

1-1 By: Carona S.B. No. 1507
1-2 (In the Senate - Filed March 9, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 16, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 16, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1507 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to motor vehicles; providing penalties.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 501.002, Transportation Code, is amended
1-13 to read as follows:
1-14 Sec. 501.002. DEFINITIONS. In this chapter:
1-15 (1) "Certificate of title" means a printed record of
1-16 title [an instrument] issued under Section 501.021.
1-17 (1-a) "Commercial fleet" means a group of at least 25
1-18 nonapportioned commercial motor vehicles owned by a corporation,
1-19 limited or general partnership, limited liability company, or other
1-20 business entity and used for the business purposes of that entity.
1-21 (2) "Credit card" means a card, plate, or similar
1-22 device used to make a purchase or to borrow money.
1-23 (3) "Dealer" has the meaning assigned by Section
1-24 503.001 [means a person who purchases motor vehicles for sale at
1-25 retail].
1-26 (4) "Debit card" means a card that enables the holder
1-27 to withdraw money or to have the cost of a purchase charged directly
1-28 to the holder's bank account.
1-29 (5) [~~(3)~~] "Department" means the Texas Department of
1-30 Transportation.
1-31 (6) [~~(4)~~] "Distributor" has the meaning assigned by
1-32 Chapter 2301, Occupations Code [means a person engaged in the
1-33 business of selling to a dealer motor vehicles purchased from a
1-34 manufacturer].
1-35 (7) [~~(5)~~] "First sale" means:
1-36 (A) the bargain, sale, transfer, or delivery of a
1-37 motor vehicle that has not been previously registered or titled
1-38 [~~licensed~~], with intent to pass an interest in the motor vehicle,
1-39 other than a lien, regardless of where the bargain, sale, transfer,
1-40 or delivery occurred; and
1-41 (B) the registration or titling [~~licensing~~] of
1-42 that vehicle.
1-43 [~~(6)~~] "House trailer" means a trailer designed for
1-44 human habitation. The term does not include manufactured housing.
1-45 [~~(7)~~] "Importer" means a person, other than a
1-46 manufacturer, that brings a used motor vehicle into this state for
1-47 sale in this state.]
1-48 (8) [~~(8)~~] "Importer's certificate" means a certificate for
1-49 a used motor vehicle brought into this state for sale in this state.
1-50 [~~(9)~~] "Lien" means:
1-51 (A) a lien provided for by the constitution or
1-52 statute in a motor vehicle;
1-53 (B) a security interest, as defined by Section
1-54 1.201, Business & Commerce Code, in a motor vehicle, other than an
1-55 absolute title, created by any written security agreement, as
1-56 defined by Section 9.102, Business & Commerce Code, including a
1-57 lease, conditional sales contract, deed of trust, chattel mortgage,
1-58 trust receipt, or reservation of title; or
1-59 (C) a child support lien under Chapter 157,
1-60 Family Code.
1-61 (9) [~~(10)~~] "Manufactured housing" has the meaning
1-62 assigned by Chapter 1201, Occupations Code.
1-63 (10) [~~(11)~~] "Manufacturer" has the meaning assigned

2-1 by Section 503.001 [~~means a person regularly engaged in the~~
2-2 ~~business of manufacturing or assembling new motor vehicles~~].
2-3 (11) [~~(12) "Manufacturer's permanent vehicle~~
2-4 ~~identification number" means the number affixed by the manufacturer~~
2-5 ~~to a motor vehicle in a manner and place easily accessible for~~
2-6 ~~physical examination and die-stamped or otherwise permanently~~
2-7 ~~affixed on one or more removable parts of the vehicle.~~
2-8 [~~(13)~~] "Motorcycle" has the meaning assigned by
2-9 Section 541.201 [~~means a motor vehicle, other than a tractor,~~
2-10 ~~designed to propel itself with not more than three wheels in contact~~
2-11 ~~with the ground~~].
2-12 (12) [~~(14)~~] "Motor vehicle" means:
2-13 (A) any motor driven or propelled vehicle
2-14 required to be registered under the laws of this state;
2-15 (B) a trailer or semitrailer, other than
2-16 manufactured housing, that has a gross vehicle weight that exceeds
2-17 4,000 pounds;
2-18 (C) a travel [~~house~~] trailer;
2-19 (D) an all-terrain vehicle, as defined by Section
2-20 502.001, designed by the manufacturer for off-highway use that is
2-21 not required to be registered under the laws of this state; or
2-22 (E) a motorcycle, motor-driven cycle, or moped
2-23 that is not required to be registered under the laws of this state
2-24 [~~, other than a motorcycle, motor-driven cycle, or moped designed~~
2-25 ~~for and used exclusively on a golf course~~].
2-26 (13) [~~(15)~~] "New motor vehicle" has the meaning
2-27 assigned by Chapter 2301, Occupations Code [~~means a motor vehicle~~
2-28 ~~that has not been the subject of a first sale~~].
2-29 (14) [~~(16)~~] "Owner" means [~~includes~~] a person who:
2-30 (A) holds the legal [~~, other than a manufacturer,~~
2-31 ~~importer, distributor, or dealer, claiming~~] title to a motor
2-32 vehicle;
2-33 (B) has the legal right of possession of a motor
2-34 vehicle; or
2-35 (C) has the legal [~~having a~~] right of control of
2-36 [~~to operate under a lien~~] a motor vehicle [~~that has been subject to~~
2-37 ~~a first sale~~].
2-38 (15) "Purchaser" means a person or entity to which a
2-39 motor vehicle is donated, given, sold, or otherwise transferred.
2-40 (16) "Record of title" means an electronic record of
2-41 motor vehicle ownership in the department's motor vehicle database
2-42 that is created under Subchapter I.
2-43 (17) "Seller" means a person or entity that donates,
2-44 gives, sells, or otherwise transfers ownership of a motor vehicle.
2-45 (18) "Semitrailer" means a vehicle that is designed or
2-46 used with a motor vehicle so that part of the weight of the vehicle
2-47 and its load rests on or is carried by another vehicle.
2-48 [~~(18) "Serial number" means a vehicle identification~~
2-49 ~~number that is affixed to a part of a motor vehicle and that is:~~
2-50 [~~(A) the manufacturer's permanent vehicle~~
2-51 ~~identification number,~~
2-52 [~~(B) a derivative number of the manufacturer's~~
2-53 ~~permanent vehicle identification number,~~
2-54 [~~(C) the motor number, or~~
2-55 [~~(D) the vehicle identification number assigned~~
2-56 ~~by the department.~~]
2-57 (19) "Steal" has the meaning assigned by Section
2-58 31.01, Penal Code.
2-59 (20) "Subsequent sale" means:
2-60 (A) the bargain, sale, transfer, or delivery of a
2-61 used motor vehicle [~~that has been previously registered or licensed~~
2-62 ~~in this state or elsewhere~~], with intent to pass an interest in the
2-63 vehicle, other than a lien [~~, regardless of where the bargain, sale,~~
2-64 ~~transfer, or delivery occurs~~]; and
2-65 (B) the registration of the vehicle if
2-66 registration is required under the laws of this state.
2-67 (21) "Title receipt" means a document [~~an instrument~~]
2-68 issued under Section 501.024.
2-69 (22) "Trailer" means a vehicle that:

3-1 (A) is designed or used to carry a load wholly on
3-2 the trailer's own structure; and
3-3 (B) is drawn or designed to be drawn by a motor
3-4 vehicle.

3-5 (23) "Travel trailer" means a house trailer-type
3-6 vehicle or a camper trailer:

3-7 (A) that is a recreational vehicle defined under
3-8 24 C.F.R. Section 3282.8(g); or

3-9 (B) that:
3-10 (i) is less than eight feet in width and 40
3-11 feet in length, exclusive of any hitch installed on the vehicle;

3-12 (ii) is designed primarily for use as
3-13 temporary living quarters in connection with recreational,
3-14 camping, travel, or seasonal use;

3-15 (iii) is not used as a permanent dwelling;
3-16 and

3-17 (iv) is not a utility trailer, enclosed
3-18 trailer, or other trailer that does not have human habitation as its
3-19 primary function.

3-20 (24) "Used motor vehicle" means a motor vehicle that
3-21 has been the subject of a first sale.

3-22 (25) "Vehicle identification number" means:

3-23 (A) the manufacturer's permanent vehicle
3-24 identification number affixed by the manufacturer to the motor
3-25 vehicle that is easily accessible for physical examination and
3-26 permanently affixed on one or more removable parts of the vehicle;
3-27 or

3-28 (B) a serial number affixed to a part of a motor
3-29 vehicle that is:

3-30 (i) a derivative number of the
3-31 manufacturer's permanent vehicle identification number;

3-32 (ii) the motor number; or

3-33 (iii) a vehicle identification number
3-34 assigned by the department.

3-35 SECTION 2. The heading to Section 501.003, Transportation
3-36 Code, is amended to read as follows:

3-37 Sec. 501.003. PURPOSE [~~CONSTRUCTION~~].

3-38 SECTION 3. Subsection (a), Section 501.004, Transportation
3-39 Code, is amended to read as follows:

3-40 (a) Except as provided by this section, this [This] chapter
3-41 applies to all motor vehicles, including a motor vehicle owned by
3-42 the state or a political subdivision of the state.

3-43 SECTION 4. Section 501.131, Transportation Code, is
3-44 transferred to Subchapter A, Chapter 501, Transportation Code,
3-45 renumbered as Section 501.0041, Transportation Code, and amended to
3-46 read as follows:

3-47 Sec. 501.0041 [~~501.131~~]. RULES; FORMS. (a) The
3-48 department may adopt rules to administer this chapter.

3-49 (b) The department shall post on the Internet or [+

3-50 (1) in addition to the forms required by this
3-51 chapter, prescribe forms for a title receipt, manufacturer's
3-52 certificate, and importer's certificate, and other forms the
3-53 department determines necessary; and

3-54 (2) provide each county assessor-collector with a
3-55 sufficient supply of any necessary [the] forms.

3-56 SECTION 5. Section 501.159, Transportation Code, is
3-57 transferred to Subchapter A, Chapter 501, Transportation Code,
3-58 renumbered as Section 501.006, Transportation Code, and amended to
3-59 read as follows:

3-60 Sec. 501.006 [~~501.159~~]. ALIAS [~~CERTIFICATE OF~~] TITLE. On
3-61 receipt of a verified [~~written~~] request approved by the executive
3-62 administrator of a law enforcement agency, the department may issue
3-63 a [~~certificate of~~] title in the form requested by the executive
3-64 administrator for a vehicle in an alias for the law enforcement
3-65 agency's use in a covert criminal investigation.

3-66 SECTION 6. Section 501.021, Transportation Code, is amended
3-67 to read as follows:

3-68 Sec. 501.021. [~~CERTIFICATE OF~~] TITLE FOR MOTOR VEHICLE.

3-69 (a) A motor vehicle [~~certificate of~~] title [~~is an instrument~~]

4-1 issued by the department must include [~~that includes~~]:

4-2 (1) the name and address of each [~~the~~] purchaser and

4-3 seller at the first sale or [~~the transferee and transferor at~~] a

4-4 subsequent sale;

4-5 (2) the [~~make of the motor~~] vehicle description;

4-6 (3) the [~~body type of the vehicle~~;

4-7 [~~(4) the manufacturer's permanent vehicle~~

4-8 ~~identification number of the vehicle or the vehicle's motor number~~

4-9 ~~if the vehicle was manufactured before the date that stamping a~~

4-10 ~~permanent identification number on a motor vehicle was universally~~

4-11 ~~adopted~~;

4-12 [~~(5) the serial number for the vehicle~~;

4-13 [~~(6) the number on the vehicle's current Texas license~~

4-14 ~~plates, if any~~;

4-15 [~~(7) a statement~~:

4-16 [~~(A) that no lien on the vehicle is recorded~~; or

4-17 [~~(B) of the~~] name and address of each lienholder

4-18 and the date of each lien on the vehicle, listed in the

4-19 chronological order in which the lien was recorded;

4-20 (4) [~~(8) a space for the signature of the owner of the~~

4-21 ~~vehicle~~;

4-22 [~~(9)~~] a statement indicating rights of survivorship

4-23 under Section 501.031;

4-24 (5) [~~(10)~~] if the vehicle has an odometer, the

4-25 odometer reading [~~indicated by the application for the certificate~~

4-26 ~~of title~~]; and

4-27 (6) [~~(11)~~] any other information required by the

4-28 department.

4-29 (b) A printed certificate of title must bear the following

4-30 statement on its face:

4-31 "UNLESS OTHERWISE AUTHORIZED BY LAW, IT IS A VIOLATION OF STATE LAW

4-32 TO SIGN THE NAME OF ANOTHER PERSON ON A CERTIFICATE OF TITLE OR

4-33 OTHERWISE GIVE FALSE INFORMATION ON A CERTIFICATE OF TITLE."

4-34 SECTION 7. Section 501.022, Transportation Code, is amended

4-35 to read as follows:

4-36 Sec. 501.022. MOTOR VEHICLE [~~CERTIFICATE OF~~] TITLE

4-37 REQUIRED. (a) The owner of a motor vehicle registered in this

4-38 state may not operate or permit the operation of the vehicle on a

4-39 public highway until the owner obtains a [~~certificate of~~] title for

4-40 the vehicle or until the owner obtains registration for the vehicle

4-41 if a receipt evidencing title to the vehicle is issued under Section

4-42 501.029(b) or Subchapter I.

4-43 (b) A person may not operate a motor vehicle registered in

4-44 this state on a public highway if the person knows or has reason to

4-45 believe that the owner has not obtained a [~~certificate of~~] title for

4-46 the vehicle.

4-47 (c) The owner of a motor vehicle that is required to be

4-48 registered in this state must apply for a [~~certificate of~~] title to

4-49 [~~of~~] the vehicle before selling or disposing of the vehicle.

4-50 (d) Subsection (c) does not apply to a motor vehicle

4-51 operated on a public highway in this state with a metal dealer's

4-52 license plate or a dealer's or buyer's temporary [~~cardboard~~] tag

4-53 attached to the vehicle as provided by Chapter 503.

4-54 SECTION 8. Section 501.023, Transportation Code, is amended

4-55 to read as follows:

4-56 Sec. 501.023. APPLICATION FOR [~~CERTIFICATE OF~~] TITLE.

4-57 (a) The owner of a motor vehicle must apply for a [~~certificate of~~]

4-58 title as prescribed by the department [~~+~~

4-59 [~~(1)~~] to the county assessor-collector in the county

4-60 in which:

4-61 (1) [~~(A)~~] the owner is domiciled; or

4-62 (2) [~~(B)~~] the motor vehicle is purchased or encumbered

4-63 [~~+~~ and

4-64 [~~(2) on a form prescribed by the department~~].

4-65 (b) The assessor-collector shall send the application to

4-66 the department or enter it into the department's titling system

4-67 within 72 [~~not later than 24~~] hours after receipt of [~~receiving~~] the

4-68 application.

4-69 (c) The owner or a lessee of a commercial motor vehicle

5-1 operating under the International Registration Plan or other
5-2 agreement described by Section 502.091 [~~502.054~~] that is applying
5-3 for a [~~certificate of~~] title for purposes of registration only may
5-4 apply [~~must be made~~] directly to the department. Notwithstanding
5-5 Section 501.138(a), an applicant for registration under this
5-6 subsection shall pay [~~the department~~] the fee imposed by that
5-7 section. The [~~department shall send the~~] fee shall be distributed
5-8 to the appropriate county assessor-collector [~~for distribution~~] in
5-9 the manner provided by Section 501.138.

5-10 (d) Applications submitted to the department electronically
5-11 must request the purchaser's choice of county as stated in
5-12 Subsection (a) as the recipient of all taxes, fees, and other
5-13 revenue collected as a result of the transaction.

5-14 SECTION 9. (a) Subsection (b), Section 501.0234,
5-15 Transportation Code, is amended to read as follows:

5-16 (b) This section does not apply to a motor vehicle:

5-17 (1) that has been declared a total loss by an insurance
5-18 company in the settlement or adjustment of a claim;

5-19 (2) for which the certificate of title has been
5-20 surrendered in exchange for:

5-21 (A) a salvage vehicle title issued under this
5-22 chapter;

5-23 (B) a nonrepairable vehicle title issued under
5-24 this chapter;

5-25 (C) a certificate of authority issued under
5-26 Subchapter D, Chapter 683; or

5-27 (D) an ownership document issued by another state
5-28 that is comparable to a document described by Paragraphs (A)-(C);
5-29 [~~or~~]

5-30 (3) with a gross weight in excess of 11,000 pounds; or

5-31 (4) purchased by a fleet buyer who utilizes the dealer
5-32 title application process developed to provide a method to submit
5-33 title transactions to counties that have approved the persons as
5-34 full-service deputies under Section 502.114.

5-35 (b) This section takes effect September 1, 2009.

5-36 SECTION 10. Subsections (a), (b), (d), and (e), Section
5-37 501.0234, Transportation Code, are amended to read as follows:

5-38 (a) A person who sells at the first or a subsequent sale a
5-39 motor vehicle and who holds a general distinguishing number issued
5-40 under Chapter 503 of this code or Chapter 2301, Occupations Code,
5-41 shall:

5-42 (1) except as provided by this section, in the time and
5-43 manner provided by law, apply, in the name of the purchaser of the
5-44 vehicle, for the registration of the vehicle, if the vehicle is to
5-45 be registered, and a [~~certificate of~~] title for the vehicle and file
5-46 with the appropriate designated agent each document necessary to
5-47 transfer title to or register the vehicle; and at the same time

5-48 (2) remit any required motor vehicle sales tax.

5-49 (b) This section does not apply to a motor vehicle:

5-50 (1) that has been declared a total loss by an insurance
5-51 company in the settlement or adjustment of a claim;

5-52 (2) for which the [~~certificate of~~] title has been
5-53 surrendered in exchange for:

5-54 (A) a salvage vehicle title or salvage record of
5-55 title issued under this chapter;

5-56 (B) a nonrepairable vehicle title or
5-57 nonrepairable record of title issued under this chapter or
5-58 Subchapter D, Chapter 683;

5-59 [~~(C) a certificate of authority issued under~~
5-60 ~~Subchapter D, Chapter 683,~~] or

5-61 (C) [~~(D)~~] an ownership document issued by
5-62 another state that is comparable to a document described by
5-63 Paragraph (A) or (B) [~~Paragraphs (A)-(C)~~]; [~~or~~]

5-64 (3) with a gross weight in excess of 11,000 pounds; or

5-65 (4) purchased by a fleet buyer who utilizes the dealer
5-66 title application process developed to provide a method to submit
5-67 title transactions to counties that have approved the persons as
5-68 full-service deputies under Section 502.114.

5-69 (d) A seller who applies for the registration or a

6-1 ~~[certificate of]~~ title for a motor vehicle under Subsection (a)(1)
6-2 shall apply in the county as directed by the purchaser from the
6-3 counties set forth in Section 501.023 ~~[of this code]~~.

6-4 (e) The department shall develop ~~[promulgate]~~ a form or
6-5 electronic process in [on] which the purchaser of a motor vehicle
6-6 shall designate the purchaser's choice as set out in Section
6-7 501.023 as the recipient of all taxes, fees, and other revenue
6-8 collected as a result of the transaction, which the tax
6-9 assessor-collector is authorized by law to retain. A seller shall
6-10 make that form or electronic process available to the purchaser of a
6-11 vehicle at the time of purchase.

6-12 SECTION 11. Section 501.0235, Transportation Code, is
6-13 amended to read as follows:

6-14 Sec. 501.0235. DRIVER'S LICENSE OR PERSONAL IDENTIFICATION
6-15 CERTIFICATE [SOCIAL SECURITY] NUMBER OF TITLE APPLICANT [+
6-16 AUTOMATED REGISTRATION AND TITLE SYSTEM]. (a) The department
6-17 shall require an applicant for a ~~[certificate of]~~ title to provide
6-18 the applicant's driver's license or personal identification
6-19 certificate [social security] number to the department.

6-20 (b) ~~The [department or the county shall enter the~~
6-21 ~~applicant's social security] number shall be entered in the~~
6-22 ~~department's electronic titling system [database] but may not be~~
6-23 ~~printed [print that number] on the [certificate of] title.~~

6-24 ~~[(c) This section applies only in a county in which the~~
6-25 ~~department's automated registration and title system has been~~
6-26 ~~implemented.]~~

6-27 SECTION 12. Section 501.024, Transportation Code, is
6-28 amended to read as follows:

6-29 Sec. 501.024. TITLE RECEIPT. (a) A county
6-30 assessor-collector who receives an application for a ~~[certificate~~
6-31 ~~of]~~ title shall issue a title receipt to the applicant containing
6-32 the information concerning the motor vehicle required for issuance
6-33 of a title under Section 501.021 or Subchapter I [7] after:

6-34 (1) the requirements of this chapter are met,
6-35 including the payment of the fees required under Section 501.138;
6-36 and

6-37 (2) ~~the [7, issue a title receipt on which is noted]~~
6-38 ~~information is entered into the department's titling system~~
6-39 ~~[concerning the motor vehicle required for the certificate of title~~
6-40 ~~under Section 501.021, including a statement of the existence of~~
6-41 ~~each lien as disclosed on the application or a statement that no~~
6-42 ~~lien is disclosed].~~

6-43 (b) If a lien is not disclosed on the application for a
6-44 ~~[certificate of]~~ title, the assessor-collector shall issue a [mark
6-45 the] title receipt ["original" and deliver it] to the applicant.

6-46 (c) If a lien is disclosed on the application for a
6-47 ~~[certificate of]~~ title, the assessor-collector shall issue a
6-48 duplicate title receipt to the lienholder [receipts. The
6-49 assessor-collector shall:

6-50 (1) ~~mark one receipt "original" and mail or deliver~~
6-51 ~~it to the first lienholder disclosed on the application; and~~

6-52 (2) ~~mark the second receipt "duplicate original" and~~
6-53 ~~mail or deliver it to the address of the applicant provided on the~~
6-54 ~~application].~~

6-55 (d) A title receipt authorizes the operation of the motor
6-56 vehicle on a public highway in this state for 10 days or until the
6-57 ~~[certificate of]~~ title is issued, whichever period is shorter.

