to the
8 department to provide the additional equipment and any related
9 services under the lease. All money collected under the lease shall
10 be deposited to the credit of the state highway fund.

11 SECTION 223. The heading to Subchapter B, Chapter 520,
12 Transportation Code, is amended to read as follows:

13 SUBCHAPTER B. ADMINISTRATIVE PROVISIONS [~~MOTOR NUMBER RECORD~~
14 ~~REQUIREMENTS~~]

15 SECTION 224. Subchapter B, Chapter 520, Transportation
16 Code, is amended by adding Sections 520.024 and 520.025 to read as
17 follows:

18 Sec. 520.024. REGISTRATION AND INSPECTION CONSOLIDATION
19 STUDY. (a) In consultation with the Texas Commission on
20 Environmental Quality, the department and the Department of Public
21 Safety shall conduct a joint study on the feasibility of
22 consolidation of the state's motor vehicle registration and
23 compulsory inspection procedures in a manner that will allow
24 completion of annual registration and compulsory inspection
25 requirements as part of a single process. The study must address
26 recommendations for:

27 (1) consolidating shared records and information;

1 (2) the manner in which registration and inspection
2 fees collected will be distributed;

3 (3) oversight regarding implementation of the
4 consolidated procedures;

5 (4) transition from the current separate procedures to
6 the consolidated procedures; and

7 (5) other related issues the departments consider
8 appropriate.

9 (b) The departments shall share the cost of the study in
10 equal amounts.

11 Sec. 520.025. MERGER OR CONSOLIDATION OF SHARED INFORMATION
12 STUDY. (a) In consultation with the Texas Commission on
13 Environmental Quality, the department and the Department of Public
14 Safety shall conduct a joint study on the merger or consolidation of
15 similar information that is collected separately by each agency.
16 The study should include the feasibility of establishing a database
17 interface software system that:

18 (1) sufficiently protects the privacy of the public;

19 (2) sufficiently protects the security and integrity
20 of information provided;

21 (3) increases public convenience;

22 (4) is cost-effective; and

23 (5) improves the coordination of regulatory
24 resources.

25 (b) The implementing agencies may facilitate the
26 implementation of the merger or consolidation, assist in the
27 development of rules, and coordinate a testing phase.

1 SECTION 225. Section 520.036, Transportation Code, is
2 transferred to Subchapter B, Chapter 520, Transportation Code, and
3 renumbered as Section 520.026, Transportation Code, to read as
4 follows:

5 Sec. 520.026 [~~520.036~~]. GENERAL PENALTY. (a) A person
6 commits an offense if the person violates this subchapter in a
7 manner for which a specific penalty is not provided.

8 (b) An offense under this section is a misdemeanor
9 punishable by a fine of not less than \$50 and not more than \$200.

10 SECTION 226. Subdivision (5), Section 520.051,
11 Transportation Code, is amended to read as follows:

12 (5) "Title service record" means the written or
13 electronic record for each transaction in which a motor vehicle
14 title service receives compensation.

15 SECTION 227. Subsection (b), Section 681.003,
16 Transportation Code, is amended to read as follows:

17 (b) An application for a disabled parking placard must be:

18 (1) on a form furnished by the department;

19 (2) submitted to the county assessor-collector of the
20 county in which the person with the disability resides; and

21 (3) accompanied by a fee of \$5 if the application is
22 for a temporary placard.

23 SECTION 228. Subsection (c), Section 386.251, Health and
24 Safety Code, is amended to read as follows:

25 (c) The fund consists of:

26 (1) the amount of money deposited to the credit of the
27 fund under:

- 1 (A) Section 386.056;
2 (B) Sections 151.0515 and 152.0215, Tax Code; and
3 (C) Sections 501.138, 502.358 [~~502.1675~~], and
4 548.5055, Transportation Code; and

5 (2) grant money recaptured under Section 386.111(d).

6 SECTION 229. The following provisions of the Transportation
7 Code are repealed:

- 8 (1) Sections 501.026 and 501.075;
9 (2) Subsection (f), Section 501.076;
10 (3) Subdivision (4), Section 501.091;
11 (4) Sections 501.094, 501.099, and 501.133;
12 (5) Subsections (e) and (f), Section 501.134;
13 (6) Sections 502.007, 502.0074, 502.0075, 502.008,
14 502.104, 502.105, 502.1535, 502.154, 502.1585, 502.168, 502.175,
15 502.177, 502.187, 502.206, 502.271, 502.2862, 502.2971, 502.403,
16 and 502.405;
17 (7) Subsection (c), Section 502.407;
18 (8) Subsection (c), Section 502.412;
19 (9) Sections 502.452, 502.453, and 502.455;
20 (10) Subsection (b), Section 504.401;
21 (11) Subsection (b), Section 504.402;
22 (12) Subsection (b), Section 504.403;
23 (13) Subsection (b), Section 504.405;
24 (14) Section 504.5011;
25 (15) Subsection (j), Section 504.502;
26 (16) Subsection (f), Section 504.506;
27 (17) Subsection (c), Section 504.507;

- 1 (18) Subsection (d), Section 504.508;
- 2 (19) Sections 504.510, 504.620, 504.624, 504.629,
3 504.634, 504.643, 504.649, 504.650, 504.653, 504.655, and 504.701;
- 4 (20) Subsection (c), Section 504.702;
- 5 (21) Subsection (h), Section 504.801;
- 6 (22) Subsections (e) and (k), Section 504.851; and
- 7 (23) Sections 520.013 and 520.034.

8 SECTION 230. (a) The change in law made by this Act applies
9 only to an offense committed on or after January 1, 2013.

10 (b) An offense committed before January 1, 2013, is covered
11 by the law in effect when the offense was committed, and the former
12 law is continued in effect for that purpose. For purposes of this
13 subsection, an offense was committed before January 1, 2013, if any
14 element of the offense was committed before that date.

15 SECTION 231. (a) Except as otherwise provided by this Act,
16 this Act takes effect January 1, 2013.

17 (b) This section and Section 208 of this Act, amending
18 Section 504.851, Transportation Code, take effect immediately if
19 this Act receives a vote of two-thirds of all the members elected to
20 each house, as provided by Section 39, Article III, Texas
21 Constitution. If this Act does not receive the vote necessary for
22 immediate effect, this section and Section 208 of this Act take
23 effect September 1, 2009.