6-58 SECTION 13. Section 501.025, Transportation Code, is
6-59 amended to read as follows:

6-60 Sec. 501.025. ~~[TITLE RECEIPT REQUIRED ON FIRST SALE,]~~
6-61 MANUFACTURER'S CERTIFICATE REQUIRED ON FIRST SALE. A county
6-62 assessor-collector may not issue a title receipt on the first sale
6-63 of a motor vehicle unless the applicant for the ~~[certificate of]~~
6-64 title provides ~~[to the assessor-collector]~~ the application for a
6-65 ~~[certificate of]~~ title and a manufacturer's certificate in [7, on] a
6-66 manner [form] prescribed by the department [7, that:

6-67 (1) ~~is assigned to the applicant by the manufacturer,~~
6-68 ~~distributor, or dealer shown on the manufacturer's certificate as~~
6-69 ~~the last transferee; and~~

7-1 ~~[(2) shows the transfer of the vehicle from its~~
7-2 ~~manufacturer to the purchaser, whether a distributor, dealer, or~~
7-3 ~~owner, and each subsequent transfer from distributor to dealer,~~
7-4 ~~dealer to dealer, and dealer to applicant].~~

7-5 SECTION 14. Section 501.027, Transportation Code, is
7-6 amended to read as follows:

7-7 Sec. 501.027. ISSUANCE OF ~~[CERTIFICATE OF]~~ TITLE. (a) On
7-8 the day that a county assessor-collector issues a title receipt, a
7-9 copy of the title receipt and all evidence of title ~~[the~~
7-10 ~~assessor-collector]~~ shall be submitted ~~[mail]~~ to the department in
7-11 the period specified in Section 501.023(b) [+
7-12 ~~(1) a copy of the receipt, and~~

7-13 ~~(2) the evidence of title delivered to the~~
7-14 ~~assessor-collector by the applicant].~~

7-15 (b) Not later than the fifth day after the date the
7-16 department receives an application for a ~~[certificate of]~~ title and
7-17 the department determines the requirements of this chapter are met:

7-18 (1) the ~~[, the department shall issue the certificate~~
7-19 ~~of]~~ title shall be issued to the first lienholder or to the
7-20 applicant if ~~[. If]~~ a lien is not disclosed on the application; or

7-21 (2) ~~[, the department shall notify [send the~~
7-22 ~~certificate by first class mail to]~~ the applicant that the
7-23 department's titling system has established a record of title of
7-24 the motor vehicle in the applicant's name if a lien is not disclosed
7-25 ~~[at the address provided on the application]. If a lien is~~
7-26 disclosed on the application, the department shall notify ~~[send]~~
7-27 the ~~[certificate by first class mail to the first]~~ lienholder that
7-28 the lien has been perfected ~~[as disclosed on the application].~~

7-29 SECTION 15. Section 501.0275, Transportation Code, is
7-30 amended to read as follows:

7-31 Sec. 501.0275. ISSUANCE OF TITLE FOR UNREGISTERED VEHICLE.
7-32 (a) The department shall issue a ~~[certificate of]~~ title for a
7-33 motor vehicle that complies with the other requirements ~~[for~~
7-34 ~~issuance of a certificate of title]~~ under this chapter except that:

7-35 (1) the vehicle is not registered for a reason other
7-36 than a reason provided by Section 501.051(a)(6) ~~[501.051(6)]~~; and

7-37 (2) the applicant does not provide evidence of
7-38 financial responsibility that complies with Section 502.046
7-39 ~~[502.153].~~

7-40 (b) On application for a ~~[certificate of]~~ title under this
7-41 section, the applicant must surrender any license plates issued for
7-42 the motor vehicle if the plates are not being transferred to another
7-43 vehicle and any registration insignia for validation of those
7-44 plates to the department.

7-45 SECTION 16. Section 501.0276, Transportation Code, is
7-46 amended to read as follows:

7-47 Sec. 501.0276. DENIAL OF TITLE RECEIPT, ~~[OR CERTIFICATE OF]~~
7-48 TITLE, OR RECORD OF TITLE FOR FAILURE TO PROVIDE PROOF OF EMISSIONS
7-49 TESTING. A county assessor-collector may not issue a title receipt
7-50 and the department may not issue a certificate of title for a
7-51 vehicle subject to Section 548.3011 unless proof that the vehicle
7-52 has passed a vehicle emissions test as required by that section, in
7-53 a manner ~~[form]~~ authorized by that section, is presented to the
7-54 county assessor-collector with the application for a [certificate
7-55 of] title.

7-56 SECTION 17. Section 501.029, Transportation Code, is
7-57 amended to read as follows:

7-58 Sec. 501.029. ACCEPTABLE PROOF OF OWNERSHIP ~~[USE OF~~
7-59 ~~REGISTRATION RECEIPT OR TITLE RECEIPT TO EVIDENCE TITLE]~~. (a) A
7-60 person may use the department's record of title, a registration
7-61 receipt issued under Chapter 502, or a title receipt to evidence
7-62 ownership of [title to] a motor vehicle but [and] not to transfer an
7-63 interest in or establish a lien on the vehicle.

7-64 (b) The department by rule may provide for the issuance of a
7-65 receipt that evidences title to a motor vehicle for registration
7-66 purposes only. The fee for application for the receipt is the fee
7-67 applicable to application for a ~~[certificate of]~~ title.

7-68 SECTION 18. Subsections (b), (d), (e), (f), and (g),
7-69 Section 501.030, Transportation Code, are amended to read as

8-1 follows:

8-2 (b) Before a motor vehicle that was not manufactured for
8-3 sale or distribution in the United States may be titled in this
8-4 state, the applicant must:

8-5 (1) provide to the assessor-collector:

8-6 (A) a bond release letter, with all attachments,
8-7 issued by the United States Department of Transportation
8-8 acknowledging:

8-9 (i) receipt of a statement of compliance
8-10 submitted by the importer of the vehicle; and

8-11 (ii) that the statement meets the safety
8-12 requirements of 19 C.F.R. Section 12.80(e);

8-13 (B) a bond release letter, with all attachments,
8-14 issued by the United States Environmental Protection Agency stating
8-15 that the vehicle has been tested and shown to conform to federal
8-16 emission requirements; and

8-17 (C) a receipt or certificate issued by the United
8-18 States Department of the Treasury showing that all gas guzzler
8-19 taxes due on the vehicle under 26 U.S.C. Section 4064(a) have been
8-20 paid; or

8-21 (2) provide to the assessor-collector proof,
8-22 satisfactory to the department, [~~assessor-collector~~] that the
8-23 vehicle was not brought into the United States from outside [~~of~~] the
8-24 country.

8-25 (d) If a motor vehicle has not been titled or registered in
8-26 the United States, the application for [~~certificate of~~] title must
8-27 be accompanied by:

8-28 (1) a manufacturer's certificate of origin written in
8-29 English issued by the vehicle manufacturer;

8-30 (2) the original documents that constitute valid proof
8-31 of ownership in the country where the vehicle was originally
8-32 purchased, with an English translation of the documents verified as
8-33 to the accuracy of the translation by an affidavit of the
8-34 translator; or

8-35 (3) if the vehicle was imported from a country that
8-36 cancels the vehicle registration and title for export, the
8-37 documents assigned to the vehicle after the registration and title
8-38 were canceled, with an English translation of the documents
8-39 verified as to the accuracy of the translation by an affidavit of
8-40 the translator.

8-41 (e) Before a motor vehicle that is required to be registered
8-42 in this state and that is brought into this state by a person other
8-43 than a manufacturer or importer may be bargained, sold,
8-44 transferred, or delivered with an intent to pass an interest in the
8-45 vehicle or encumbered by a lien, the owner must apply for a
8-46 [~~certificate of~~] title in [~~on~~] a manner [~~form~~] prescribed by the
8-47 department to the county assessor-collector for the county in which
8-48 the transaction is to take place. The assessor-collector may not
8-49 issue a title receipt unless the applicant delivers to the
8-50 assessor-collector satisfactory evidence [~~of title~~] showing that
8-51 the applicant is the owner of the vehicle and that the vehicle is
8-52 free of any undisclosed liens.

8-53 (f) A county assessor-collector may not be held liable for
8-54 civil damages arising out of the assessor-collector's failure to
8-55 reflect on the title receipt a lien or encumbrance on a motor
8-56 vehicle to which Subsection (e) applies unless the
8-57 [~~assessor-collector's~~] failure constitutes wilful or wanton
8-58 negligence.

8-59 (g) Until an applicant has complied with this section:

8-60 (1) a county assessor-collector may not accept an
8-61 application for [~~certificate of~~] title; and

8-62 (2) the applicant is not entitled to an appeal as
8-63 provided by Sections 501.052 and 501.053.

8-64 SECTION 19. Section 501.031, Transportation Code, is
8-65 amended to read as follows:

8-66 Sec. 501.031. RIGHTS OF SURVIVORSHIP AGREEMENT. (a) The
8-67 department shall include on each [~~certificate of~~] title an optional
8-68 [~~a~~] rights of survivorship agreement that [~~form. The form must~~]:

8-69 (1) provides [~~provide~~] that if the agreement is

9-1 between ~~[signed by]~~ two or more eligible persons, the motor vehicle
9-2 is held jointly by those persons with the interest of a person who
9-3 dies to transfer ~~[survive]~~ to the surviving person or persons; and
9-4 (2) provides ~~[provide blanks]~~ for the acknowledgment
9-5 by signature, either electronically or by hand, [signatures] of the
9-6 persons.

9-7 (b) If the vehicle is registered in the name of one or more
9-8 of the persons who acknowledged ~~[signed]~~ the agreement, the
9-9 ~~[certificate of]~~ title may contain a:

9-10 (1) rights of survivorship agreement acknowledged
9-11 ~~[signed]~~ by all the persons; or

9-12 (2) remark if a rights of survivorship agreement is
9-13 ~~[surrendered with the application for certificate of title or~~
9-14 ~~otherwise]~~ on file with the department.

9-15 (c) Ownership ~~[Except as provided in Subsection (g),~~
9-16 ~~ownership]~~ of the vehicle may be transferred only:

9-17 (1) by all the persons acting jointly, if all the
9-18 persons are alive; and

9-19 (2) on the death of one of the persons by the surviving
9-20 person or persons by transferring ownership of the vehicle ~~[the~~
9-21 ~~certificate of title]~~, in the manner otherwise required by law ~~[for~~
9-22 ~~transfer of ownership of the vehicle]~~, with a copy of the death
9-23 certificate of the deceased person ~~[attached to the certificate of~~
9-24 ~~title application]~~.

9-25 (d) A rights of survivorship agreement under this section
9-26 may be revoked only if ~~[by surrender of the certificate of title to~~
9-27 ~~the department and joint application by]~~ the persons named in ~~[who~~
9-28 ~~signed]~~ the agreement file a joint application for a new title in
9-29 the name of the person or persons designated in the application.

9-30 (e) A person is eligible to file ~~[sign]~~ a rights of
9-31 survivorship agreement under this section if the person:

9-32 (1) is married and the spouse of the ~~[signing]~~ person
9-33 is the only other party to the agreement;

9-34 (2) is unmarried and attests to that unmarried status
9-35 by affidavit; or

9-36 (3) is married and provides the department with an
9-37 affidavit from the ~~[signing]~~ person's spouse that attests that the
9-38 ~~[signing]~~ person's interest in the vehicle is the ~~[signing]~~
9-39 person's separate property.

9-40 (f) The department may develop an optional electronic ~~[If~~
9-41 ~~the title is being issued in connection with the sale of the~~
9-42 ~~vehicle, the seller is not eligible to sign a]~~ rights of
9-43 survivorship agreement for public use ~~[under this section unless~~
9-44 ~~the seller is the child, grandchild, parent, grandparent, brother,~~
9-45 ~~or sister of each other person signing the agreement. A family~~
9-46 ~~relationship required by this subsection may be a relationship~~
9-47 ~~established by adoption.~~

9-48 ~~[(g) If an agreement, other than the agreement provided for~~
9-49 ~~in Subsection (a), providing for right of survivorship is signed by~~
9-50 ~~two or more persons, the department shall issue a new certificate of~~
9-51 ~~title to the surviving person or persons upon application~~
9-52 ~~accompanied by a copy of the death certificate of the deceased~~
9-53 ~~person. The department may develop for public use under this~~
9-54 ~~subsection an optional rights of survivorship agreement form].~~

9-55 SECTION 20. Section 501.032, Transportation Code, is
9-56 amended to read as follows:

9-57 Sec. 501.032. ASSIGNMENT OF VEHICLE IDENTIFICATION
9-58 ~~[SERIAL]~~ NUMBER BY DEPARTMENT. (a) On proper application, the
9-59 department shall assign a vehicle identification ~~[serial]~~ number to
9-60 a travel ~~[house]~~ trailer, a trailer or semitrailer that has a gross
9-61 vehicle weight that exceeds 4,000 pounds, or an item of equipment,
9-62 including a tractor, farm implement, unit of special mobile
9-63 equipment, or unit of off-road construction equipment on
9-64 which:

9-65 (1) a vehicle identification ~~[serial]~~ number was not
9-66 die-stamped by the manufacturer; or

9-67 (2) a vehicle identification ~~[the serial]~~ number
9-68 die-stamped by the manufacturer has been lost, removed, or
9-69 obliterated.

10-1 (b) The applicant shall die-stamp the assigned vehicle
10-2 identification [~~serial~~] number at the place designated by the
10-3 department on the travel [~~house~~] trailer, trailer, semitrailer, or
10-4 equipment.

10-5 (c) The manufacturer's vehicle identification [~~serial~~]
10-6 number or the vehicle identification [~~serial~~] number assigned by
10-7 the department shall be affixed on the carriage or axle part of the
10-8 travel [~~house~~] trailer, trailer, or semitrailer. The department
10-9 shall use the number as the major identification of the vehicle in
10-10 the issuance of a [~~certificate of~~] title.

10-11 SECTION 21. Subsections (a), (b), and (d), Section 501.033,
10-12 Transportation Code, are amended to read as follows:

10-13 (a) A person determined by [~~the department or~~] a court to be
10-14 the owner of a motor vehicle, a part of a motor vehicle, or an item
10-15 of equipment including a tractor, farm implement, unit of special
10-16 mobile equipment, or unit of off-road construction equipment [~~that~~
10-17 ~~has had the serial number removed, altered, or obliterated~~] may
10-18 apply to the department for an assigned vehicle identification
10-19 number that has been removed, altered, or obliterated.

10-20 (b) An application under this section must be in [~~an~~] a
10-21 manner [~~form~~] prescribed [~~and furnished~~] by the department and
10-22 accompanied by [~~the certificate of title for the vehicle or other~~]
10-23 valid evidence of ownership as required by the department [~~if there~~
10-24 ~~is no certificate of title~~].

10-25 (d) The assigned vehicle identification number shall be
10-26 die-stamped or otherwise affixed [~~to the motor vehicle, part, or~~
10-27 ~~item of equipment at the location and~~] in the manner designated by
10-28 the department.

10-29 SECTION 22. Section 520.011, Transportation Code, is
10-30 transferred to Subchapter B, Chapter 501, Transportation Code,
10-31 renumbered as Section 501.0331, Transportation Code, and amended to
10-32 read as follows:

10-33 Sec. 501.0331 [~~520.011~~]. MOTOR NUMBER REQUIRED FOR
10-34 [~~VEHICLE~~] REGISTRATION [~~, PENALTY~~]. [~~(a)~~] A person may not apply
10-35 to the county assessor-collector for the registration of a motor
10-36 vehicle from which the original motor number has been removed,
10-37 erased, or destroyed until the motor vehicle bears the motor number
10-38 assigned by the department.

10-39 [~~(b) A person commits an offense if the person violates this~~
10-40 ~~section. An offense under this subsection is a misdemeanor~~
10-41 ~~punishable by a fine of not less than \$50 and not more than \$100.~~]

10-42 SECTION 23. Section 520.012, Transportation Code, is
10-43 transferred to Subchapter B, Chapter 501, Transportation Code,
10-44 renumbered as Section 501.0332, Transportation Code, and amended to
10-45 read as follows:

10-46 Sec. 501.0332 [~~520.012~~]. APPLICATION FOR MOTOR NUMBER
10-47 RECORD [~~, RECORD, PENALTY~~]. (a) To obtain a motor number assigned
10-48 by the department, the owner of a motor vehicle that has had the
10-49 original motor number removed, erased, or destroyed must file a
10-50 sworn application with the department.

10-51 (b) The department shall maintain a record of [~~separate~~
10-52 ~~register for recording~~] each motor number assigned by the
10-53 department that includes [~~. For each motor number assigned by the~~
10-54 ~~department, the record must indicate~~]:

- 10-55 (1) the motor number assigned by the department;
- 10-56 (2) the name and address of the owner of the motor
10-57 vehicle; and
- 10-58 (3) the make, model, and year of manufacture of the
10-59 motor vehicle.

10-60 [~~(c) A person who fails to comply with this section commits~~
10-61 ~~an offense. An offense under this subsection is a misdemeanor~~
10-62 ~~punishable by a fine of not less than \$10 and not more than \$100.~~]

10-63 SECTION 24. Section 501.034, Transportation Code, is
10-64 amended to read as follows:

10-65 Sec. 501.034. ISSUANCE OF TITLE TO GOVERNMENT AGENCY. The
10-66 department may issue a [~~certificate of~~] title to a government
10-67 agency if a vehicle or part of a vehicle is:

- 10-68 (1) forfeited to the government agency;
- 10-69 (2) delivered by court order under the Code of

11-1 Criminal Procedure to a government agency for official purposes; or
11-2 (3) sold as abandoned or unclaimed property under the
11-3 Code of Criminal Procedure.

11-4 SECTION 25. Section 501.035, Transportation Code, is
11-5 amended to read as follows:

11-6 Sec. 501.035. [~~CERTIFICATE OF~~] TITLE FOR FORMER MILITARY
11-7 VEHICLE. (a) Notwithstanding any other law, the department may
11-8 [~~shall~~] issue a [~~certificate of~~] title for a former military
11-9 vehicle [~~that is not registered under the laws of this state~~] if all
11-10 [~~other~~] requirements for issuance of a [~~certificate of~~] title are
11-11 met.

11-12 (b) In this section, "former military vehicle" has the
11-13 meaning assigned by Section 504.502 [~~502.275(o)~~].

11-14 SECTION 26. Section 501.036, Transportation Code, is
11-15 amended to read as follows:

11-16 Sec. 501.036. [~~CERTIFICATE OF~~] TITLE FOR FARM SEMITRAILER.

11-17 (a) Notwithstanding any other provision of this chapter, the
11-18 department may issue a [~~certificate of~~] title for a farm
11-19 semitrailer with a gross weight of more than 4,000 pounds if:

11-20 (1) the farm semitrailer is eligible for registration
11-21 under Section 502.146 [~~504.504~~]; and

11-22 (2) all other requirements for issuance of a
11-23 [~~certificate of~~] title are met.

11-24 (b) To obtain a [~~certificate of~~] title under this section,
11-25 the owner of the farm semitrailer must:

11-26 (1) apply for the [~~certificate of~~] title in the manner
11-27 required by Section 501.023; and

11-28 (2) pay the fee required by Section 501.138.

11-29 (c) The department shall adopt rules [~~and forms~~] to
11-30 implement and administer this section.

11-31 SECTION 27. Section 501.051, Transportation Code, is
11-32 amended to read as follows:

11-33 Sec. 501.051. GROUNDS FOR REFUSAL TO ISSUE OR FOR
11-34 REVOCATION OR SUSPENSION OF TITLE [~~CERTIFICATE~~]. (a) A title may
11-35 be refused, canceled, suspended, or revoked by the [~~The~~] department
11-36 [~~shall refuse to issue a certificate of title or shall suspend or~~
11-37 ~~revoke a certificate of title~~] if:

11-38 (1) the application [~~for the certificate~~] contains a
11-39 false or fraudulent statement;

11-40 (2) the applicant failed to furnish required
11-41 information requested by the department;

11-42 (3) the applicant is not entitled to a [~~certificate~~
11-43 ~~of~~] title;

11-44 (4) the department has reason to believe that the
11-45 motor vehicle is stolen;

11-46 (5) the department has reason to believe that the
11-47 issuance of a [~~certificate of~~] title would defraud the owner or a
11-48 lienholder of the motor vehicle;

11-49 (6) the registration for the motor vehicle is
11-50 suspended or revoked; or

11-51 (7) the required fee has not been paid.

11-52 (b) The department may rescind, cancel, or revoke an
11-53 application for a title if a notarized affidavit is presented to the
11-54 department containing:

11-55 (1) a statement that the vehicle involved was a new
11-56 motor vehicle in the process of a first sale;

11-57 (2) a statement that the dealer, the applicant, and
11-58 any lienholder have canceled the sale;

11-59 (3) a statement that the vehicle:

11-60 (A) was never in the possession of the title
11-61 applicant; or

11-62 (B) was in the possession of the title applicant;
11-63 and

11-64 (4) the signatures of the dealer, the applicant, and
11-65 any lienholder.

11-66 (c) A rescission, cancellation, or revocation containing
11-67 the statement authorized under Subsection (b)(3)(B) does not negate
11-68 the fact that the vehicle has been the subject of a previous retail
11-69 sale.

12-1 SECTION 28. The heading to Section 501.052, Transportation
12-2 Code, is amended to read as follows:

12-3 Sec. 501.052. HEARING ON REFUSAL TO ISSUE OR REVOCATION OR
12-4 SUSPENSION OF [~~CERTIFICATE OF~~] TITLE; APPEAL.

12-5 SECTION 29. Subsections (a), (d), and (e), Section 501.052,
12-6 Transportation Code, are amended to read as follows:

12-7 (a) An interested person aggrieved by a refusal,
12-8 rescission, cancellation, suspension, or revocation under Section
12-9 501.051 may apply for a hearing to the county assessor-collector
12-10 for the county in which the person is a resident [~~domiciled~~]. On
12-11 the day an assessor-collector receives the application, the
12-12 assessor-collector shall notify the department of the date of the
12-13 hearing.

12-14 (d) A determination of the assessor-collector is binding on
12-15 the applicant and the department as to whether the department
12-16 correctly refused to issue or correctly rescinded, canceled,
12-17 revoked, or suspended the [~~certificate of~~] title.

12-18 (e) An applicant aggrieved by the determination under
12-19 Subsection (d) may appeal to the county court of the county of the
12-20 applicant's residence. An applicant must file an appeal not later
12-21 than the fifth day after the date of the assessor-collector's
12-22 determination. The county court judge shall try the appeal in the
12-23 manner of other civil cases. All rights and immunities granted in
12-24 the trial of a civil case are available to the interested parties.
12-25 If the department's action is not sustained, the department shall
12-26 promptly issue a [~~certificate of~~] title for the vehicle.

12-27 SECTION 30. Section 501.053, Transportation Code, is
12-28 amended by amending Subsections (a), (b), and (d) and adding
12-29 Subsection (e) to read as follows:

12-30 (a) As an alternative to the procedure provided by Section
12-31 501.052, the person may file a bond with the department. On the
12-32 filing of the bond the person [~~department~~] may obtain a [~~issue the~~
12-33 ~~certificate of~~] title.

12-34 (b) The bond must be:

12-35 (1) in the manner [~~form~~] prescribed by the department;
12-36 (2) executed by the applicant;
12-37 (3) issued by a person authorized to conduct a surety
12-38 business in this state;

12-39 (4) in an amount equal to one and one-half times the
12-40 value of the vehicle as determined by the department, which may set
12-41 the value by appraisal if it is unable to determine that value; and

12-42 (5) conditioned to indemnify all prior owners and
12-43 lienholders and all subsequent purchasers of the vehicle or persons
12-44 who acquire a security interest in the vehicle, and their
12-45 successors in interest, against any expense, loss, or damage,
12-46 including reasonable attorney's fees, occurring because of the
12-47 issuance of the [~~certificate of~~] title for the vehicle or for a
12-48 defect in or undisclosed security interest on the right, title, or
12-49 interest of the applicant to the vehicle.

12-50 (d) A bond under this section expires on the third
12-51 anniversary of the date the bond became effective. [~~The department~~
12-52 ~~shall return an expired bond to the person who filed the bond unless~~
12-53 ~~the department has been notified of a pending action to recover on~~
12-54 ~~the bond.~~]

12-55 (e) The department by rule may establish a fee to cover the
12-56 cost of administering this section.

12-57 SECTION 31. Section 501.071, Transportation Code, is
12-58 amended to read as follows:

12-59 Sec. 501.071. SALE OF VEHICLE; TRANSFER OF TITLE.

12-60 (a) Except as provided in Section 503.039, a motor vehicle may not
12-61 be the subject of a subsequent sale unless the owner designated on
12-62 [in] the [~~certificate of~~] title submits a transfer of ownership of
12-63 [transfers] the [~~certificate of~~] title [~~at the time of the sale~~].

12-64 (b) The transfer of the [~~certificate of~~] title must be in
12-65 [on] a manner [~~form~~] prescribed by the department that [~~includes a~~
12-66 ~~statement that~~]:

12-67 (1) certifies the purchaser [~~signer~~] is the owner of
12-68 the vehicle; and

12-69 (2) certifies there are no liens on the vehicle or

13-1 provides a release of each lien [~~except as shown~~] on the vehicle
13-2 [~~certificate of title or as fully described in the statement~~].

13-3 SECTION 32. Section 501.072, Transportation Code, is
13-4 amended to read as follows:

13-5 Sec. 501.072. ODOMETER DISCLOSURE STATEMENT. (a) Except
13-6 as provided by Subsection (b) [~~(c)~~], the seller of a motor vehicle
13-7 sold in this state shall provide to the buyer, in [~~an~~] a manner
13-8 [~~form~~] prescribed by the department, a [~~written~~] disclosure of the
13-9 vehicle's odometer reading at the time of the sale that complies
13-10 with federal law. [~~The form must include space for the signature~~
13-11 ~~and printed name of both the seller and buyer.~~]

13-12 (b) [~~When application for a certificate of title is made,~~
13-13 ~~the owner shall record the current odometer reading on the~~
13-14 ~~application. The written disclosure required by Subsection (a)~~
13-15 ~~must accompany the application.~~

13-16 [~~(c)~~] An odometer disclosure statement is not required for
13-17 the sale of a motor vehicle that:

13-18 (1) has a gross vehicle weight rating [~~manufacturer's~~
13-19 ~~rated carrying capacity~~] of more than 18,000 pounds [~~two tons~~];

13-20 (2) is not self-propelled;

13-21 (3) is 10 or more years old;

13-22 (4) is sold directly by the manufacturer to an agency
13-23 of the United States government in conformity with contractual
13-24 specifications; or

13-25 (5) is a new motor vehicle.

13-26 SECTION 33. Section 520.022, Transportation Code, is
13-27 transferred to Subchapter D, Chapter 501, Transportation Code,
13-28 renumbered as Section 501.0721, Transportation Code, and amended to
13-29 read as follows:

13-30 Sec. 501.0721 [~~520.022~~]. DELIVERY OF RECEIPT AND TITLE TO
13-31 PURCHASER [~~TRANSFeree; PENALTY~~]. [~~(a)~~] A person, whether acting
13-32 for that person or another, who sells, trades, or otherwise
13-33 transfers a used motor vehicle shall deliver to the purchaser
13-34 [~~transferee~~] at the time of delivery of the vehicle [+
13-35

13-36 [~~(1) the license receipt issued by the department for~~
13-37 ~~registration of the vehicle, if the vehicle was required to be~~
13-38 ~~registered at the time of the delivery; and~~

13-39 [~~(2)~~] a properly assigned [~~certificate of~~] title or
13-40 other evidence of title as required under this chapter [~~Chapter~~
13-41 ~~501~~].

13-42 [~~(b) A person commits an offense if the person violates this~~
13-43 ~~section. An offense under this subsection is a misdemeanor~~
13-44 ~~punishable by a fine not to exceed \$200.~~]

13-45 SECTION 34. Subsections (a), (b), and (c), Section 501.074,
13-46 Transportation Code, are amended to read as follows:

13-47 (a) The department shall issue a new [~~certificate of~~] title
13-48 for a motor vehicle registered in this state for which the ownership
13-49 is transferred by operation of law [~~, including by inheritance,~~
13-50 ~~devise or bequest, bankruptcy, receivership, judicial sale,~~] or
13-51 other involuntary divestiture of ownership after receiving:

13-52 (1) a certified copy of an [~~the~~] order appointing a
13-53 temporary administrator or of the probate proceedings;

13-54 (2) letters testamentary or letters of
13-55 administration;

13-56 (3) if administration of an estate is not necessary,
13-57 an affidavit showing that administration is not necessary,
13-58 identifying all heirs, and including a statement by the heirs of the
13-59 name in which the certificate shall be issued;

13-60 (4) a court order; or

13-61 (5) the bill of sale from an officer making a judicial
13-62 sale.

13-63 (b) If a lien is foreclosed by nonjudicial means, the
13-64 department may issue a new [~~certificate of~~] title in the name of the
13-65 purchaser at the foreclosure sale on receiving the affidavit of the
13-66 lienholder of the fact of the nonjudicial foreclosure.

13-67 (c) If a constitutional or statutory lien is foreclosed, the
13-68 department may issue a new [~~certificate of~~] title in the name of the
13-69 purchaser at the foreclosure sale on receiving:

13-69 (1) the affidavit of the lienholder of the fact of the

14-1 creation of the lien and of the divestiture of title according to
 14-2 law; and
 14-3 (2) proof of notice as required by Sections 70.004 and
 14-4 70.006, Property Code.

14-5 SECTION 35. Section 501.091, Transportation Code, is
 14-6 amended by amending Subdivisions (2), (3), (6), (7), (8), (9),
 14-7 (10), (11), (12), (14), (15), (16), (17), (18), and (19) and adding
 14-8 Subdivisions (10-a) and (16-a) to read as follows:

14-9 (2) "Casual sale" means the sale by a salvage vehicle
 14-10 dealer or an insurance company of three or fewer ~~[not more than~~
 14-11 ~~five]~~ nonrepairable motor vehicles or salvage motor vehicles to the
 14-12 same person during a calendar year, but ~~[. The term]~~ does not
 14-13 include[+]

14-14 ~~[(-A)]~~ a sale at auction to a salvage vehicle
 14-15 dealer, insurance company, or governmental entity ~~[, or~~
 14-16 ~~[(B) the sale of an export-only motor vehicle to~~
 14-17 ~~a person who is not a resident of the United States].~~

14-18 (3) "Damage" means sudden damage to a motor vehicle
 14-19 caused by the motor vehicle being wrecked, burned, flooded, or
 14-20 stripped of major component parts. The term does not include:

- 14-21 (A) gradual damage from any cause;
- 14-22 (B) sudden damage caused by hail;
- 14-23 (C) ~~[, or]~~ any damage caused only to the exterior
 14-24 paint of the motor vehicle; or
- 14-25 (D) theft, unless the motor vehicle was damaged
 14-26 during the theft and before recovery.

14-27 (6) "Major component part" means one of the following
 14-28 parts of a motor vehicle:

- 14-29 (A) the engine;
- 14-30 (B) the transmission;
- 14-31 (C) the frame;
- 14-32 (D) a fender;
- 14-33 (E) the hood;
- 14-34 (F) a door allowing entrance to or egress from
 14-35 the passenger compartment of the motor vehicle;
- 14-36 (G) a bumper;
- 14-37 (H) a quarter panel;
- 14-38 (I) a deck lid, tailgate, or hatchback;
- 14-39 (J) the cargo box of a vehicle with a gross
 14-40 vehicle weight of 10,000 pounds or less ~~[one-ton or smaller truck],~~
 14-41 including a pickup truck;
- 14-42 (K) the cab of a truck;
- 14-43 (L) the body of a passenger motor vehicle;
- 14-44 (M) the roof or floor pan of a passenger motor
 14-45 vehicle, if separate from the body of the motor vehicle.

14-46 (7) "Metal recycler" means a person who:

14-47 (A) is ~~[predominately]~~ engaged in the business of
 14-48 obtaining, converting, or selling ferrous or nonferrous metal ~~[that~~
 14-49 ~~has served its original economic purpose to convert the metal, or~~
 14-50 ~~sell the metal]~~ for conversion~~[,]~~ into raw material products
 14-51 consisting of prepared grades and having an existing or potential
 14-52 economic value;

14-53 (B) has a facility to convert ferrous or
 14-54 nonferrous metal into raw material products ~~[consisting of prepared~~
 14-55 ~~grades and having an existing or potential economic value,]~~ by
 14-56 method other than the exclusive use of hand tools, including the
 14-57 processing, sorting, cutting, classifying, cleaning, baling,
 14-58 wrapping, shredding, shearing, or changing the physical form or
 14-59 chemical content of the metal; and

14-60 (C) sells or purchases the ferrous or nonferrous
 14-61 metal solely for use as raw material in the production of new
 14-62 products.

14-63 (8) "Motor vehicle" has the meaning assigned by
 14-64 Section 501.002 ~~[501.002(14)].~~

14-65 (9) "Nonrepairable motor vehicle" means a motor
 14-66 vehicle that:

- 14-67 (A) is damaged, wrecked, or burned to the extent
 14-68 that the only residual value of the vehicle is as a source of parts
 14-69 or scrap metal; or

15-1 (B) comes into this state under a comparable
 15-2 [~~title or other~~] ownership document that indicates that the vehicle
 15-3 is nonrepairable [~~, junked, or for parts or dismantling only~~].

15-4 (10) "Nonrepairable vehicle title" means a printed
 15-5 document issued by the department that evidences ownership of a
 15-6 nonrepairable motor vehicle.

15-7 (10-a) "Nonrepairable record of title" means an
 15-8 electronic record of ownership of a nonrepairable motor vehicle.

15-9 (11) "Out-of-state buyer" means a person licensed in
 15-10 an automotive business by another state or jurisdiction who is [~~if~~
 15-11 ~~the department has listed the holders of such a license as permitted~~
 15-12 ~~purchasers of salvage motor vehicles or nonrepairable motor~~
 15-13 ~~vehicles based on substantially similar licensing requirements and~~
 15-14 ~~on whether salvage vehicle dealers licensed in Texas are~~] permitted
 15-15 to purchase salvage motor vehicles or nonrepairable motor vehicles
 15-16 in this state because the other state or jurisdiction offers
 15-17 reciprocity to a salvage vehicle dealer licensed in this state.

15-18 (12) "Out-of-state ownership document" means a
 15-19 negotiable document issued by another state or jurisdiction that
 15-20 the department considers sufficient to prove ownership of a
 15-21 nonrepairable motor vehicle or salvage motor vehicle and to support
 15-22 the issuance of a comparable Texas [~~certificate of~~] title for the
 15-23 motor vehicle. The term does not include any [~~a~~] title or
 15-24 certificate issued by the department [~~, including a regular~~
 15-25 ~~certificate of title, a nonrepairable vehicle title, a salvage~~
 15-26 ~~vehicle title, a Texas Salvage Certificate, Certificate of~~
 15-27 ~~Authority to Demolish a Motor Vehicle, or another ownership~~
 15-28 ~~document issued by the department].~~

15-29 (14) "Rebuilder" means a person who acquires and
 15-30 repairs, rebuilds, or reconstructs for operation on a public
 15-31 highway, three or fewer [~~more~~] salvage motor vehicles in a calendar
 15-32 year.

15-33 (15) "Salvage motor vehicle" [~~+~~
 15-34 [~~(A)~~] means a motor vehicle that:
 15-35 (A) [~~(i)~~] has damage to or is missing a major
 15-36 component part to the extent that the cost of repairs, including
 15-37 parts and labor other than the cost of materials and labor for
 15-38 repainting the motor vehicle and excluding sales tax on the total
 15-39 cost of repairs, exceeds the actual cash value of the motor vehicle
 15-40 immediately before the damage; or

15-41 (B) [~~(ii) is damaged and that~~] comes into this
 15-42 state under an out-of-state salvage motor vehicle [~~certificate of~~]
 15-43 title or similar out-of-state ownership document [~~that states on~~
 15-44 ~~its face "accident damage," "flood damage," "inoperable,"~~
 15-45 ~~"rebuildable," "salvageable," or similar notation; and~~

15-46 [~~(B) does not include an out-of-state motor~~
 15-47 ~~vehicle with a "rebuilt," "prior salvage," "salvaged," or similar~~
 15-48 ~~notation, a nonrepairable motor vehicle, or a motor vehicle for~~
 15-49 ~~which an insurance company has paid a claim for:~~

15-50 [(i) the cost of repairing hail damage; or
 15-51 [(ii) theft, unless the motor vehicle was
 15-52 damaged during the theft and before recovery to the extent
 15-53 described by Paragraph (A)(i)].

15-54 (16) "Salvage vehicle title" means a printed document
 15-55 issued by the department that evidences ownership of a salvage
 15-56 motor vehicle.

15-57 (16-a) "Salvage record of title" means an electronic
 15-58 record of ownership of a salvage motor vehicle.

15-59 (17) "Salvage vehicle dealer" means a person engaged
 15-60 in this state in the business of acquiring, selling, dismantling,
 15-61 repairing, rebuilding, reconstructing, or otherwise dealing in
 15-62 nonrepairable motor vehicles, salvage motor vehicles, or used parts
 15-63 regardless of whether the person holds a license issued by the
 15-64 department to engage in that business. [~~The term does not include a~~
 15-65 ~~person who casually repairs, rebuilds, or reconstructs fewer than~~
 15-66 ~~three salvage motor vehicles in the same calendar year.] The term
 15-67 includes an out-of-state buyer but does not include an unlicensed
 15-68 [~~a~~] person who casually [~~engaged in the business of~~]:~~

15-69 (A) repairs, rebuilds, or reconstructs three or

16-1 fewer salvage motor vehicles or nonrepairable motor vehicles in the
 16-2 same calendar year ~~[a salvage vehicle dealer, regardless of whether~~
 16-3 ~~the person holds a license issued by the department to engage in~~
 16-4 ~~that business]; or~~

16-5 (B) buys three or fewer ~~[dealing in]~~
 16-6 nonrepairable motor vehicles or salvage motor vehicles in the same
 16-7 calendar year ~~[, regardless of whether the person deals in used~~
 16-8 ~~parts; or~~

16-9 ~~[(C) dealing in used parts regardless of whether~~
 16-10 ~~the person deals in nonrepairable motor vehicles or salvage motor~~
 16-11 ~~vehicles].~~

16-12 (18) "Self-insured motor vehicle" means a motor
 16-13 vehicle for which the ~~[evidence of ownership is a manufacturer's~~
 16-14 ~~certificate of origin or for which the department or another state~~
 16-15 ~~or jurisdiction has issued a regular certificate of title, is~~
 16-16 ~~self-insured by the] owner~~ [, and is owned by an individual, a
 16-17 business,] or a governmental entity assumes full financial
 16-18 responsibility for motor vehicle loss claims~~[,]~~ without regard to
 16-19 the number of motor vehicles they own or operate. The term does not
 16-20 include a motor vehicle that is insured by an insurance company.

16-21 (19) "Used part" means a part that is salvaged,
 16-22 dismantled, or removed from a motor vehicle for resale as is or as
 16-23 repaired. The term includes a major component part but does not
 16-24 include a rebuildable or rebuilt core ~~[, including an engine,~~
 16-25 ~~block, crankshaft, transmission, or other core part that is~~
 16-26 ~~acquired, possessed, or transferred in the ordinary course of~~
 16-27 ~~business].~~

16-28 SECTION 36. Section 501.098, Transportation Code, is
 16-29 renumbered as Section 501.09111, Transportation Code, and amended
 16-30 to read as follows:

16-31 Sec. 501.09111 ~~[501.098]~~. RIGHTS AND LIMITATIONS OF [HOLDER
 16-32 OF] NONREPAIRABLE VEHICLE TITLE, NONREPAIRABLE RECORD OF TITLE,
 16-33 [OR] SALVAGE VEHICLE TITLE, OR SALVAGE RECORD OF TITLE. (a) A
 16-34 person who owns ~~[holds]~~ a nonrepairable ~~[vehicle title for a]~~ motor
 16-35 vehicle:

16-36 (1) is entitled to possess, transport, dismantle,
 16-37 scrap, destroy, record a lien as provided for in Section
 16-38 501.097(a)(3)(A), and sell, transfer, or release ownership of the
 16-39 motor vehicle or a used part from the motor vehicle; and

16-40 (2) may not:
 16-41 (A) operate or permit the operation of the motor
 16-42 vehicle on a public highway, in addition to any other requirement of
 16-43 law;

16-44 (B) repair, rebuild, or reconstruct the motor
 16-45 vehicle; or
 16-46 (C) register the motor vehicle.

16-47 (b) A person who holds a nonrepairable certificate of title
 16-48 issued prior to September 1, 2003, [+]

16-49 ~~[(1)]~~ is entitled to the same rights listed in
 16-50 Subsection (a) and may [+]

16-51 ~~[(A)]~~ repair, rebuild, or reconstruct the motor
 16-52 vehicle [+]

16-53 ~~[(B) possess, transport, dismantle, scrap, or~~
 16-54 ~~destroy the motor vehicle; and~~

16-55 ~~[(C) sell, transfer, or release ownership of the~~
 16-56 ~~vehicle or a used part from the motor vehicle; and~~

16-57 ~~[(2) may not:~~
 16-58 ~~[(A) operate or permit the operation of the motor~~
 16-59 ~~vehicle on a public highway, in addition to any other requirement of~~
 16-60 ~~law; or~~

16-61 ~~[(B) register the motor vehicle].~~

16-62 (c) A person who owns ~~[holds]~~ a salvage ~~[vehicle title for~~
 16-63 a] motor vehicle:

16-64 (1) is entitled to possess, transport, dismantle,
 16-65 scrap, destroy, repair, rebuild, reconstruct, record a lien on, and
 16-66 sell, transfer, or release ownership of the motor vehicle or a used
 16-67 part from the motor vehicle; and

16-68 (2) may not operate, register, or permit the operation
 16-69 of the motor vehicle on a public highway, in addition to any other

17-1 requirement of law.

17-2 SECTION 37. Section 501.103, Transportation Code, is
17-3 renumbered as Section 501.09112, Transportation Code, and amended
17-4 to read as follows:

17-5 Sec. 501.09112 [~~501.103~~]. APPEARANCE [~~COLOR~~] OF
17-6 NONREPAIRABLE VEHICLE TITLE OR SALVAGE VEHICLE TITLE. (a) The
17-7 department's printed [~~department shall print a~~] nonrepairable
17-8 vehicle title:

17-9 (1) must [~~in a color that distinguishes it from a~~
17-10 ~~regular certificate of title or salvage vehicle title, and~~
17-11 [~~(2) so that it~~] clearly indicate [~~shows~~] that it is
17-12 the negotiable ownership document for a nonrepairable motor
17-13 vehicle;

17-14 (2) [~~-~~
17-15 [~~(b) A nonrepairable vehicle title must state on its face~~
17-16 ~~that the motor vehicle:~~

17-17 [~~(1)~~] may not be:

17-18 (A) issued a regular [~~certificate of~~] title;

17-19 (B) registered in this state; or

17-20 (C) repaired, rebuilt, or reconstructed; and

17-21 (3) [~~(2)~~] may be used only as a source for used parts
17-22 or scrap metal.

17-23 (b) [~~(c)~~] The department's printed [~~department shall print~~
17-24 ~~a~~] salvage vehicle title must [~~+~~

17-25 [~~(A) in a color that distinguishes it from a~~
17-26 ~~regular certificate of title or nonrepairable vehicle title, and~~

17-27 [~~(B) so that each document~~] clearly show [~~shows~~]
17-28 that it is the ownership document for a salvage motor vehicle.

17-29 (c) [~~(d)~~] A salvage vehicle title or a salvage record of
17-30 title for a vehicle that is a salvage motor vehicle because of
17-31 damage caused exclusively by flood must bear a notation [~~on its~~
17-32 ~~face~~] that the department considers appropriate. If the title for a
17-33 motor vehicle reflects the notation required by this subsection,
17-34 the owner may sell, transfer, or release the motor vehicle only as
17-35 provided by this subchapter.

17-36 (d) An electronic application for a nonrepairable vehicle
17-37 title, nonrepairable record of title, salvage vehicle title, or
17-38 salvage record of title must clearly advise the applicant of the
17-39 same provisions required on a printed title.

17-40 (e) A nonrepairable vehicle title, nonrepairable record of
17-41 title, salvage vehicle title, or salvage record of title in the
17-42 department's electronic database must include appropriate remarks
17-43 so that the vehicle record clearly shows the status of the vehicle
17-44 [~~The department may provide a stamp to a person who is a licensed~~
17-45 ~~salvage vehicle dealer under Chapter 2302, Occupations Code, to~~
17-46 ~~mark the face of a title under this subchapter. The department~~
17-47 ~~shall provide the stamp to the person for a fee in the amount~~
17-48 ~~determined by the department to be necessary for the department to~~
17-49 ~~recover the cost of providing the stamp].~~

17-50 SECTION 38. Section 501.101, Transportation Code, is
17-51 renumbered as Section 501.09113, Transportation Code, and amended
17-52 to read as follows:

17-53 Sec. 501.09113 [~~501.101~~]. OUT-OF-STATE SALVAGE OR REBUILT
17-54 SALVAGE VEHICLE [~~ISSUANCE OF TITLE TO MOTOR VEHICLE BROUGHT INTO~~
17-55 ~~STATE~~]. (a) This section applies only to a motor vehicle brought
17-56 into this state from another state or jurisdiction that has on any
17-57 [~~certificate of~~] title or comparable out-of-state ownership
17-58 document issued by the other state or jurisdiction:

17-59 (1) a "rebuilt," "salvage," or similar notation; or

17-60 (2) a "nonrepairable," "dismantle only," "parts
17-61 only," "junked," "scrapped," or similar notation.

17-62 (b) On receipt of a complete application from the owner of
17-63 the motor vehicle, the department shall issue the applicant the
17-64 appropriate [~~certificate of~~] title for the motor vehicle.

17-65 [~~(c) A certificate of title issued under this section must~~
17-66 ~~show on its face:~~

17-67 [~~(1) the date of issuance,~~

17-68 [~~(2) the name and address of the owner,~~

17-69 [~~(3) any registration number assigned to the motor~~

18-1 ~~vehicle, and~~
 18-2 ~~[(4) a description of the motor vehicle or other~~
 18-3 ~~notation the department considers necessary or appropriate.]~~

18-4 SECTION 39. The heading to Section 501.095, Transportation
 18-5 Code, is amended to read as follows:

18-6 Sec. 501.095. SALE, TRANSFER, OR RELEASE [~~OF NONREPAIRABLE~~
 18-7 ~~MOTOR VEHICLE OR SALVAGE MOTOR VEHICLE~~].

18-8 SECTION 40. Subsections (a) and (b), Section 501.095,
 18-9 Transportation Code, are amended to read as follows:

18-10 (a) If the department has not issued a nonrepairable vehicle
 18-11 title, nonrepairable record of title, [or] salvage vehicle title,
 18-12 or salvage record of title for the motor vehicle and a comparable
 18-13 [an] out-of-state ownership document for the motor vehicle has not
 18-14 been issued by another state or jurisdiction, a business or
 18-15 governmental entity described by Subdivisions (1)-(3) may sell,
 18-16 transfer, or release a nonrepairable motor vehicle or salvage motor
 18-17 vehicle only to a person who is:

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

18-20 (2) an insurance company that has paid a claim on the
 18-21 nonrepairable or salvage motor vehicle; or

18-22 (3) a governmental entity [~~or~~
 18-23 ~~[(4) an out-of-state buyer]~~].

18-24 (b) An owner [A person], other than a salvage vehicle dealer
 18-25 or an insurance company licensed to do business in this state, who
 18-26 acquired ownership of a nonrepairable or salvage motor vehicle that
 18-27 has not been issued a nonrepairable vehicle title, nonrepairable
 18-28 record of title, salvage vehicle title, salvage record of title, or
 18-29 a comparable ownership document issued by another state or
 18-30 jurisdiction shall, before selling the motor vehicle, surrender the
 18-31 properly assigned [~~certificate of~~] title for the motor vehicle to
 18-32 the department and apply to the department for the appropriate
 18-33 ownership document [~~+~~

18-34 ~~[(1) a nonrepairable vehicle title if the vehicle is a~~
 18-35 ~~nonrepairable motor vehicle; or~~

18-36 ~~[(2) a salvage vehicle title if the vehicle is a~~
 18-37 ~~salvage motor vehicle].~~

18-38 SECTION 41. Section 501.097, Transportation Code, is
 18-39 amended by amending Subsections (a) and (c) and adding Subsection
 18-40 (c-1) to read as follows:

18-41 (a) An application for a nonrepairable vehicle title,
 18-42 nonrepairable record of title, [or] salvage vehicle title, or
 18-43 salvage record of title must:

18-44 (1) be made in [~~on~~] a manner [~~form~~] prescribed by the
 18-45 department and accompanied by a \$8 application fee;

18-46 (2) include, in addition to any other information
 18-47 required by the department:

18-48 (A) the name and current address of the owner;
 18-49 and

18-50 (B) a description of the motor vehicle, including
 18-51 the make, style of body, model year, and vehicle identification
 18-52 number [~~+~~ and

18-53 ~~[(C) a statement describing whether the motor~~
 18-54 ~~vehicle:~~

18-55 ~~[(i) was the subject of a total loss claim~~
 18-56 ~~paid by an insurance company under Section 501.092 or 501.093,~~

18-57 ~~[(ii) is a self-insured motor vehicle under~~
 18-58 ~~Section 501.094,~~

18-59 ~~[(iii) is an export-only motor vehicle~~
 18-60 ~~under Section 501.099; or~~

18-61 ~~[(iv) was sold, transferred, or released to~~
 18-62 ~~the owner or former owner of the motor vehicle or a buyer at a casual~~
 18-63 ~~sale]; and~~

18-64 (3) include the name and address of:

18-65 (A) any currently recorded lienholder, if the
 18-66 motor vehicle is a nonrepairable motor vehicle; or

18-67 (B) any currently recorded lienholder or a new
 18-68 lienholder, if the motor vehicle is a salvage motor vehicle.

18-69 (c) A printed nonrepairable vehicle title must state on its

19-1 face that the motor vehicle:

19-2 (1) may not:

19-3 (A) be repaired, rebuilt, or reconstructed;

19-4 (B) be issued a regular ~~[certificate of]~~ title or
19-5 registered in this state;

19-6 (C) be operated on a public highway, in addition
19-7 to any other requirement of law; and

19-8 (2) may only be used as a source for used parts or
19-9 scrap metal.

19-10 (c-1) The department's titling system must include a remark
19-11 that clearly identifies the vehicle as a salvage or nonrepairable
19-12 motor vehicle.

19-13 SECTION 42. Subsections (a), (b), (c), and (f), Section
19-14 501.100, Transportation Code, are amended to read as follows:

19-15 (a) A vehicle for which a nonrepairable certificate of title
19-16 issued prior to September 1, 2003, or for which a salvage vehicle
19-17 title or salvage record of title has been issued may obtain ~~[be~~
19-18 ~~issued]~~ a regular ~~[certificate of]~~ title after the motor vehicle
19-19 has been repaired, rebuilt, or reconstructed ~~[by a person described~~
19-20 ~~by Section 501.104(a)]~~ and, in addition to any other requirement of
19-21 law, only if the application ~~[is accompanied by a separate form~~
19-22 ~~that]~~:

19-23 (1) describes each major component part used to repair
19-24 the motor vehicle;

19-25 (2) states the name of each person from whom the parts
19-26 used in assembling the vehicle were obtained; and

19-27 (3) ~~[(2)]~~ shows the identification number required by
19-28 federal law to be affixed to or inscribed on the part.

19-29 (b) On receipt of a complete application under this section
19-30 accompanied by the ~~[\$13]~~ fee for the ~~[certificate of]~~ title, the
19-31 department shall issue the applicant a regular ~~[certificate of]~~
19-32 title ~~[for the motor vehicle]~~.

19-33 (c) A regular ~~[certificate of]~~ title issued under this
19-34 section must ~~[+~~

19-35 ~~[(1)]~~ describe or disclose the motor vehicle's former
19-36 condition in a manner reasonably understandable to a potential
19-37 purchaser of the motor vehicle ~~[, and~~

19-38 ~~[(2) bear on its face the words "REBUILT SALVAGE" in~~
19-39 ~~capital letters that:~~

19-40 ~~[(A) are red,~~

19-41 ~~[(B) are centered on and occupy at least 15~~
19-42 ~~percent of the face of the certificate of title; and~~

19-43 ~~[(C) do not prevent any other words on the title~~
19-44 ~~from being read or copied].~~

19-45 (f) The department may not issue a regular ~~[certificate of]~~
19-46 title for a motor vehicle based on a:

19-47 (1) nonrepairable vehicle title or comparable
19-48 out-of-state ownership document;

19-49 (2) receipt issued under Section 501.1003(b)
19-50 ~~[501.096(b)]~~; or

19-51 (3) certificate of authority.

19-52 SECTION 43. Section 501.092, Transportation Code, is
19-53 renumbered as Section 501.1001, Transportation Code, and amended to
19-54 read as follows:

19-55 Sec. 501.1001 [501.092]. [INSURANCE COMPANY TO SURRENDER
19-56 CERTIFICATES OF TITLE TO CERTAIN] SALVAGE MOTOR VEHICLES OR
19-57 NONREPAIRABLE MOTOR VEHICLES FOR INSURANCE COMPANIES OR
19-58 SELF-INSURED PERSONS. (a) An insurance company that is licensed

19-59 to conduct business in this state and that acquires, through
19-60 payment of a claim, ownership or possession of a salvage motor
19-61 vehicle or nonrepairable motor vehicle covered by a ~~[certificate~~

19-62 ~~of]~~ title issued by this state or a manufacturer's certificate of
19-63 origin shall surrender a properly assigned title or manufacturer's

19-64 certificate of origin to the department, in [on] a manner [form]
19-65 prescribed by the department, except that not earlier than the 31st

19-66 [46th] day after the date of payment of the claim the insurance
19-67 company may surrender a [certificate of] title, in [on] a manner

19-68 [form] prescribed by the department, and receive a salvage vehicle
19-69 [certificate of] title or a nonrepairable vehicle [certificate of]

20-1 title without obtaining a properly assigned [~~certificate of~~] title
 20-2 if the insurance company:

20-3 (1) has obtained the release of all liens on the motor
 20-4 vehicle;

20-5 (2) is unable to locate one or more owners of the motor
 20-6 vehicle; and

20-7 (3) has provided notice to the last known address in
 20-8 the department's records to each owner that has not been located:

20-9 (A) by registered or certified mail, return
 20-10 receipt requested; or

20-11 (B) if a notice sent under Paragraph (A) is
 20-12 returned unclaimed, by publication in a newspaper of general
 20-13 circulation in the area where the unclaimed mail notice was sent.

20-14 (b) For a salvage motor vehicle, the insurance company shall
 20-15 apply for a salvage vehicle title or salvage record of title. For a
 20-16 nonrepairable motor vehicle, the insurance company shall apply for
 20-17 a nonrepairable vehicle title or nonrepairable record of title.

20-18 (c) [~~An insurance company may not sell a motor vehicle to
 20-19 which this section applies unless the department has issued a
 20-20 salvage vehicle title or a nonrepairable vehicle title for the
 20-21 motor vehicle or a comparable ownership document has been issued by
 20-22 another state or jurisdiction for the motor vehicle.~~

20-23 [~~(d) An insurance company may sell a motor vehicle to which
 20-24 this section applies, or assign a salvage vehicle title or a
 20-25 nonrepairable vehicle title for the motor vehicle, only to a
 20-26 salvage vehicle dealer, an out-of-state buyer, a buyer in a casual
 20-27 sale at auction, or a metal recycler. If the motor vehicle is not a
 20-28 salvage motor vehicle or a nonrepairable motor vehicle, the
 20-29 insurance company is not required to surrender the regular
 20-30 certificate of title for the vehicle or to be issued a salvage
 20-31 vehicle title or a nonrepairable vehicle title for the motor
 20-32 vehicle.~~

20-33 [~~(e)] An insurance company or other person who acquires
 20-34 ownership of a motor vehicle other than a nonrepairable or salvage
 20-35 motor vehicle may voluntarily and on proper application obtain a
 20-36 salvage vehicle title, salvage record of title, [or a]
 20-37 nonrepairable vehicle title, or nonrepairable record of title
 20-38 for the vehicle.~~

20-39 (d) This section applies only to a motor vehicle in this
 20-40 state that is:

20-41 (1) a self-insured motor vehicle; and

20-42 (2) damaged to the extent it becomes a nonrepairable
 20-43 or salvage motor vehicle.

20-44 (e) The owner of a motor vehicle to which this section
 20-45 applies shall submit to the department before the 31st business day
 20-46 after the date of the damage, in a manner prescribed by the
 20-47 department, a statement that the motor vehicle was self-insured and
 20-48 damaged.

20-49 (f) When the owner submits a statement under Subsection (e),
 20-50 the owner shall surrender the ownership document and apply for a
 20-51 nonrepairable vehicle title, nonrepairable record of title,
 20-52 salvage vehicle title, or salvage record of title.

20-53 SECTION 44. Section 501.093, Transportation Code, is
 20-54 renumbered as Section 501.1002, Transportation Code, and amended to
 20-55 read as follows:

20-56 Sec. 501.1002 [~~501.093~~]. OWNER-RETAINED [INSURANCE COMPANY
 20-57 REPORT ON CERTAIN] VEHICLES. (a) If an insurance company pays a
 20-58 claim on a nonrepairable motor vehicle or salvage motor vehicle and
 20-59 the insurance company does not acquire ownership of the motor
 20-60 vehicle, the insurance company shall:

20-61 (1) apply for a nonrepairable vehicle title,
 20-62 nonrepairable record of title, salvage vehicle title, or salvage
 20-63 record of title; or

20-64 (2) notify the owner of the information contained in:

20-65 (A) Subsection (b); or

20-66 (B) Section 501.09111; and

20-67 (3) submit to the department, before the 31st day
 20-68 after the date of the payment of the claim, in a manner [on the
 20-69 form] prescribed by the department, a report stating that the

21-1 insurance company:

21-2 (A) [~~(1)~~] has paid a claim on the motor vehicle;

21-3 and

21-4 (B) [~~(2)~~] has not acquired ownership of the motor

21-5 vehicle.

21-6 (b) The owner of a motor vehicle to which this section
21-7 applies may not operate or permit operation of the motor vehicle on
21-8 a public highway or transfer ownership of the motor vehicle by sale
21-9 or otherwise unless the department has issued a salvage vehicle
21-10 title, salvage record of title, [~~or a~~] nonrepairable vehicle title,
21-11 or nonrepairable record of title for the motor vehicle or a
21-12 comparable ownership document has been issued by another state or
21-13 jurisdiction for the motor vehicle.

21-14 [~~(c) Subsection (b) does not apply if:~~

21-15 [~~(1) the department has issued a nonrepairable vehicle~~
21-16 ~~title or salvage vehicle title for the motor vehicle; or~~

21-17 [~~(2) another state or jurisdiction has issued a~~
21-18 ~~comparable out-of-state ownership document for the motor vehicle.]~~

21-19 SECTION 45. Section 501.096, Transportation Code, is
21-20 renumbered as Section 501.1003, Transportation Code, and amended to
21-21 read as follows:

21-22 Sec. 501.1003 [~~501.096~~]. [~~NONREPAIRABLE MOTOR VEHICLE OR~~
21-23 ~~SALVAGE DEALER RESPONSIBILITIES [MOTOR VEHICLE DISMANTLED,~~
21-24 ~~SCRAPPED, OR DESTROYED]~~. (a) If a salvage vehicle dealer acquires

21-25 ownership of a nonrepairable motor vehicle or salvage motor vehicle
21-26 for the purpose of dismantling, scrapping, or destroying the motor
21-27 vehicle, the dealer shall, before the 31st day after the date the
21-28 dealer acquires the motor vehicle, submit to the department a
21-29 report stating that the motor vehicle will be dismantled, scrapped,
21-30 or destroyed. The dealer shall:

21-31 (1) make the report in a manner [~~on a form~~] prescribed
21-32 by the department; and

21-33 (2) submit with the report a properly assigned
21-34 manufacturer's certificate of origin, regular certificate of
21-35 title, nonrepairable vehicle title, salvage vehicle title, or
21-36 comparable out-of-state ownership document for the motor vehicle.

21-37 (b) After receiving the report and title or document, the
21-38 department shall issue the salvage vehicle dealer a receipt for the
21-39 manufacturer's certificate of origin, regular certificate of
21-40 title, nonrepairable vehicle title, salvage vehicle title, or
21-41 comparable out-of-state ownership document.

21-42 (c) The department shall adopt rules to notify the salvage
21-43 [vehicle] dealer if the vehicle was not issued a printed title, but
21-44 has a record of title in the department's titling system [~~shall:~~

21-45 [~~(1) keep on the business premises of the dealer,~~
21-46 ~~until the third anniversary of the date the report on the motor~~
21-47 ~~vehicle is submitted to the department, a record of the vehicle, its~~
21-48 ~~ownership, and its condition as dismantled, scrapped, or destroyed,~~
21-49 ~~and~~

21-50 [~~(2) present to the department, on the form prescribed~~
21-51 ~~by the department, evidence that the motor vehicle was dismantled,~~
21-52 ~~scrapped, or destroyed before the 61st day after the date the dealer~~
21-53 ~~completed the dismantling, scrapping, or destruction of the motor~~
21-54 ~~vehicle].~~

21-55 SECTION 46. Section 501.104, Transportation Code, is
21-56 amended to read as follows:

21-57 Sec. 501.104. REBUILDER TO POSSESS TITLE OR OTHER
21-58 DOCUMENTATION. (a) This section applies [~~only~~] to [~~+~~

21-59 [~~(1) a rebuilder licensed as a salvage vehicle dealer,~~

21-60 [~~(2)~~] a person engaged in repairing, rebuilding, or
21-61 reconstructing three or fewer motor vehicles [~~the business of a~~
21-62 ~~rebuilder], regardless of whether the person is licensed to engage~~

21-63 in that business [~~, or~~

21-64 [~~(3) a person engaged in the casual repair,~~
21-65 ~~rebuilding, or reconstruction of fewer than three motor vehicles in~~
21-66 ~~the same 12-month period].~~

21-67 (b) A person described by Subsection (a) must possess:

21-68 (1) an acceptable [~~a regular certificate of title,~~
21-69 ~~nonrepairable vehicle title, salvage vehicle title, or comparable~~

22-1 ~~out-of-state~~] ownership document or proof of ownership for any
 22-2 motor vehicle that is:

- 22-3 (A) owned by the person;
 22-4 (B) in the person's inventory; and
 22-5 (C) being offered for resale; or

22-6 (2) a contract entered into with the owner, a work
 22-7 order, or another document that shows the authority for the person
 22-8 to possess any motor vehicle that is:

- 22-9 (A) owned by another person;
 22-10 (B) on the person's business or casual premises;

22-11 and

- 22-12 (C) being repaired, rebuilt, or reconstructed
 22-13 for the other person.

22-14 SECTION 47. Section 501.105, Transportation Code, is
 22-15 renumbered as Section 501.108, Transportation Code, and amended to
 22-16 read as follows:

22-17 Sec. 501.108 [~~501.105~~]. RECORD RETENTION [~~OF RECORDS~~
 22-18 ~~RELATING TO CERTAIN CASUAL SALES~~]. (a) Each licensed salvage
 22-19 vehicle dealer or insurance company that sells a nonrepairable
 22-20 motor vehicle or a salvage motor vehicle at a casual sale shall keep
 22-21 on the business premises of the dealer or the insurance company a
 22-22 list of all casual sales made during the preceding 36-month period
 22-23 that contains:

- 22-24 (1) the date of the sale;
 22-25 (2) the name of the purchaser;
 22-26 (3) the name of the jurisdiction that issued the
 22-27 identification document provided by the purchaser, as shown on the
 22-28 document; and
 22-29 (4) the vehicle identification number.

22-30 (b) The salvage vehicle dealer shall keep on the business
 22-31 premises of the dealer, until the third anniversary of the date the
 22-32 report on the motor vehicle is submitted to the department, a record
 22-33 of the vehicle, its ownership, and its condition as dismantled,
 22-34 scrapped, or destroyed.

22-35 SECTION 48. Section 501.102, Transportation Code, is
 22-36 renumbered as Section 501.109, Transportation Code, and amended to
 22-37 read as follows:

22-38 Sec. 501.109 [~~501.102~~]. OFFENSES. (a) A person commits an
 22-39 offense if the person:

- 22-40 (1) applies to the department for a regular
 22-41 [~~certificate of~~] title for a motor vehicle; and

- 22-42 (2) knows or reasonably should know that:

22-43 (A) the vehicle is a nonrepairable motor vehicle
 22-44 that has been repaired, rebuilt, or reconstructed;

22-45 (B) the vehicle identification number assigned
 22-46 to the motor vehicle belongs to a nonrepairable motor vehicle that
 22-47 has been repaired, rebuilt, or reconstructed;

22-48 (C) the title issued to the motor vehicle belongs
 22-49 to a nonrepairable motor vehicle that has been repaired, rebuilt,
 22-50 or reconstructed; or

22-51 (D) [~~the vehicle identification number assigned~~
 22-52 ~~to the motor vehicle belongs to an export-only motor vehicle,~~

22-53 [~~(E) the motor vehicle is an export-only motor~~
 22-54 ~~vehicle, or~~

22-55 [~~(F)~~] the motor vehicle is a nonrepairable motor
 22-56 vehicle or salvage motor vehicle for which a nonrepairable vehicle
 22-57 title, salvage vehicle title, or comparable ownership document
 22-58 issued by another state or jurisdiction has not been issued.

22-59 (b) A person commits an offense if the person knowingly
 22-60 sells, transfers, or releases a salvage motor vehicle in violation
 22-61 of this subchapter.

22-62 (c) A person commits an offense if the person knowingly
 22-63 fails or refuses to surrender a regular certificate of title after
 22-64 the person:

22-65 (1) receives a notice from an insurance company that
 22-66 the motor vehicle is a nonrepairable or salvage motor vehicle; or

22-67 (2) knows the vehicle has become a nonrepairable motor
 22-68 vehicle or salvage motor vehicle under Section 501.1001 [~~501.094~~].

22-69 (d) Except as provided by Subsection (e), an offense under

23-1 this section is a Class C misdemeanor.

23-2 (e) If it is shown on the trial of an offense under this
23-3 section that the defendant has been previously convicted of:

23-4 (1) one offense under this section, the offense is a
23-5 Class B misdemeanor; or

23-6 (2) two or more offenses under this section, the
23-7 offense is a state jail felony.

23-8 SECTION 49. Section 501.106, Transportation Code, is
23-9 renumbered as Section 501.110, Transportation Code, and amended to
23-10 read as follows:

23-11 Sec. 501.110 [~~501.106~~]. ENFORCEMENT OF SUBCHAPTER.

23-12 (a) This subchapter shall be enforced by the department and any
23-13 other governmental or law enforcement entity, including the
23-14 Department of Public Safety, and the personnel of the entity as
23-15 provided by this subchapter.

23-16 (b) The department, an agent, officer, or employee of the
23-17 department, or another person enforcing this subchapter is not
23-18 liable to a person damaged or injured by an act or omission relating
23-19 to the issuance of a [~~regular certificate of~~] title, nonrepairable
23-20 vehicle title, nonrepairable record of title, [~~or~~] salvage vehicle
23-21 title, or salvage record of title under this subchapter.

23-22 SECTION 50. Subsection (a), Section 501.111,
23-23 Transportation Code, is amended to read as follows:

23-24 (a) Except as provided by Subsection (b), a person may
23-25 perfect a security interest in a motor vehicle that is the subject
23-26 of a first or subsequent sale only by recording the security
23-27 interest on the [~~certificate of~~] title as provided by this chapter.

23-28 SECTION 51. Subsection (a), Section 501.113,
23-29 Transportation Code, is amended to read as follows:

23-30 (a) Recordation of a lien under this chapter is considered
23-31 to occur when the department's titling system is updated or the
23-32 department [~~county assessor-collector~~].

23-33 [~~(1) is presented with an application for a~~
23-34 ~~certificate of title that discloses the lien with tender of the~~
23-35 ~~filing fee; or~~

23-36 [(2)] accepts the application of title that discloses
23-37 the lien with the filing fee.

23-38 SECTION 52. Subsections (a), (c), (d), and (e), Section
23-39 501.114, Transportation Code, are amended to read as follows:

23-40 (a) A lienholder may assign a lien recorded under Section
23-41 501.113 by:

23-42 (1) applying to the department [~~county~~
23-43 ~~assessor-collector~~] for the assignment of the lien; and

23-44 (2) notifying the debtor of the assignment.

23-45 (c) An application under Subsection (a) must be
23-46 acknowledged [~~+~~

23-47 [~~(1) signed~~] by the person to whom the lien is
23-48 assigned [~~, and~~

23-49 [(2) accompanied by:

23-50 [(A) the applicable fee,

23-51 [(B) a copy of the assignment agreement executed
23-52 by the parties; and

23-53 [(C) the certificate of title on which the lien
23-54 to be assigned is recorded].

23-55 (d) On receipt of the completed application and fee, the
23-56 department may:

23-57 (1) [~~may~~] amend the department's records to substitute
23-58 the subsequent lienholder for the previous lienholder; and

23-59 (2) [~~shall~~] issue a new [~~certificate of~~] title as
23-60 provided by this chapter [~~Section 501.027~~].

23-61 (e) [~~The issuance of a certificate of title under Subsection~~
23-62 ~~(d) is recordation of the assignment.~~] The time of the recordation
23-63 of a lien assigned under this section is considered to be the time
23-64 the lien was recorded under Section 501.113.

23-65 SECTION 53. Section 501.115, Transportation Code, is
23-66 amended to read as follows:

23-67 Sec. 501.115. DISCHARGE OF LIEN. (a) When a debt or claim
23-68 secured by a lien has been satisfied, the lienholder shall, within a
23-69 reasonable time not to exceed the maximum time allowed by Section

24-1 348.408, Finance Code, execute and deliver to the owner, or the
 24-2 owner's designee, a discharge of the lien in ~~on~~ a manner ~~form~~
 24-3 prescribed by the department.

24-4 (b) The owner may submit ~~present~~ the discharge and
 24-5 ~~[certificate of]~~ title to the department for ~~[county~~
 24-6 ~~assessor-collector with an application for a new certificate of~~
 24-7 ~~title and the department shall issue]~~ a new ~~[certificate of]~~ title.

24-8 SECTION 54. Section 501.116, Transportation Code, is
 24-9 amended to read as follows:

24-10 Sec. 501.116. CANCELLATION OF DISCHARGED LIEN. The
 24-11 department may cancel a discharged lien that has been recorded on a
 24-12 ~~[certificate of]~~ title for 10 ~~six~~ years or more if the recorded
 24-13 lienholder:

24-14 (1) does not exist; or

24-15 (2) cannot be located for the owner to obtain a release
 24-16 of the lien.

24-17 SECTION 55. Subsections (a), (b), (c), (d), (g), and (i),
 24-18 Section 501.134, Transportation Code, are amended to read as
 24-19 follows:

24-20 (a) If a printed ~~[certificate of]~~ title is lost or
 24-21 destroyed, the owner or lienholder disclosed on the title
 24-22 ~~[certificate]~~ may obtain, in the manner provided by this section
 24-23 and department rule, a certified copy of the lost or destroyed
 24-24 ~~[certificate of]~~ title directly from the department by applying in
 24-25 ~~on~~ a manner ~~form~~ prescribed by the department and paying a fee
 24-26 of \$2. A fee collected under this subsection shall be deposited to
 24-27 the credit of the state highway fund and may be spent only as
 24-28 provided by Section 501.138.

24-29 (b) If a lien is disclosed on a ~~[certificate of]~~ title, the
 24-30 department may issue a certified copy of the original ~~[certificate~~
 24-31 ~~of]~~ title only to the first lienholder or the lienholder's verified
 24-32 agent.

24-33 (c) The department must plainly mark "certified copy" on the
 24-34 face of a certified copy issued under this section ~~[, and each~~
 24-35 ~~subsequent certificate issued for the motor vehicle until the~~
 24-36 ~~vehicle is transferred]~~. A subsequent purchaser or lienholder of
 24-37 the vehicle only acquires the rights, title, or interest in the
 24-38 vehicle held by the holder of the certified copy.

24-39 (d) A purchaser or lienholder of a motor vehicle having a
 24-40 certified copy issued under this section may at the time of the
 24-41 purchase or establishment of the lien require that the seller or
 24-42 owner indemnify the purchaser or lienholder and all subsequent
 24-43 purchasers of the vehicle against any loss the person may suffer
 24-44 because of a claim presented on the original ~~[certificate of]~~
 24-45 title.

24-46 (g) The department may issue a certified copy of a
 24-47 ~~[certificate of]~~ title ~~[before the fourth business day after the~~
 24-48 ~~date application is made]~~ only if the applicant:

24-49 (1) is the registered owner of the vehicle, the holder
 24-50 of a recorded lien against the vehicle, or a verified agent of the
 24-51 owner or lienholder; and

24-52 (2) submits personal identification, including a
 24-53 photograph, issued by an agency of this state or the United States.

24-54 (i) The department may establish acceptable identification
 24-55 requirements for ~~IF~~ an applicant for a certified copy of a
 24-56 certificate of title who is not a person ~~[other than a person]~~
 24-57 described by Subsection (g)(1) ~~[, the department may issue a~~
 24-58 ~~certified copy of the certificate of title only by mail]~~.

24-59 SECTION 56. Subsection (a), Section 501.135,
 24-60 Transportation Code, is amended to read as follows:

24-61 (a) The department shall:

24-62 (1) make a record of each report to the department that
 24-63 a motor vehicle registered in this state has been stolen or
 24-64 concealed in violation of Section 32.33, Penal Code; and

24-65 (2) note the fact of the report in the department's
 24-66 records ~~[of the vehicle's certificate of title]~~.

24-67 SECTION 57. Subsections (a) and (b), Section 501.138,
 24-68 Transportation Code, are amended to read as follows:

24-69 (a) An applicant for a ~~[certificate of]~~ title, other than

25-1 the state or a political subdivision of the state, must pay ~~[the~~
 25-2 ~~county assessor-collector]~~ a fee of~~+~~

25-3 ~~[(1) \$33 if the applicant's residence is a county~~
 25-4 ~~located within a nonattainment area as defined under Section 107(d)~~
 25-5 ~~of the federal Clean Air Act (42 U.S.C. Section 7407), as amended,~~
 25-6 ~~or is an affected county, as defined by Section 386.001, Health and~~
 25-7 ~~Safety Code; or~~

25-8 ~~[(2)] \$28, regardless of the county in which the~~
 25-9 ~~applicant resides [if the applicant's residence is any other~~
 25-10 ~~county].~~

25-11 (b) The fees ~~[county assessor-collector]~~ shall be
 25-12 distributed as follows ~~[send]:~~

25-13 (1) \$5 of the fee to the county treasurer for deposit
 25-14 in the officers' salary fund;

25-15 (2) \$8 of the fee to the department:

25-16 (A) together with the application within the time
 25-17 prescribed by Section 501.023; or

25-18 (B) if the fee is deposited in an
 25-19 interest-bearing account or certificate in the county depository or
 25-20 invested in an investment authorized by Subchapter A, Chapter 2256,
 25-21 Government Code, not later than the 35th day after the date on which
 25-22 the fee is received; and

25-23 (3) \$15 ~~[the following amount]~~ to the comptroller at
 25-24 the time and in the manner prescribed by the comptroller,
 25-25 regardless of the county in which the applicant resides ~~+~~

25-26 ~~[(A) \$20 of the fee if the applicant's residence~~
 25-27 ~~is a county located within a nonattainment area as defined under~~
 25-28 ~~Section 107(d) of the federal Clean Air Act (42 U.S.C. Section~~
 25-29 ~~7407), as amended, or is an affected county, as defined by Section~~
 25-30 ~~386.001, Health and Safety Code; or~~

25-31 ~~[(B) \$15 of the fee if the applicant's residence~~
 25-32 ~~is any other county].~~

25-33 SECTION 58. Section 520.031, Transportation Code, as
 25-34 amended by Chapters 836 (H.B. 1743) and 1423 (H.B. 2409), Acts of
 25-35 the 76th Legislature, Regular Session, 1999, is transferred to
 25-36 Subchapter H, Chapter 501, Transportation Code, renumbered as
 25-37 Section 501.145, Transportation Code, and reenacted and amended to
 25-38 read as follows:

25-39 Sec. 501.145 ~~[520.031]~~. FILING BY PURCHASER ~~[TRANSFEREE]~~;
 25-40 APPLICATION FOR TRANSFER OF TITLE ~~[AND REGISTRATION]~~. (a) Not
 25-41 later than the 30th ~~[20th working]~~ day after the date of assignment
 25-42 on ~~[receiving]~~ the documents ~~[under Section 520.022 or 520.0225]~~,
 25-43 the purchaser ~~[transferee]~~ of the used motor vehicle shall file
 25-44 with the county assessor-collector:

25-45 (1) ~~[the license receipt and]~~ the certificate of title
 25-46 or other evidence of title; or

25-47 (2) if appropriate, a document described by Section
 25-48 502.457 ~~[520.0225(b)(1) or (2)]~~ and the ~~[certificate of]~~ title or
 25-49 other evidence of ownership ~~[title]~~.

25-50 (b) The filing under Subsection (a) is an application for
 25-51 transfer of title as required under this chapter ~~[Chapter 501]~~ and
 25-52 ~~[, if the license receipt is filed,]~~ an application for transfer of
 25-53 the registration of the motor vehicle.

25-54 (c) ~~[In this section, "working day" means any day other than~~
 25-55 ~~a Saturday, a Sunday, or a holiday on which county offices are~~
 25-56 ~~closed.~~

25-57 ~~[(d)]~~ Notwithstanding Subsection (a), if the purchaser
 25-58 ~~[transferee]~~ is a member of the armed forces of the United States, a
 25-59 member of the Texas National Guard or of the National Guard of
 25-60 another state serving on active duty under an order of the president
 25-61 of the United States, or a member of a reserve component of the
 25-62 armed forces of the United States serving on active duty under an
 25-63 order of the president of the United States, the documents
 25-64 described by Subsection (a) must be filed with the county
 25-65 assessor-collector not later than the 60th ~~[working]~~ day after the
 25-66 date of assignment of ownership ~~[their receipt by the transferee]~~.

25-67 SECTION 59. Section 520.023, Transportation Code, is
 25-68 transferred to Subchapter H, Chapter 501, Transportation Code,
 25-69 renumbered as Section 501.146, Transportation Code, and amended to

26-1 read as follows:

26-2 Sec. 501.146 [~~520.023~~]. [~~POWERS AND DUTIES OF DEPARTMENT ON~~
26-3 ~~TRANSFER OF USED~~] VEHICLE TRANSFER NOTIFICATION. (a) On receipt
26-4 of a written notice of transfer from the seller [~~transferor~~] of a
26-5 motor vehicle, the department shall indicate the transfer on the
26-6 motor vehicle records maintained by the department. As an
26-7 alternative to a written notice of transfer, the department shall
26-8 establish procedures that permit the seller [~~transferor~~] of a motor
26-9 vehicle to electronically submit a notice of transfer to the
26-10 department through the department's Internet website. A notice of
26-11 transfer provided through the department's Internet website is not
26-12 required to bear the signature of the seller [~~transferor~~] or
26-13 include the date of signing.

26-14 (b) [~~The department may design the written notice of~~
26-15 ~~transfer to be part of the certificate of title for the vehicle.~~] The
26-16 notice of transfer [~~form~~] shall be provided by the department
26-17 and must include a place for the seller [~~transferor~~] to state:

26-18 (1) a complete description of the vehicle as
26-19 prescribed by the department [~~identification number of the~~
26-20 ~~vehicle~~];

26-21 (2) [~~the number of the license plate issued to the~~
26-22 ~~vehicle, if any,~~

26-23 [~~(3)~~] the full name and address of the seller
26-24 [~~transferor~~];

26-25 (3) [~~(4)~~] the full name and address of the purchaser
26-26 [~~transferee~~];

26-27 (4) [~~(5)~~] the date the seller [~~transferor~~] delivered
26-28 possession of the vehicle to the purchaser [~~transferee~~];

26-29 (5) [~~(6)~~] the signature of the seller [~~transferor~~];

26-30 and

26-31 (6) [~~(7)~~] the date the seller [~~transferor~~] signed the
26-32 form.

26-33 (c) This subsection applies only if the department receives
26-34 notice under Subsection (a) before the 30th day after the date the
26-35 seller [~~transferor~~] delivered possession of the vehicle to the
26-36 purchaser [~~transferee~~]. After the date of the transfer of the
26-37 vehicle shown on the records of the department, the purchaser
26-38 [~~transferee~~] of the vehicle shown on the records is rebuttably
26-39 presumed to be:

26-40 (1) the owner of the vehicle; and

26-41 (2) subject to civil and criminal liability arising
26-42 out of the use, operation, or abandonment of the vehicle, to the
26-43 extent that ownership of the vehicle subjects the owner of the
26-44 vehicle to criminal or civil liability under another provision of
26-45 law.

26-46 (d) The department may adopt [~~+~~

26-47 [~~(1)~~] rules to implement this section [~~, and~~

26-48 [~~(2)~~] ~~a fee for filing a notice of transfer under this~~
26-49 ~~section in an amount not to exceed the lesser of the actual cost to~~
26-50 ~~the department of implementing this section or \$5].~~

26-51 (e) This section does not impose or establish civil or
26-52 criminal liability on the owner of a motor vehicle who transfers
26-53 ownership of the vehicle but does not disclose the transfer to the
26-54 department.

26-55 (f) [~~This section does not require the department to issue a~~
26-56 ~~certificate of title to a person shown on a notice of transfer as~~
26-57 ~~the transferee of a motor vehicle.~~] The department may not issue a
26-58 [~~certificate of~~] title or register [~~for~~] the vehicle until the
26-59 purchaser [~~transferee~~] applies for a title to the county
26-60 assessor-collector as provided by this chapter [~~Chapter 501~~].

26-61 SECTION 60. Section 520.032, Transportation Code, is
26-62 transferred to Subchapter H, Chapter 501, Transportation Code,
26-63 renumbered as Section 501.147, Transportation Code, and amended to
26-64 read as follows:

26-65 Sec. 501.147 [~~520.032~~]. TITLE TRANSFER [~~FEE~~]; LATE FEE.

26-66 (a) [~~The transferee of a used motor vehicle shall pay, in addition~~
26-67 ~~to any fee required under Chapter 501 for the transfer of title, a~~
26-68 ~~transfer fee of \$2.50 for the transfer of the registration of the~~
26-69 ~~motor vehicle.~~

27-1 ~~[(b)]~~ If the purchaser ~~[transferee]~~ does not file the
 27-2 application for the transfer of title during the period provided by
 27-3 Section 501.145 ~~[520.031]~~, the purchaser ~~[transferee]~~ is liable for
 27-4 a late fee to be paid to the county assessor-collector when the
 27-5 application is filed. If the seller ~~[transferee]~~ holds a general
 27-6 distinguishing number issued under Chapter 503 of this code or
 27-7 Chapter 2301, Occupations Code, the seller is liable for the late
 27-8 fee in the amount of ~~[the late fee is]~~ \$10. If the seller
 27-9 ~~[transferee]~~ does not hold a general distinguishing number, subject
 27-10 to Subsection (b) ~~[(b-1)]~~ the amount of the late fee is \$25.

27-11 (b) ~~[(b-1)]~~ If the application is filed after the 60th ~~[31st~~
 27-12 ~~working]~~ day after the date the purchaser was assigned ownership of
 27-13 ~~[transferee received]~~ the documents under Section 501.0721
 27-14 ~~[520.022]~~, the late fee imposed under Subsection (a) ~~[(b)]~~ accrues
 27-15 an additional penalty in the amount of \$25 for each subsequent
 27-16 30-day period, or portion of a 30-day period, in which the
 27-17 application is not filed.

27-18 (c) The county assessor-collector and the surety on the
 27-19 county assessor-collector's bond are liable for the late fee if the
 27-20 county assessor-collector does not collect the late fee.

27-21 (d) Subsections (a) and (b) ~~[and (b-1)]~~ do not apply if the
 27-22 motor vehicle is eligible to be issued:

27-23 (1) classic vehicle license plates under Section
 27-24 504.501; or

27-25 (2) antique vehicle license plates under Section
 27-26 504.502.

27-27 SECTION 61. Section 520.033, Transportation Code, is
 27-28 transferred to Subchapter H, Chapter 501, Transportation Code,
 27-29 renumbered as Section 501.148, Transportation Code, and amended to
 27-30 read as follows:

27-31 Sec. 501.148 ~~[520.033]~~. ALLOCATION OF FEES. (a) The
 27-32 county assessor-collector may retain as commission for services
 27-33 provided under this subchapter ~~[half of each transfer fee~~
 27-34 ~~collected,]~~ half of each late fee ~~[,]~~ and half of each additional
 27-35 penalty collected under Section 501.147 ~~[520.032]~~.

27-36 (b) The county assessor-collector shall report and remit
 27-37 the balance of the fees collected to the department on Monday of
 27-38 each week as other ~~[registration]~~ fees are required to be reported
 27-39 and remitted.

27-40 (c) Of each late fee collected from a person who does not
 27-41 hold a general distinguishing number by ~~[that]~~ the department
 27-42 ~~[receives]~~ under Subsection (b), \$10 may be used only to fund a
 27-43 statewide public awareness campaign designed to inform and educate
 27-44 the public about the provisions of this chapter.

27-45 SECTION 62. Subsection (b), Section 501.152,
 27-46 Transportation Code, is amended to read as follows:

27-47 (b) It is not a violation of this section for the beneficial
 27-48 owner of a vehicle to sell or offer to sell a vehicle without having
 27-49 possession of the certificate of title to the vehicle if the sole
 27-50 reason he or she does not have possession of the certificate of
 27-51 title is that the title is in the possession of a lienholder who has
 27-52 not complied with the terms of Section 501.115(a) ~~[of this code]~~.

27-53 SECTION 63. Section 501.153, Transportation Code, is
 27-54 amended to read as follows:

27-55 Sec. 501.153. APPLICATION FOR TITLE FOR STOLEN OR CONCEALED
 27-56 VEHICLE. A person commits an offense if the person applies for a
 27-57 ~~[certificate of]~~ title for a motor vehicle that the person knows is
 27-58 stolen or concealed in violation of Section 32.33, Penal Code.

27-59 SECTION 64. Section 501.154, Transportation Code, is
 27-60 amended to read as follows:

27-61 Sec. 501.154. ALTERATION OF CERTIFICATE OR RECEIPT. A
 27-62 person commits an offense if the person alters a manufacturer's ~~[or~~
 27-63 ~~importer's]~~ certificate, a title receipt, or a certificate of
 27-64 title.

27-65 SECTION 65. Subsection (a), Section 501.155,
 27-66 Transportation Code, is amended to read as follows:

27-67 (a) A person commits an offense if the person knowingly
 27-68 provides false or incorrect information or without legal authority
 27-69 signs the name of another person on:

- 28-1 (1) an application for a [~~certificate of~~] title;
- 28-2 (2) an application for a certified copy of an original
- 28-3 [~~certificate of~~] title;
- 28-4 (3) an assignment of title for a motor vehicle;
- 28-5 (4) a discharge of a lien on a title for a motor
- 28-6 vehicle; or
- 28-7 (5) any other document required by the department or
- 28-8 necessary to the transfer of ownership of a motor vehicle.

28-9 SECTION 66. The heading to Section 501.158, Transportation

28-10 Code, is amended to read as follows:

28-11 Sec. 501.158. SEIZURE OF STOLEN VEHICLE OR VEHICLE WITH

28-12 ALTERED VEHICLE IDENTIFICATION [SERIAL] NUMBER.

28-13 SECTION 67. Section 520.035, Transportation Code, is

28-14 transferred to Subchapter H, Chapter 501, Transportation Code,

28-15 renumbered as Section 501.161, Transportation Code, and amended to

28-16 read as follows:

28-17 Sec. 501.161 [520.035]. EXECUTION OF TRANSFER DOCUMENTS;

28-18 PENALTY. (a) A person who transfers a motor vehicle in this state

28-19 shall complete [execute] in full and date as of the date of the

28-20 transfer all documents relating to the transfer of registration or

28-21 [certificate of] title. A person who transfers a vehicle commits an

28-22 offense if the person fails to execute the documents in full.

28-23 (b) A person commits an offense if the person:

28-24 (1) accepts a document described by Subsection (a)

28-25 that does not contain all of the required information; or

28-26 (2) alters or mutilates such a document.

28-27 (c) An offense under this section is a misdemeanor

28-28 punishable by a fine of not less than \$50 and not more than \$200.

28-29 SECTION 68. Subchapter H, Chapter 501, Transportation Code,

28-30 is amended by adding Sections 501.162 and 501.163 to read as

28-31 follows:

28-32 Sec. 501.162. MOTOR NUMBER REQUIRED FOR REGISTRATION;

28-33 PENALTY. A person commits an offense if the person violates Section

28-34 501.0331. An offense under this section is a misdemeanor

28-35 punishable by a fine of not less than \$50 and not more than \$100.

28-36 Sec. 501.163. APPLICATION FOR MOTOR NUMBER RECORD; PENALTY.

28-37 A person who fails to comply with Section 501.0332 commits an

28-38 offense. An offense under this section is a misdemeanor punishable

28-39 by a fine of not less than \$10 and not more than \$100.

28-40 SECTION 69. Chapter 501, Transportation Code, is amended by

28-41 adding Subchapter I to read as follows:

28-42 SUBCHAPTER I. ELECTRONIC TITLING SYSTEM

28-43 Sec. 501.171. APPLICATION OF SUBCHAPTER. This subchapter

28-44 applies only if the department implements a titling system under

28-45 Section 501.173.

28-46 Sec. 501.172. DEFINITIONS. In this subchapter:

28-47 (1) "Document" means information that is inscribed on

28-48 a tangible medium or that is stored in an electronic or other medium

28-49 and is retrievable in perceivable form.

28-50 (2) "Electronic" means relating to technology having

28-51 electrical, digital, magnetic, wireless, optical, electromagnetic,

28-52 or similar capabilities.

28-53 (3) "Electronic document" means a document that is in

28-54 an electronic form.

28-55 (4) "Electronic signature" means an electronic sound,

28-56 symbol, or process attached to or logically associated with a

28-57 document and executed or adopted by a person with the intent to sign

28-58 the document.

28-59 (5) "Paper document" means a document that is in

28-60 printed form.

28-61 Sec. 501.173. ELECTRONIC TITLING SYSTEM. (a) The

28-62 department by rule may implement an electronic titling system.

28-63 (b) A record of title maintained electronically by the

28-64 department in the titling system is the official record of vehicle

28-65 ownership unless the owner requests that the department issue a

28-66 printed title.

28-67 Sec. 501.174. VALIDITY OF ELECTRONIC DOCUMENTS. (a) If

28-68 this chapter requires that a document be an original, be on paper or

28-69 another tangible medium, or be in writing, the requirement is met by

29-1 an electronic document that complies with this subchapter.

29-2 (b) If a law requires that a document be signed, the
 29-3 requirement is satisfied by an electronic signature.

29-4 (c) A requirement that a document or a signature associated
 29-5 with a document be notarized, acknowledged, verified, witnessed, or
 29-6 made under oath is satisfied if the electronic signature of the
 29-7 person authorized to perform that act, and all other information
 29-8 required to be included, is attached to or logically associated
 29-9 with the document or signature. A physical or electronic image of a
 29-10 stamp, impression, or seal is not required to accompany an
 29-11 electronic signature.

29-12 Sec. 501.175. RECORDING OF DOCUMENTS. (a) Under the
 29-13 titling system, the department may:

29-14 (1) receive, index, store, archive, and transmit
 29-15 electronic documents;

29-16 (2) provide for access to, and for search and
 29-17 retrieval of, documents and information by electronic means; and

29-18 (3) convert into electronic form:

29-19 (A) paper documents that it accepts for the
 29-20 titling of a motor vehicle; and

29-21 (B) information recorded and documents that were
 29-22 accepted for the titling of a motor vehicle before the titling
 29-23 system was implemented.

29-24 (b) The department shall continue to accept paper documents
 29-25 after the titling system is implemented.

29-26 Sec. 501.176. PAYMENT OF FEES BY ELECTRONIC FUNDS TRANSFER
 29-27 OR CREDIT CARD. (a) The department may accept payment by
 29-28 electronic funds transfer, credit card, or debit card of any title
 29-29 or registration fee that the department is required or authorized
 29-30 to collect under this chapter.

29-31 (b) The department may collect a fee for processing a title
 29-32 or registration payment by electronic funds transfer, credit card,
 29-33 or debit card. The amount of the fee must be reasonably related to
 29-34 the expense incurred by the department in processing the payment by
 29-35 electronic funds transfer, credit card, or debit card and may not be
 29-36 more than five percent of the amount of the fee being paid.

29-37 (c) In addition to the fee authorized by Subsection (b), the
 29-38 department may collect from a person making payment by electronic
 29-39 funds transfer, credit card, or debit card an amount equal to the
 29-40 amount of any transaction fee charged to the department by a vendor
 29-41 providing services in connection with payments made by electronic
 29-42 funds transfer, credit card, or debit card. The limitation
 29-43 prescribed by Subsection (b) on the amount of a fee does not apply
 29-44 to a fee collected under this subsection.

29-45 Sec. 501.177. SERVICE CHARGE. If, for any reason, the
 29-46 payment of a fee under this chapter by electronic funds transfer,
 29-47 credit card, or debit card is not honored by the funding
 29-48 institution, or by the electronic funds transfer, credit card, or
 29-49 debit card company on which the funds are drawn, the department may
 29-50 collect from the person who owes the fee being collected a service
 29-51 charge that is for the collection of that original amount and is in
 29-52 addition to the original fee. The amount of the service charge must
 29-53 be reasonably related to the expense incurred by the department in
 29-54 collecting the original amount.

29-55 Sec. 501.178. DISPOSITION OF FEES. All fees collected
 29-56 under this subchapter shall be deposited to the credit of the state
 29-57 highway fund.

29-58 Sec. 501.179. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL
 29-59 AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and
 29-60 supersedes the federal Electronic Signatures in Global and National
 29-61 Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify,
 29-62 limit, or supersede Section 101(c) of that Act (15 U.S.C. Section
 29-63 7001(c)) or authorize electronic delivery of any of the notices
 29-64 described in Section 103(b) of that Act (15 U.S.C. Section
 29-65 7003(b)).

29-66 SECTION 70. Section 502.001, Transportation Code, is
 29-67 amended to read as follows:

29-68 Sec. 502.001. DEFINITIONS. In this chapter:

29-69 (1) "All-terrain vehicle" means a motor vehicle that

30-1 is:

30-2 (A) equipped with a saddle, bench, or bucket

30-3 seats for the use of:

30-4 (i) the rider; and

30-5 (ii) a passenger, if the motor vehicle is

30-6 designed by the manufacturer to transport a passenger;

30-7 (B) designed to propel itself with three or more

30-8 tires in contact with the ground; and

30-9 (C) designed by the manufacturer for off-highway

30-10 use [~~and~~

30-11 [~~(D) not designed by the manufacturer primarily~~

30-12 ~~for farming or lawn care~~].

30-13 (2) "Apportioned license plate" means a license plate

30-14 issued in lieu of a truck license plate or combination license plate

30-15 to a motor carrier in this state who proportionally registers a

30-16 vehicle owned by the carrier in one or more other states.

30-17 (3) "Combination license plate" means a license plate

30-18 issued for a truck or truck-tractor that is used or intended to be

30-19 used in combination with a semitrailer that has a gross weight of

30-20 more than 6,000 pounds.

30-21 (4) "Combined gross weight" means the empty weight of

30-22 the truck-tractor or commercial motor vehicle combined with the

30-23 empty weight of the heaviest semitrailer used or to be used in

30-24 combination with the truck-tractor or commercial motor vehicle plus

30-25 the heaviest net load to be carried on the combination during the

30-26 registration year.

30-27 (4-a) "Commercial fleet" means a commercial fleet as

30-28 defined by Section 501.002(1-a).

30-29 (5) "Commercial motor vehicle" means a commercial

30-30 motor vehicle as defined by Section 644.001[~~, other than a~~

30-31 motorcycle, designed or used primarily to transport property. The

30-32 term includes a passenger car reconstructed and used primarily for

30-33 delivery purposes. The term does not include a passenger car used

30-34 to deliver the United States mail].

30-35 (6) "Construction machinery" means a vehicle that:

30-36 (A) is used for construction;

30-37 (B) is built from the ground up;

30-38 (C) is not mounted or affixed to another vehicle

30-39 such as a trailer;

30-40 (D) was originally and permanently designed as

30-41 machinery;

30-42 (E) was not in any way originally designed to

30-43 transport persons or property; and

30-44 (F) does not carry a load, including fuel.

30-45 (7) "Credit card" has the meaning assigned by Section

30-46 501.002.

30-47 (8) "Debit card" has the meaning assigned by Section

30-48 501.002.

30-49 (9) [~~(3)~~] "Department" means the Texas Department of

30-50 Transportation.

30-51 (10) "Electric bicycle" has the meaning assigned by

30-52 Section 541.201.

30-53 (11) "Electric personal assistive mobility device"

30-54 has the meaning assigned by Section 551.201.

30-55 (12) "Empty weight" means the unladen weight of the

30-56 truck-tractor or commercial motor vehicle and semitrailer

30-57 combination fully equipped, as certified by a public weigher or

30-58 license and weight inspector of the Department of Public Safety.

30-59 (13) [~~(4)~~] "Farm trailer" or "farm semitrailer" means

30-60 a vehicle [~~semitrailer~~] designed and used primarily as a farm

30-61 vehicle.

30-62 (14) [~~(5)~~] "Farm tractor" has the meaning assigned by

30-63 Section 541.201 [~~means a motor vehicle designed and used primarily~~

30-64 as a farm implement for drawing other implements of husbandry].

30-65 (15) "Forestry vehicle" [~~(6) "Farm trailer"~~] means a

30-66 vehicle [~~trailer designed and~~] used exclusively for transporting

30-67 forest products in their natural state, including logs, debarked

30-68 logs, untreated ties, stave bolts, plywood bolts, pulpwood billets,

30-69 wood chips, stumps, sawdust, moss, bark, and wood shavings, and

31-1 property used in production of those products [~~primarily as a farm~~
31-2 ~~vehicle~~].

31-3 (16) [(7)] "Golf cart" means a motor vehicle designed
31-4 by the manufacturer primarily for transporting persons on a golf
31-5 course.

31-6 (17) "Gross vehicle weight" has the meaning assigned
31-7 by Section 541.401.

31-8 (18) [(8)] "Implements of husbandry" has the meaning
31-9 assigned by Section 541.201 [~~means farm implements, machinery, and~~
31-10 ~~tools as used in tilling the soil, including self-propelled~~
31-11 ~~machinery specifically designed or adapted for applying plant food~~
31-12 ~~materials or agricultural chemicals but not specifically designed~~
31-13 ~~or adapted for the sole purpose of transporting the materials or~~
31-14 ~~chemicals. The term does not include a passenger car or truck].~~

31-15 (19) [(9)] "Light truck" has the meaning assigned by
31-16 Section 541.201 [~~means a commercial motor vehicle that has a~~
31-17 ~~manufacturer's rated carrying capacity of one ton or less].~~

31-18 (20) [(10)] "Moped" has the meaning assigned by
31-19 Section 541.201.

31-20 (21) [(11)] "Motor bus" includes every vehicle used to
31-21 transport persons on the public highways for compensation, other
31-22 than:

31-23 (A) a vehicle operated by muscular power; or

31-24 (B) a municipal bus.

31-25 (22) [(12)] "Motorcycle" has the meaning assigned by
31-26 Section 541.201 [~~means a motor vehicle designed to propel itself~~
31-27 ~~with not more than three wheels in contact with the ground. The~~
31-28 ~~term does not include a tractor].~~

31-29 (23) [(13)] "Motor vehicle" means a vehicle that is
31-30 self-propelled.

31-31 (24) "Motorized mobility device" has the meaning
31-32 assigned by Section 542.009.

31-33 (25) [(14)] "Municipal bus" includes every vehicle,
31-34 other than a passenger car, used to transport persons for
31-35 compensation exclusively within the limits of a municipality or a
31-36 suburban addition to the municipality.

31-37 (26) "Net carrying capacity" is the heaviest net load
31-38 to be carried on the vehicle, but not less than the manufacturer's
31-39 rated carrying capacity.

31-40 (27) "Oil well servicing, cleanout, or drilling
31-41 machinery":

31-42 (A) has the meaning assigned by Section 623.149;

31-43 or

31-44 (B) means:

31-45 (i) a mobile crane that is an unladen,
31-46 self-propelled vehicle constructed as a machine and used solely to
31-47 raise, shift, or lower heavy weights by means of a projecting,
31-48 swinging mast with an engine for power on a chassis permanently
31-49 constructed or assembled for such purpose; and

31-50 (ii) for which the owner has secured a
31-51 permit from the department under Section 623.142.

31-52 (28) [(15)] "Operate temporarily on the highways"
31-53 means to travel between:

31-54 (A) different farms;

31-55 (B) a place of supply or storage and a farm; or

31-56 (C) an owner's farm and the place at which the
31-57 owner's farm produce is prepared for market or is marketed.

31-58 (29) [(16)] "Owner" means a person who:

31-59 (A) holds the legal title of a vehicle;

31-60 (B) has the legal right of possession of a
31-61 vehicle; or

31-62 (C) has the legal right of control of a vehicle.

31-63 (30) [(17)] "Passenger car" has the meaning assigned
31-64 by Section 541.201 [~~means a motor vehicle, other than a motorcycle,~~
31-65 ~~golf cart, light truck, or bus, designed or used primarily for the~~
31-66 ~~transportation of persons].~~

31-67 (31) "Power sweeper" means an implement, with or
31-68 without motive power, designed for the removal by a broom, vacuum,
31-69 or regenerative air system of debris, dirt, gravel, litter, or sand

32-1 from asphaltic concrete or cement concrete surfaces, including
32-2 surfaces of parking lots, roads, streets, highways, and warehouse
32-3 floors. The term includes a vehicle on which the implement is
32-4 permanently mounted if the vehicle is used only as a power sweeper.

32-5 (32) "Private bus" means a bus that:
32-6 (A) is not operated for hire; and
32-7 (B) is not classified as a municipal bus or a
32-8 motor bus.

32-9 (33) [~~18~~] "Public highway" includes a road, street,
32-10 way, thoroughfare, or bridge:

32-11 (A) that is in this state;
32-12 (B) that is for the use of vehicles;
32-13 (C) that is not privately owned or controlled;
32-14 and

(D) over which the state has legislative
32-15 jurisdiction under its police power.

32-16 (34) [~~19~~] "Public property" means property owned or
32-17 leased by this state or a political subdivision of this state.

32-18 (35) [~~20~~] "Road tractor" means a vehicle designed
32-19 for the purpose of mowing the right-of-way of a public highway or a
32-20 motor vehicle designed or used for drawing another vehicle or a load
32-21 and not constructed to carry:

32-22 (A) an independent load; or
32-23 (B) a part of the weight of the vehicle and load
32-24 to be drawn.

32-25 (36) [~~21~~] "Semitrailer" means a vehicle designed or
32-26 used with a motor vehicle so that part of the weight of the vehicle
32-27 and its load rests on or is carried by another vehicle.

32-28 (37) "Token trailer" means a semitrailer that:
32-29 (A) has a gross weight of more than 6,000 pounds;
32-30 and

(B) is operated in combination with a truck or a
32-31 truck-tractor that has been issued:

32-32 (i) an apportioned license plate;
32-33 (ii) a combination license plate; or
32-34 (iii) a forestry vehicle license plate.

32-35 (38) "Tow truck" means a motor vehicle adapted or used
32-36 to tow, winch, or otherwise move another motor vehicle.

32-37 (39) [~~22~~] "Trailer" means a vehicle that:
32-38 (A) is designed or used to carry a load wholly on
32-39 its own structure; and

32-40 (B) is drawn or designed to be drawn by a motor
32-41 vehicle.

32-42 (40) "Travel trailer" has the meaning assigned by
32-43 Section 501.002.

32-44 (41) [~~23~~] "Truck-tractor" means a motor vehicle:
32-45 (A) designed and used primarily for drawing
32-46 another vehicle; and

32-47 (B) not constructed to carry a load other than a
32-48 part of the weight of the vehicle and load to be drawn.

32-49 (42) [~~24~~] "Vehicle" means a device in or by which a
32-50 person or property is or may be transported or drawn on a public
32-51 highway, other than a device used exclusively on stationary rails
32-52 or tracks.

32-53 SECTION 71. Section 502.0021, Transportation Code, is
32-54 amended to read as follows:

32-55 Sec. 502.0021. RULES AND FORMS. (a) The department may
32-56 adopt rules to administer this chapter.

32-57 (b) The department shall post on the Internet or
32-58 [~~1~~] prescribe forms determined by the department to
32-59 be necessary for the administration of this chapter; and

32-60 [~~2~~] provide each county assessor-collector with a
32-61 sufficient [an adequate] supply of any [each form] necessary forms
32-62 [for the performance of a duty under this chapter by the
32-63 assessor-collector].

32-64 SECTION 72. Section 502.052, Transportation Code, is
32-65 transferred to Subchapter A, Chapter 502, Transportation Code,
32-66 renumbered as Section 502.00211, Transportation Code, and amended
32-67 to read as follows:

33-1 Sec. 502.00211 [~~502.052~~]. DESIGN OF [~~LICENSE PLATES AND~~
33-2 REGISTRATION INSIGNIA [~~, REFLECTORIZED MATERIAL~~]. [~~(a)~~] The
33-3 department shall prepare the designs and specifications [~~of license~~
33-4 ~~plates and devices selected by the Texas Transportation Commission~~
33-5 to be used as the registration insignia.

33-6 [~~(b)~~] ~~The department shall design each license plate to~~
33-7 ~~include a design at least one-half inch wide that represents in~~
33-8 ~~silhouette the shape of Texas and that appears between letters and~~
33-9 ~~numerals. The department may omit the silhouette of Texas from~~
33-10 ~~specially designed license plates.~~

33-11 [~~(c)~~] ~~To promote highway safety, each license plate shall be~~
33-12 ~~made with a reflectORIZED material that provides effective and~~
33-13 ~~dependable brightness for the period for which the plate is issued.~~
33-14 ~~The purchase of reflectORIZED material shall be submitted to the~~
33-15 ~~comptroller for approval.]~~

33-16 SECTION 73. Section 502.0022, Transportation Code, is
33-17 amended to read as follows:

33-18 Sec. 502.0022. CONSOLIDATED REGISTRATION OF [~~FLEET~~]
33-19 VEHICLES. (a) The department shall develop and implement a system
33-20 of registration so that an owner of more than one motor vehicle or
33-21 trailer that is subject to registration under this chapter [~~a fleet~~
33-22 ~~of motor vehicles~~] may consolidate the registration of the motor
33-23 vehicles [~~in the fleet~~] as an alternative to the separate
33-24 registration of each motor vehicle [~~in the fleet~~]. The owner may
33-25 designate an initial or a renewal registration period for a vehicle
33-26 or trailer so that the registration period expires on the same date
33-27 as the registration period for another vehicle or trailer
33-28 previously registered by that owner.

33-29 (b) A system of consolidated registration under this
33-30 section must allow the owner of the [~~a fleet of~~] motor vehicles to
33-31 register:

33-32 (1) all [~~an entire fleet of~~] motor vehicles in the
33-33 county of the owner's residence or principal place of business; or

33-34 (2) [~~those vehicles in a fleet of~~] vehicles that are
33-35 operated most regularly in the same county by registering the
33-36 vehicles in that county.

33-37 (c) With the consent of the [~~The~~] department, the
33-38 registration shall be issued in accordance with Section 502.044 [~~by~~
33-39 ~~rule shall define "fleet" for purposes of this section.~~

33-40 [~~(d)~~] ~~The department may adopt rules to administer this~~
33-41 ~~section].~~

33-42 SECTION 74. (a) Subchapter A, Chapter 502, Transportation
33-43 Code, is amended by adding Section 502.0023 to read as follows:

33-44 Sec. 502.0023. EXTENDED REGISTRATION OF COMMERCIAL FLEET
33-45 VEHICLES. (a) The department shall develop and implement a system
33-46 of registration to allow an owner of a commercial fleet to register
33-47 the motor vehicles in the commercial fleet for an extended
33-48 registration period of not less than one year or more than eight
33-49 years. The owner may select the number of years for registration
33-50 under this section within that range and register the commercial
33-51 fleet for that period. Payment for the entire registration period
33-52 selected is due at the time of registration.

33-53 (b) In addition to the registration fees prescribed by
33-54 Subchapter D, an owner registering a commercial fleet under this
33-55 section shall pay:

33-56 (1) an annual commercial fleet registration fee of \$10
33-57 per motor vehicle; and

33-58 (2) a one-time license plate manufacturing fee of
33-59 \$1.50 for each issued motor vehicle license plate.

33-60 (c) A license plate issued under this section may, at the
33-61 registered owner's option, include on the legend the name or logo of
33-62 the business entity that owns the vehicle. The license plates shall
33-63 conform in all respects to the provisions of this chapter, except as
33-64 specified herein.

33-65 (d) For commercial fleets registered under this section,
33-66 payment of all registration license taxes and fees under this
33-67 chapter shall be paid in advance for the extended registration
33-68 period selected under Subsection (b). Upon payment of all
33-69 registration license taxes and fees, no annual validation window

34-1 insignia is required for the entire period paid for in advance. A
 34-2 registration card will be issued for the period elected only for
 34-3 vehicles that exceed 10,000 pounds in weight.

34-4 (e) Failure to comply with this section may result in
 34-5 suspension or termination from the commercial fleet program.

34-6 (f) The department shall adopt rules to implement this
 34-7 section.

34-8 (b) The Texas Department of Transportation shall adopt the
 34-9 rules and establish the system required under Section 502.0023,
 34-10 Transportation Code, as added by this section, not later than
 34-11 September 1, 2010.

34-12 (c) This section takes effect September 1, 2009.

34-13 SECTION 75. Section 502.185, Transportation Code, is
 34-14 transferred to Subchapter A, Chapter 502, Transportation Code,
 34-15 renumbered as Section 502.010, Transportation Code, and amended to
 34-16 read as follows:

34-17 Sec. 502.010 [~~502.185~~]. COUNTY SCOFFLAW [~~REFUSAL TO~~
 34-18 ~~REGISTER VEHICLE IN CERTAIN COUNTIES~~]. (a) A county

34-19 assessor-collector or the department may refuse to register a motor
 34-20 vehicle if the assessor-collector or the department receives
 34-21 information that the owner of the vehicle owes the county money for
 34-22 a fine, fee, or tax that is past due.

34-23 (b) A county may contract with the department to provide
 34-24 information to the department necessary to make a determination
 34-25 under Subsection (a).

34-26 (c) A county that has a contract under Subsection (b) shall
 34-27 notify the department regarding a person for whom the county
 34-28 assessor-collector or the department has refused to register a
 34-29 motor vehicle on:

34-30 (1) the person's payment or other means of discharge of
 34-31 the past due fine, fee, or tax; or

34-32 (2) perfection of an appeal of the case contesting
 34-33 payment of the fine, fee, or tax.

34-34 (d) After notice is received under Subsection (c), the
 34-35 county assessor-collector or the department may not refuse to
 34-36 register the motor vehicle under Subsection (a).

34-37 (e) A contract under Subsection (b) must be entered into in
 34-38 accordance with Chapter 791, Government Code, and is subject to the
 34-39 ability of the parties to provide or pay for the services required
 34-40 under the contract.

34-41 (f) A county that has a contract under Subsection (b) may
 34-42 impose an additional fee to a person paying a fine, fee, or tax to
 34-43 the county after it is past due. The additional fee may be used only
 34-44 to reimburse the department or the county for its expenses for
 34-45 providing services under the contract.

34-46 (g) In this section:

34-47 (1) a fine, fee, or tax is considered past due if it is
 34-48 unpaid 90 or more days after the date it is due; and

34-49 (2) registration of a motor vehicle includes renewal
 34-50 of the registration of the vehicle.

34-51 (h) This section does not apply to the registration of a
 34-52 motor vehicle under Section 501.0234, unless the vehicle is titled
 34-53 and registered in the name of a person who holds a general
 34-54 distinguishing number.

34-55 SECTION 76. The heading to Subchapter B, Chapter 502,
 34-56 Transportation Code, is amended to read as follows:

34-57 SUBCHAPTER B. REGISTRATION REQUIREMENTS [~~STATE ADMINISTRATION~~]

34-58 SECTION 77. Section 502.002, Transportation Code, is
 34-59 transferred to Subchapter B, Chapter 502, Transportation Code,
 34-60 renumbered as Section 502.040, Transportation Code, and amended to
 34-61 read as follows:

34-62 Sec. 502.040 [~~502.002~~]. REGISTRATION REQUIRED; GENERAL
 34-63 RULE. (a) The owner of a motor vehicle, trailer, or semitrailer
 34-64 shall apply for the registration of the vehicle for:

34-65 (1) each registration year in which the vehicle is
 34-66 used or to be used on a public highway; and

34-67 (2) if the vehicle is unregistered for a registration
 34-68 year that has begun and that applies to the vehicle and if the
 34-69 vehicle is used or to be used on a public highway, the remaining

35-1 portion of that registration year.

35-2 (b) The application must be made in a manner prescribed by
35-3 ~~[to]~~ the department through the county assessor-collector of the
35-4 county in which the owner resides.

35-5 (c) A provision of this chapter that conflicts with this
35-6 section prevails over this section to the extent of the conflict.

35-7 (d) A county assessor-collector, a deputy county
35-8 assessor-collector, or a person acting on behalf of a county
35-9 assessor-collector is not liable to any person for:

35-10 (1) refusing to register a motor vehicle because of
35-11 the person's failure to submit evidence of residency that complies
35-12 with the department's rules; or

35-13 (2) registering a motor vehicle under this section.

35-14 SECTION 78. Section 502.157, Transportation Code, is
35-15 transferred to Subchapter B, Chapter 502, Transportation Code,
35-16 renumbered as Section 502.041, Transportation Code, and amended to
35-17 read as follows:

35-18 Sec. 502.041 ~~[502.157]~~. INITIAL REGISTRATION.

35-19 (a) Notwithstanding Section 502.040 ~~[502.002]~~, ~~[when a motor~~
35-20 ~~vehicle must be registered before an application for a certificate~~
35-21 ~~of title will be accepted,]~~ the owner of a ~~[the]~~ vehicle may
35-22 concurrently apply for a ~~[certificate of]~~ title and for
35-23 registration through the county assessor-collector of the county in
35-24 which:

35-25 (1) the owner resides; or

35-26 (2) the vehicle is purchased or encumbered.

35-27 (b) The first time an owner applies for registration of a
35-28 vehicle, the owner may demonstrate compliance with Section
35-29 502.046(a) ~~[502.153(a)]~~ as to the vehicle by showing proof of
35-30 financial responsibility in any manner specified in Section
35-31 502.046(c) ~~[502.153(c)]~~ as to:

35-32 (1) any vehicle of the owner; or

35-33 (2) any vehicle used as part of the consideration for
35-34 the purchase of the vehicle the owner applies to register.

35-35 SECTION 79. Section 502.152, Transportation Code, is
35-36 transferred to Subchapter B, Chapter 502, Transportation Code,
35-37 renumbered as Section 502.042, Transportation Code, and amended to
35-38 read as follows:

35-39 Sec. 502.042 ~~[502.152]~~. ~~[CERTIFICATE OF]~~ TITLE REQUIRED
35-40 FOR REGISTRATION. ~~[(a)]~~ The department may not register or renew
35-41 the registration of a motor vehicle for which a ~~[certificate of]~~
35-42 title is required under Chapter 501 unless the owner:

35-43 (1) obtains a ~~[certificate of]~~ title for the vehicle;

35-44 or

35-45 (2) presents satisfactory evidence that a
35-46 ~~[certificate of]~~ title was previously issued to the owner by the
35-47 department or another jurisdiction.

35-48 ~~[(b) This section does not apply to an automobile that was~~
35-49 ~~purchased new before January 1, 1936.]~~

35-50 SECTION 80. Section 502.151, Transportation Code, is
35-51 transferred to Subchapter B, Chapter 502, Transportation Code,
35-52 renumbered as Section 502.043, Transportation Code, and amended to
35-53 read as follows:

35-54 Sec. 502.043 ~~[502.151]~~. APPLICATION FOR REGISTRATION.

35-55 (a) An application for vehicle registration must:

35-56 (1) be made in a manner prescribed and include the
35-57 information required ~~[on a form furnished]~~ by the department by
35-58 rule; and

35-59 (2) contain a [the] full description ~~[name and address~~
35-60 ~~of the owner]~~ of the vehicle as required by department rule ~~[+]~~

35-61 ~~[(3) contain a brief description of the vehicle,~~

35-62 ~~[(4) contain any other information required by the~~
35-63 ~~department, and~~

35-64 ~~[(5) be signed by the owner].~~

35-65 (b) ~~[For a new motor vehicle, the description of the vehicle~~
35-66 ~~must include the vehicle's:~~

35-67 ~~[(1) trade name,~~

35-68 ~~[(2) year model,~~

35-69 ~~[(3) style and type of body,~~

36-1 ~~[(4) weight, if the vehicle is a passenger car,~~
36-2 ~~[(5) net carrying capacity and gross weight, if the~~
36-3 ~~vehicle is a commercial motor vehicle,~~
36-4 ~~[(6) vehicle identification number, and~~
36-5 ~~[(7) date of sale by the manufacturer or dealer to the~~
36-6 ~~applicant.~~

36-7 ~~[(e)]~~ An applicant for registration of a commercial motor
36-8 vehicle, truck-tractor, trailer, or semitrailer must show
36-9 acceptable proof ~~[deliver]~~ to the county assessor-collector of ~~[an~~
36-10 ~~affidavit showing]~~ the weight of the vehicle, the maximum load to be
36-11 carried on the vehicle, and the gross weight for which the vehicle
36-12 is to be registered. ~~[The assessor-collector shall keep the~~
36-13 ~~affidavit on file.]~~

36-14 (b-1) An applicant for registration of a non-titled trailer
36-15 shall provide proof of ownership by providing a vehicle
36-16 identification inspection and a bill of sale or bond. For a trailer
36-17 that weighs 4,000 pounds or less, the applicant must include the
36-18 information established by department rule. For a trailer that
36-19 weighs more than 4,000 pounds, the applicant must include an order
36-20 determining ownership of the trailer issued by a court with
36-21 jurisdiction.

36-22 (c) [(d)] In lieu of filing an application during a year as
36-23 provided by Subsection (a), the owner of a vehicle registered in any
36-24 state for that year or the preceding year may present the
36-25 registration receipt and transfer receipt, if any. The county
36-26 assessor-collector shall accept the receipt as an application for
36-27 renewal of the registration if the receipt indicates the applicant
36-28 owns the vehicle. This section allows issuance for registration
36-29 purposes only but does not authorize the department to issue a
36-30 certificate of title or record of title.

36-31 ~~[(e) If an owner or claimed owner has lost or misplaced the~~
36-32 ~~registration receipt or transfer receipt for the vehicle, the~~
36-33 ~~county assessor-collector shall register the vehicle on the~~
36-34 ~~person's furnishing to the assessor-collector satisfactory~~
36-35 ~~evidence, by affidavit or otherwise, that the person owns the~~
36-36 ~~vehicle.~~

36-37 ~~[(f) A county assessor-collector shall date each~~
36-38 ~~registration receipt issued for a vehicle with the date on which the~~
36-39 ~~application for registration is made.]~~

36-40 SECTION 81. Section 502.158, Transportation Code, is
36-41 transferred to Subchapter B, Chapter 502, Transportation Code,
36-42 renumbered as Section 502.044, Transportation Code, and amended to
36-43 read as follows:

36-44 Sec. 502.044 ~~[502.158]~~. REGISTRATION PERIOD [YEAR].

36-45 (a) The department shall designate a vehicle registration year of
36-46 12 consecutive months to begin on the first day of a calendar month
36-47 and end on the last day of the 12th calendar month.

36-48 (b) The department shall designate vehicle registration
36-49 years so as to distribute the work of the department and the county
36-50 assessor-collectors as uniformly as possible throughout the year.
36-51 The department may establish separate registration years for any
36-52 vehicle or classification of vehicle and may adopt rules to
36-53 administer the year-round registration system.

36-54 (c) The department may designate a registration period of
36-55 less than 12 months to be ~~[. The registration fee for a~~
36-56 ~~registration period of less than 12 months is]~~ computed at a rate of
36-57 one-twelfth the annual registration fee multiplied by the number of
36-58 months in the registration period. The department, by rule, may
36-59 allow payment of ~~[may not designate a registration period of more~~
36-60 ~~than 12 months, but.~~

36-61 ~~[(1) with the consent of the department, an owner may~~
36-62 ~~pay] registration fees for a designated period not to exceed 96 ~~[of~~
36-63 ~~more than 12] months [, and~~~~

36-64 ~~[(2) an owner of a vehicle may pay registration fees~~
36-65 ~~for a designated period of 12, 24, or 36 months.~~

36-66 ~~[(d) An application for registration shall be made during~~
36-67 ~~the two months preceding the date on which the registration~~
36-68 ~~expires.~~

36-69 ~~[(e) The fee to be paid for renewing a registration is the~~

37-1 ~~fee that will be in effect on the first day of the vehicle~~
37-2 ~~registration year].~~

37-3 ~~(d) [(g)] The department shall issue [the applicant for~~
37-4 ~~registration who pays registration fees for a designated period of~~
37-5 ~~24 or 36 months] a registration receipt and registration insignia~~
37-6 ~~that are valid until the expiration of the designated period.~~

37-7 SECTION 82. Section 502.176, Transportation Code, is
37-8 transferred to Subchapter B, Chapter 502, Transportation Code,
37-9 renumbered as Section 502.045, Transportation Code, and amended to
37-10 read as follows:

37-11 Sec. 502.045 [~~502.176~~]. DELINQUENT REGISTRATION. (a) A
37-12 registration fee [~~prescribed by this chapter~~] for a vehicle becomes
37-13 delinquent immediately if the vehicle is used on a public highway
37-14 without the fee having been paid in accordance with this chapter.

37-15 (b) An [~~A county assessor-collector that determines that~~
37-16 ~~an~~] applicant for registration who provides [~~for which payment of~~
37-17 ~~the registration fee is delinquent has provided~~] evidence
37-18 acceptable to the assessor-collector [~~sufficient~~] to establish
37-19 good reason for delinquent registration and who [~~that the~~
37-20 ~~application~~] complies with the other requirements for registration
37-21 under this chapter may [~~shall~~] register the vehicle for a 12-month
37-22 period that ends on the last day of the 11th month after the month in
37-23 which the registration occurs under this subsection. The
37-24 registration period for vehicles registered in accordance with
37-25 Sections 502.255, 502.431, 502.435, 502.454, 504.401, 504.505,
37-26 504.515, and 504.613 [~~502.164, 502.167, 502.203, 502.255, 502.267,~~
37-27 ~~502.277, 502.278, 502.293, as added by Chapter 1222, Acts of the~~
37-28 ~~75th Legislature, Regular Session, 1997, and 502.295, as added by~~
37-29 ~~Chapter 625, Acts of the 75th Legislature, Regular Session, 1997,~~
37-30 will end on the annual registration date, and the registration fees
37-31 will be prorated.

37-32 (c) A county assessor-collector that determines that an
37-33 applicant for registration who [~~that~~] is delinquent and has not
37-34 provided evidence acceptable [~~to the assessor-collector~~
37-35 ~~sufficient~~] to establish good reason for delinquent registration
37-36 but who [~~that the application~~] complies with the other requirements
37-37 for registration under this chapter shall register the vehicle for
37-38 a 12-month period without changing the initial month of
37-39 registration.

37-40 (d) A person who has been arrested or received a citation
37-41 for a violation of Section 502.472 [~~502.402~~] may register the
37-42 vehicle being operated at the time of the offense [~~with the county~~
37-43 ~~assessor-collector~~] for a 12-month period without change to the
37-44 initial month of registration only if the person:

37-45 (1) meets the other requirements for registration
37-46 under this chapter; and

37-47 (2) pays an additional charge equal to 20 percent of
37-48 the prescribed fee.

37-49 (e) The department by rule [~~county assessor-collector~~]
37-50 shall adopt a list of evidentiary items sufficient to establish
37-51 good reason for delinquent registration under Subsection (b) and
37-52 provide for the [~~forms of~~] evidence that may be used to establish
37-53 good reason under that subsection. [~~The list of evidentiary items~~
37-54 ~~adopted under this section must allow for delinquent registration~~
37-55 ~~under Subsection (b) because of:~~

37-56 [~~(1) extensive repairs on the vehicle,~~

37-57 [~~(2) the absence of the owner of the vehicle from this~~
37-58 ~~country,~~

37-59 [~~(3) seasonal use of the vehicle, or~~

37-60 [~~(4) any other reason determined by the~~
37-61 ~~assessor-collector to be a valid explanation for the delinquent~~
37-62 ~~registration.]~~

37-63 (f) The department by rule shall adopt procedures to
37-64 implement this section in connection with the delinquent
37-65 registration of a vehicle registered directly with the department.

37-66 SECTION 83. Section 502.153, Transportation Code, is
37-67 transferred to Subchapter B, Chapter 502, Transportation Code,
37-68 renumbered as Section 502.046, Transportation Code, and amended to
37-69 read as follows:

38-1 Sec. 502.046 [~~502.153~~]. EVIDENCE OF FINANCIAL
38-2 RESPONSIBILITY. (a) Evidence [~~Except as provided by Subsection~~
38-3 ~~(j), the owner of a motor vehicle, other than a trailer or~~
38-4 ~~semitrailer, for which evidence]~~ of financial responsibility as
38-5 [~~is]~~ required by Section 601.051 other than for a trailer or
38-6 semitrailer [~~or a person who represents the owner for purposes of~~
38-7 ~~registering a motor vehicle]~~ shall be submitted [~~submit evidence of~~
38-8 ~~financial responsibility]~~ with the application for registration
38-9 under Section 502.043 [~~502.151~~]. A county assessor-collector may
38-10 not register the motor vehicle unless the owner or the owner's
38-11 representative submits the evidence of financial responsibility.

38-12 (b) The county assessor-collector shall examine the
38-13 evidence of financial responsibility to determine whether it
38-14 complies with Subsection (c). After examination, [~~examining~~]
38-15 the evidence [~~, the assessor-collector]~~ shall be returned [~~return the~~
38-16 ~~evidence]~~ unless it is in the form of a photocopy or an electronic
38-17 submission.

38-18 (c) In this section, evidence of financial responsibility
38-19 may be:

38-20 (1) a document listed under Section 601.053(a) or
38-21 verified in compliance with Section 601.452, as added by Chapter
38-22 892, Acts of the 79th Legislature, Regular Session, 2005;

38-23 (2) a liability self-insurance or pool coverage
38-24 document issued by a political subdivision or governmental pool
38-25 under the authority of Chapter 791, Government Code, Chapter 119,
38-26 Local Government Code, or other applicable law in at least the
38-27 minimum amounts required by Chapter 601;

38-28 (3) a photocopy of a document described by Subdivision
38-29 (1) or (2); or

38-30 (4) an electronic submission of a document or the
38-31 information contained in a document described by Subdivision (1) or
38-32 (2).

38-33 (d) A personal automobile policy used as evidence of
38-34 financial responsibility under this section must comply with
38-35 Section 1952.052 et seq. and Sections 2301.051-2301.055 [~~Article~~
38-36 ~~5.06 or 5.145~~], Insurance Code.

38-37 (e) At the time of registration, the county
38-38 assessor-collector shall provide to a person registering a motor
38-39 vehicle a [~~separate~~] statement that the motor vehicle [~~being~~
38-40 ~~registered~~] may not be operated in this state unless:

38-41 (1) liability insurance coverage for the motor vehicle
38-42 in at least the minimum amounts required by law remains in effect to
38-43 insure against potential losses; or

38-44 (2) the motor vehicle is exempt from the insurance
38-45 requirement because the person has established financial
38-46 responsibility in a manner described by Sections [~~Section~~]
38-47 601.051(2)-(5) or is exempt under Section 601.052.

38-48 (f) A county assessor-collector is not liable to any person
38-49 for refusing to register a motor vehicle to which this section
38-50 applies because of the person's failure to submit evidence of
38-51 financial responsibility that complies with Subsection (c).

38-52 (g) A county, a county assessor-collector, a deputy county
38-53 assessor-collector, a person acting for or on behalf of a county or
38-54 a county assessor-collector, or a person acting on behalf of an
38-55 owner for purposes of registering a motor vehicle is not liable to
38-56 any person for registering a motor vehicle under this section.

38-57 (h) This section does not prevent a person from registering
38-58 a motor vehicle by mail or through an electronic submission.

38-59 (i) To be valid under this section, an electronic submission
38-60 must be in a format that is:

38-61 (1) submitted by electronic means, including a
38-62 telephone, facsimile machine, or computer;

38-63 (2) approved by the department; and

38-64 (3) authorized by the commissioners court for use in
38-65 the county.

38-66 (j) This section does not apply to a vehicle registered
38-67 pursuant to Section 501.0234.

38-68 SECTION 84. Section 502.009, Transportation Code, is
38-69 transferred to Subchapter B, Chapter 502, Transportation Code,

39-1 renumbered as Section 502.047, Transportation Code, and amended to
 39-2 read as follows:

39-3 Sec. 502.047 [~~502.009~~]. MOTOR VEHICLE EMISSIONS INSPECTION
 39-4 AND MAINTENANCE REQUIREMENTS. (a) The Department of Public Safety
 39-5 shall ensure compliance with the motor vehicle emissions inspection
 39-6 and maintenance program through a vehicle inspection sticker-based
 39-7 enforcement system except as provided by this section or Section
 39-8 548.3011. Subsections (b)-(e) apply only if the United States
 39-9 Environmental Protection Agency determines that the state has not
 39-10 demonstrated, as required by 40 C.F.R. Section 51.361, that
 39-11 sticker-based enforcement of the program is more effective than
 39-12 registration-based enforcement and gives the Texas [~~Natural~~
 39-13 ~~Resource Conservation~~] Commission on Environmental Quality or the
 39-14 governor written notification that the reregistration-based
 39-15 enforcement of the program, as described by those subsections, will
 39-16 be required. If Subsections (b)-(e) are made applicable as
 39-17 provided by this subsection, the department shall terminate
 39-18 reregistration-based enforcement of the program under those
 39-19 subsections on the date the United States Environmental Protection
 39-20 Agency gives the Texas [~~Natural Resource Conservation~~] Commission
 39-21 on Environmental Quality or a person the commission designates
 39-22 written notification that reregistration-based enforcement is not
 39-23 required for the state implementation plan.

39-24 (b) A [~~The department may not register a~~] motor vehicle may
 39-25 not be registered if the department receives from the Texas
 39-26 [~~Natural Resource Conservation~~] Commission on Environmental
 39-27 Quality or the Department of Public Safety notification that the
 39-28 registered owner of the vehicle has not complied with Subchapter F,
 39-29 Chapter 548.

39-30 (c) A motor vehicle [~~The county tax assessor-collector~~] may
 39-31 not be registered if the [~~register a~~] vehicle was denied
 39-32 registration under Subsection (b) unless [~~the tax~~
 39-33 ~~assessor-collector has~~] verification is received that the
 39-34 registered vehicle owner is in compliance with Subchapter F,
 39-35 Chapter 548.

39-36 (d) The department, the Texas [~~Natural Resource~~
 39-37 ~~Conservation~~] Commission on Environmental Quality, and the
 39-38 Department of Public Safety shall enter an agreement regarding the
 39-39 responsibilities for costs associated with implementing this
 39-40 section.

39-41 (e) A county tax assessor-collector is not liable to any
 39-42 person for refusing to register a motor vehicle because of the
 39-43 person's failure to provide verification of the person's compliance
 39-44 with Subchapter F, Chapter 548.

39-45 SECTION 85. Section 502.005, Transportation Code, is
 39-46 transferred to Subchapter B, Chapter 502, Transportation Code,
 39-47 renumbered as Section 502.048, Transportation Code, and amended to
 39-48 read as follows:

39-49 Sec. 502.048 [~~502.005~~]. REFUSAL TO REGISTER UNSAFE
 39-50 VEHICLE. [~~(a)~~] The department may refuse to register a motor
 39-51 vehicle and may cancel, suspend, or revoke a registration if the
 39-52 department determines that a motor vehicle is unsafe, improperly
 39-53 equipped, or otherwise unfit to be operated on a public highway.

39-54 [~~(b) The department may refuse to register a motorcycle and~~
 39-55 ~~may suspend or revoke the registration of a motorcycle if the~~
 39-56 ~~department determines that the motorcycle's braking system does not~~
 39-57 ~~comply with Section 547.408.~~]

39-58 SECTION 86. Subsection (b), Section 502.055,
 39-59 Transportation Code, is amended to read as follows:

39-60 (b) The department may require an applicant for
 39-61 registration under this chapter to provide the department with
 39-62 evidence of:

39-63 (1) the manufacturer's rated carrying capacity for the
 39-64 vehicle; or

39-65 (2) [~~the nominal tonnage rating of the vehicle,~~
 39-66 [~~(3)~~] the gross vehicle weight rating [~~of the vehicle,~~

39-67 ~~or~~

39-68 [~~(4) any combination of information described in~~
 39-69 ~~Subdivisions (1)-(3)~~].

40-1 SECTION 87. Section 502.178, Transportation Code, is
 40-2 transferred to Subchapter B, Chapter 502, Transportation Code,
 40-3 renumbered as Section 502.057, Transportation Code, and amended to
 40-4 read as follows:

40-5 Sec. 502.057 [~~502.178~~]. REGISTRATION RECEIPT. [~~(a)~~] The
 40-6 department shall issue or require to be issued to the owner of a
 40-7 vehicle registered under this chapter a registration receipt
 40-8 showing the information required by rule [~~+~~

40-9 [~~(1) the date of issuance,~~
 40-10 [~~(2) the license number assigned to the vehicle,~~
 40-11 [~~(3) the name and address of the owner, and~~
 40-12 [~~(4) other information as determined by the~~
 40-13 department.

40-14 [~~(b) The registration receipt issued for a commercial motor~~
 40-15 ~~vehicle, truck-tractor, trailer, or semitrailer must show the gross~~
 40-16 ~~weight for which the vehicle is registered].~~

40-17 SECTION 88. Section 502.179, Transportation Code, is
 40-18 transferred to Subchapter B, Chapter 502, Transportation Code,
 40-19 renumbered as Section 502.058, Transportation Code, and amended to
 40-20 read as follows:

40-21 Sec. 502.058 [~~502.179~~]. DUPLICATE REGISTRATION RECEIPT.
 40-22 (a) The owner of a vehicle for which the registration receipt has
 40-23 been lost or destroyed may obtain a duplicate receipt from the
 40-24 department or the county assessor-collector who issued the original
 40-25 receipt by paying a fee of \$2.

40-26 (b) The office issuing a duplicate receipt shall retain the
 40-27 fee received [~~as a fee of office~~].

40-28 SECTION 89. Section 502.180, Transportation Code, is
 40-29 transferred to Subchapter B, Chapter 502, Transportation Code,
 40-30 renumbered as Section 502.059, Transportation Code, and amended to
 40-31 read as follows:

40-32 Sec. 502.059 [~~502.180~~]. ISSUANCE OF [~~LICENSE PLATE OR~~]
 40-33 ~~REGISTRATION INSIGNIA.~~ (a) On payment of the prescribed fee [~~,~~
 40-34 ~~the department shall issue to]~~ an applicant for motor vehicle
 40-35 registration shall be issued a [~~license plate or set of plates or a~~
 40-36 ~~device that, when attached to the vehicle as prescribed by the~~
 40-37 ~~department, is the]~~ registration insignia [~~for the period for which~~
 40-38 ~~it was issued~~].

40-39 (b) [~~Subject to Subchapter I, the department shall issue~~
 40-40 ~~only one license plate or set of plates for a vehicle during a~~
 40-41 ~~five-year period.~~

40-42 [~~(c)~~] On application and payment of the prescribed fee for a
 40-43 renewal of the registration of a vehicle through the seventh [~~for~~
 40-44 ~~the first, second, third, or fourth]~~ registration year after the
 40-45 issuance of a license plate or set of plates for the vehicle, the
 40-46 department shall issue a registration insignia for the validation
 40-47 of the license plate or plates to be attached as provided by
 40-48 Subsection (c) [~~(d)~~].

40-49 (c) [~~(a)~~] Except as provided by Subsection (f) [~~(h)~~], the
 40-50 registration insignia for validation of a license plate shall be
 40-51 attached to the inside of the vehicle's windshield, if the vehicle
 40-52 has a windshield, within six inches of the place where the motor
 40-53 vehicle inspection sticker is required to be placed. If the vehicle
 40-54 does not have a windshield, the owner, when applying for
 40-55 registration or renewal of registration, shall notify the
 40-56 department, and the department shall issue a distinctive device for
 40-57 attachment to the rear license plate of the vehicle.

40-58 (d) Department [~~(e) The department shall adopt rules for~~
 40-59 ~~the issuance and use of license plates and registration insignia~~
 40-60 ~~issued under this chapter. The]~~ rules may provide for the use of an
 40-61 automated registration process, including:

40-62 (1) the automated on-site production of registration
 40-63 insignia; and

40-64 (2) automated on-premises and off-premises
 40-65 self-service registration.

40-66 (e) Subsection (c) does [~~(f) Subsections (b)-(d) do~~] not
 40-67 apply to:

40-68 (1) the issuance of specialized license plates as
 40-69 designated by the department, including state official license

41-1 plates, exempt plates for governmental entities, and temporary
41-2 registration plates; or

41-3 (2) the issuance or validation of replacement license
41-4 plates, except as provided by Chapter 504 [Section 502.184].

41-5 (f) [~~(g)~~] ~~The department shall provide a separate and~~
41-6 ~~distinctive tab to be affixed to the license plate of an automobile,~~
41-7 ~~pickup, or recreational vehicle that is offered for rent, as a~~
41-8 ~~business, to any part of the public.~~

41-9 [~~(h)~~] The registration insignia [~~for validation of a~~
41-10 ~~license plate~~] shall be attached to the rear license plate of the
41-11 vehicle, if the vehicle is:

41-12 (1) a motorcycle;

41-13 (2) machinery used exclusively to drill water wells or
41-14 construction machinery for which a distinguishing license plate has
41-15 been issued under Section 502.146 [504.504]; or

41-16 (3) oil well servicing, oil clean out, or oil well
41-17 drilling machinery or equipment for which a distinguishing license
41-18 plate has been issued under Subchapter G, Chapter 623.

41-19 SECTION 90. Section 502.184, Transportation Code, is
41-20 transferred to Subchapter B, Chapter 502, Transportation Code,
41-21 renumbered as Section 502.060, Transportation Code, and amended to
41-22 read as follows:

41-23 Sec. 502.060 [502.184]. REPLACEMENT OF [~~LOST, STOLEN, OR~~
41-24 ~~MUTILATED LICENSE PLATE OR~~] REGISTRATION INSIGNIA. (a) The owner
41-25 of a registered motor vehicle may obtain from the department
41-26 through the county assessor-collector [~~replacement license plates~~
41-27 ~~or~~] a replacement registration insignia by:

41-28 (1) certifying [~~filing with the assessor-collector a~~
41-29 ~~statement:~~

41-30 [~~(A) showing~~] that [~~one or both of the license~~
41-31 ~~plates or~~] the registration insignia to be replaced has been lost,
41-32 stolen, or mutilated[+] and

41-33 [~~(B) stating~~] that the replacement [~~no license~~
41-34 ~~plate or~~] registration insignia [~~to be replaced~~] will not be used on
41-35 any other vehicle owned or operated by the person making the
41-36 statement;

41-37 (2) paying a fee of \$5 plus the fees required by
41-38 Sections 502.356(a) [502.170(a)] and 502.360 [502.1705(a)] for
41-39 [~~each set of replacement license plates or~~] each replacement
41-40 registration insignia, unless specified in other law [~~except as~~
41-41 ~~provided by Subsection (b), (c), or (i)~~]; and

41-42 (3) returning [~~to~~] the [~~assessor-collector each~~
41-43 ~~replaced plate or~~] registration insignia in the owner's possession.

41-44 (b) A [~~No~~] fee is not required under this section if the
41-45 replacement fee has been paid under Section 504.008. [~~for the~~
41-46 ~~replacement of lost, stolen, or mutilated specialized license~~
41-47 ~~plates issued under Sections 504.308 and 504.315(c) and (f).~~ The
41-48 fee for replacement of certain specialized license plates is:

41-49 [License plates issued under:	<u>Fee:</u>
41-50 [Section 504.411	<u>\$2</u>
41-51 [Section 504.409	<u>\$9</u>

41-52 (c) The fee for replacement of a registration insignia of
41-53 all other specialized license plates issued under this chapter
41-54 [~~Section 504.507~~] is the amount prescribed by the department as
41-55 necessary to recover the cost of providing the replacement
41-56 [plates].

41-57 (d) [~~If license plates approved under Section 504.501(b) or~~
41-58 ~~504.502(c) are lost, stolen, or mutilated, the owner of the vehicle~~
41-59 ~~may obtain approval of another set of license plates as provided by~~
41-60 ~~Section 504.501 or 504.502, respectively. The fee for approval of~~
41-61 ~~replacement license plates is \$5.~~

41-62 [~~(e)~~] A county assessor-collector may not issue
41-63 [~~replacement license plates or a~~] replacement registration
41-64 insignia without complying with this section.

41-65 (e) [~~(f)~~] A county assessor-collector shall retain \$2.50 of
41-66 each fee collected under this section and shall report and send the
41-67 remainder to the department [~~as provided by Sections 502.102 and~~
41-68 ~~502.105~~].

41-69 [~~(g)~~] ~~Replacement license plates may be used in the~~

42-1 ~~registration year in which the plates are issued and during each~~
42-2 ~~succeeding year of the five-year period as prescribed by Section~~
42-3 ~~502.180(b) if the registration insignia is properly attached.~~

42-4 ~~[(h) Subsection (g) does not apply to the issuance of~~
42-5 ~~specialized license plates as designated by the department,~~
42-6 ~~including state official license plates, exempt plates for~~
42-7 ~~governmental entities, and temporary registration plates.~~

42-8 ~~[(i) The owner of a vehicle listed in Section 502.180(h) may~~
42-9 ~~obtain replacement plates and a replacement registration insignia~~
42-10 ~~by paying a fee of \$5 plus the fees required by Sections 502.170(a)~~
42-11 ~~and 502.1705(a).]~~

42-12 SECTION 91. The heading to Subchapter C, Chapter 502,
42-13 Transportation Code, is amended to read as follows:

42-14 SUBCHAPTER C. SPECIAL REGISTRATIONS [~~COUNTY ADMINISTRATION~~]

42-15 SECTION 92. Section 502.0025, Transportation Code, is
42-16 transferred to Subchapter C, Chapter 502, Transportation Code, and
42-17 renumbered as Section 502.090, Transportation Code, to read as
42-18 follows:

42-19 Sec. 502.090 [~~502.0025~~]. EFFECT OF CERTAIN MILITARY
42-20 SERVICE ON REGISTRATION REQUIREMENT. (a) This section applies
42-21 only to a motor vehicle that is owned by a person who:

- 42-22 (1) is a resident of this state;
- 42-23 (2) is on active duty in the armed forces of the United
42-24 States;

- 42-25 (3) is stationed in or has been assigned to another
42-26 nation under military orders; and

- 42-27 (4) has registered the vehicle or been issued a
42-28 license for the vehicle under the applicable status of forces
42-29 agreement by:

- 42-30 (A) the appropriate branch of the armed forces of
42-31 the United States; or

- 42-32 (B) the nation in which the person is stationed
42-33 or to which the person has been assigned.

42-34 (b) Unless the registration or license issued for a vehicle
42-35 described by Subsection (a) is suspended, canceled, or revoked by
42-36 this state as provided by law:

- 42-37 (1) Section 502.040(a) [~~502.002(a)~~] does not apply;
42-38 and

- 42-39 (2) the registration or license issued by the armed
42-40 forces or host nation remains valid and the motor vehicle may be
42-41 operated in this state under that registration or license for a
42-42 period of not more than 90 days after the date on which the vehicle
42-43 returns to this state.

42-44 SECTION 93. Section 502.054, Transportation Code, is
42-45 transferred to Subchapter C, Chapter 502, Transportation Code,
42-46 renumbered as Section 502.091, Transportation Code, and amended to
42-47 read as follows:

42-48 Sec. 502.091 [~~502.054~~]. INTERNATIONAL REGISTRATION PLAN
42-49 [~~AGREEMENTS WITH OTHER JURISDICTIONS, OFFENSE~~]. (a) The

42-50 department, through its director, may enter into an agreement with
42-51 an authorized officer of another jurisdiction, including another
42-52 state of the United States, a foreign country or a state, province,
42-53 territory, or possession of a foreign country, to provide for:

- 42-54 (1) the registration of vehicles by residents of this
42-55 state and nonresidents on an allocation or mileage apportionment
42-56 plan, as under the International Registration Plan; and

- 42-57 (2) the exemption from payment of registration fees by
42-58 nonresidents if residents of this state are granted reciprocal
42-59 exemptions.

42-60 (b) The department may adopt and enforce rules to carry out
42-61 the International Registration Plan or other agreement under this
42-62 section.

42-63 (c) To carry out the International Registration Plan or
42-64 other agreement under this section, the department shall direct
42-65 that fees collected for other jurisdictions under the agreement be
42-66 deposited to the credit of the proportional registration
42-67 distributive fund in the state treasury and distributed to the
42-68 appropriate jurisdiction through that fund.

42-69 (d) This section prevails to the extent of conflict with

43-1 another law relating to the subject of this section.

43-2 (e) A person commits an offense if the person owns or
43-3 operates a vehicle not registered in this state in violation of:

43-4 (1) an agreement under this section; or

43-5 (2) the applicable registration laws of this state, in
43-6 the absence of an agreement under this section.

43-7 (f) An offense under Subsection (e) is a misdemeanor
43-8 punishable by a fine not to exceed \$200.

43-9 SECTION 94. Section 502.355, Transportation Code, is
43-10 transferred to Subchapter C, Chapter 502, Transportation Code,
43-11 renumbered as Section 502.092, Transportation Code, and amended to
43-12 read as follows:

43-13 Sec. 502.092 [~~502.355~~]. NONRESIDENT-OWNED VEHICLES USED TO
43-14 TRANSPORT FARM PRODUCTS [~~OFFENSE~~]. (a) The department may issue
43-15 to a nonresident owner a permit for a truck, truck-tractor,
43-16 trailer, or semitrailer that:

43-17 (1) is registered in the owner's home state or country;
43-18 and

43-19 (2) will be used to transport:

43-20 (A) farm products produced in this state from the
43-21 place of production to a place of market or storage or a railhead
43-22 that is not more than 75 miles from the place of production;

43-23 (B) machinery used to harvest farm products
43-24 produced in this state; or

43-25 (C) farm products produced outside this state
43-26 from the point of entry into this state to a place of market,
43-27 storage, or processing or a railhead or seaport that is not more
43-28 than 80 miles from the point of entry.

43-29 (b) The department shall issue a distinguishing insignia
43-30 for a vehicle issued a permit under this section. The insignia must
43-31 be attached to the vehicle in lieu of regular license plates and
43-32 must show the permit expiration date. A permit issued under this
43-33 section is valid until the earlier of:

43-34 (1) the date the vehicle's registration in the owner's
43-35 home state or country expires; or

43-36 (2) the 30th day after the date the permit is issued.

43-37 (c) A person may obtain a permit under this section by:

43-38 (1) applying to the department as [~~on a form~~]
43-39 prescribed by the department;

43-40 (2) paying a fee equal to 1/12 the registration fee
43-41 prescribed by this chapter for the vehicle;

43-42 (3) furnishing satisfactory evidence that the motor
43-43 vehicle is insured under an insurance policy that complies with
43-44 Section 601.072 and that is written by:

43-45 (A) an insurance company or surety company
43-46 authorized to write motor vehicle liability insurance in this
43-47 state; or

43-48 (B) with the department's approval, a surplus
43-49 lines insurer that meets the requirements of Chapter 981, Insurance
43-50 Code, and rules adopted by the commissioner of insurance under that
43-51 chapter, if the applicant is unable to obtain insurance from an
43-52 insurer described by Paragraph (A); and

43-53 (4) furnishing evidence that the vehicle has been
43-54 inspected as required under Chapter 548.

43-55 (d) A nonresident owner may not obtain more than three
43-56 permits under this section during a registration year.

43-57 (e) A vehicle for which a permit is issued under this
43-58 section may not be operated in this state after the permit expires
43-59 unless the owner:

43-60 (1) obtains another temporary permit; or

43-61 (2) registers the vehicle under Section 502.253,
43-62 502.254, 502.256 [~~502.162,~~ ~~502.165,~~ ~~502.166~~], or 502.255
43-63 [~~502.167~~], as appropriate, for the remainder of the registration
43-64 year.

43-65 (f) A vehicle for which a permit is issued under this
43-66 section may not be registered under Section 502.433 [~~502.163~~].

43-67 (g) A mileage referred to in this section is a state highway
43-68 mileage.

43-69 [~~(h) A person operating a vehicle under a permit issued~~

44-1 ~~under this section commits an offense if the person:~~

44-2 ~~[(1) transports farm products to a place of market,~~
44-3 ~~storage, or processing or a railhead or seaport that is farther from~~
44-4 ~~the place of production or point of entry, as appropriate, than the~~
44-5 ~~distance provided for in the permit; or~~

44-6 ~~[(2) follows a route other than that prescribed by the~~
44-7 ~~Texas Transportation Commission.~~

44-8 ~~[(i) An offense under Subsection (h) is a misdemeanor~~
44-9 ~~punishable by a fine of not less than \$25 or more than \$200.]~~

44-10 SECTION 95. Section 502.353, Transportation Code, is
44-11 transferred to Subchapter C, Chapter 502, Transportation Code,
44-12 renumbered as Section 502.093, Transportation Code, and amended to
44-13 read as follows:

44-14 Sec. 502.093 [~~502.353~~]. [~~FOREIGN COMMERCIAL VEHICLES,~~
44-15 ~~ANNUAL PERMITS~~ ~~[+, OFFENSE]~~. (a) The department may issue an
44-16 annual permit in lieu of registration to a foreign commercial motor
44-17 vehicle, trailer, or semitrailer that ~~+~~

44-18 ~~[(1)]~~ is subject to registration in this state ~~+~~ and

44-19 ~~[(2)]~~ is not authorized to travel on a public highway
44-20 because of the lack of registration in this state or the lack of
44-21 reciprocity with the state or country in which the vehicle is
44-22 registered.

44-23 (b) A permit issued under this section ~~+~~

44-24 ~~[(1) is in lieu of registration; and~~

44-25 ~~[(2)]~~ is valid for a vehicle registration year to
44-26 begin on the first day of a calendar month designated by the
44-27 department and end on the last day of the last calendar month of the
44-28 registration year.

44-29 (c) A permit may not be issued under this section for the
44-30 importation of citrus fruit into this state from a foreign country
44-31 except for foreign export or processing for foreign export.

44-32 (d) A person may obtain a permit under this section by:

44-33 (1) applying in the manner prescribed by ~~+~~ the
44-34 department;

44-35 (2) paying a fee in the amount required by Subsection
44-36 (e) in the manner prescribed by the department, including a service
44-37 charge for a credit card payment or escrow account ~~[cash or by~~
44-38 ~~postal money order or certified check]; and~~

44-39 (3) furnishing evidence of financial responsibility
44-40 for the motor vehicle that complies with Sections 502.046(c)
44-41 ~~[502.153(c)]~~ and 601.168(a), the policies to be written by an
44-42 insurance company or surety company authorized to write motor
44-43 vehicle liability insurance in this state.

44-44 (e) The fee for a permit under this section is the fee that
44-45 would be required for registering the vehicle under Section 502.253
44-46 ~~[502.162]~~ or 502.255 ~~[502.167]~~, except as provided by Subsection
44-47 (f).

44-48 (f) A vehicle registered under this section is exempt from
44-49 the token fee and is not required to display the associated
44-50 distinguishing license plate if the vehicle:

44-51 (1) is a semitrailer that has a gross weight of more
44-52 than 6,000 pounds; and

44-53 (2) is used or intended to be used in combination with
44-54 a truck tractor or commercial motor vehicle with a gross vehicle
44-55 weight ~~[manufacturer's rated carrying capacity]~~ of more than 10,000
44-56 pounds ~~[one ton]~~.

44-57 (g) A vehicle registered under this section is not subject
44-58 to the fee required by Section 502.401 ~~[502.172]~~ or 502.403
44-59 ~~[502.173]~~.

44-60 ~~[(h) The department may:~~

44-61 ~~[(1) adopt rules to administer this section; and~~

44-62 ~~[(2) prescribe an application for a permit and other~~
44-63 ~~forms under this section.~~

44-64 ~~[(i) A person who violates this section commits an offense.~~
44-65 ~~An offense under this section is a misdemeanor punishable by a fine~~
44-66 ~~not to exceed \$200.]~~

44-67 SECTION 96. Section 502.352, Transportation Code, is
44-68 transferred to Subchapter C, Chapter 502, Transportation Code,
44-69 renumbered as Section 502.094, Transportation Code, and amended to

45-1 read as follows:

45-2 Sec. 502.094 [~~502.352~~]. 72-HOUR OR 144-HOUR PERMITS
 45-3 [~~FOREIGN COMMERCIAL VEHICLES~~]. (a) The department may issue a

45-4 temporary registration permit in lieu of registration for a
 45-5 commercial motor vehicle, trailer, semitrailer, or motor bus that:

45-6 (1) is owned by a resident of the United States,
 45-7 Canada, or the United Mexican States;

45-8 (2) is subject to registration in this state; and

45-9 (3) is not authorized to travel on a public highway
 45-10 because of the lack of registration in this state or the lack of
 45-11 reciprocity with the state or province in which the vehicle is
 45-12 registered.

45-13 (b) A permit issued under this section[+]

45-14 [~~(1) is in lieu of registration, and~~

45-15 [~~(2)~~] is valid for the period stated on the permit,
 45-16 effective from the date and time shown on the receipt issued as
 45-17 evidence of registration under this section.

45-18 (c) A person may obtain a permit under this section by:

45-19 (1) applying to the county assessor-collector, the
 45-20 department, or the department's wire service agent, if the
 45-21 department has a wire service agent;

45-22 (2) paying a fee of \$25 for a 72-hour permit or \$50 for
 45-23 a 144-hour permit in the manner prescribed by the department that
 45-24 may include a service charge for a credit card payment or escrow
 45-25 account[+]

45-26 [~~(A) in cash,~~

45-27 [~~(B) by postal money order,~~

45-28 [~~(C) by certified check,~~

45-29 [~~(D) by wire transfer through the department's~~
 45-30 ~~wire service agent, if any,~~

45-31 [~~(E) by an escrow account, or~~

45-32 [~~(F) where the service is provided, by a credit~~
 45-33 ~~card issued by:~~

45-34 [~~(i) a financial institution chartered by a~~
 45-35 ~~state or the United States, or~~

45-36 [~~(ii) a nationally recognized credit~~
 45-37 ~~organization approved by the Texas Transportation Commission,~~

45-38 [~~(3) paying a discount or service charge for a credit~~
 45-39 ~~card payment or escrow account, in addition to the fee]; and~~

45-40 (3) [~~(4)~~] furnishing to the county
 45-41 assessor-collector, the department, or the department's wire
 45-42 service agent, evidence of financial responsibility for the vehicle
 45-43 that complies with Sections 502.046(c) [~~502.153(e)~~] and 601.168(a)
 45-44 [~~and is written by an insurance company or surety company~~
 45-45 ~~authorized to write motor vehicle liability insurance in this~~
 45-46 ~~state].~~

45-47 (d) A county assessor-collector shall report and send a fee
 45-48 collected under this section in the manner provided by Section
 45-49 502.198 [~~Sections 502.102 and 502.105~~]. Each week, a wire service
 45-50 agent shall send to the department a report of all permits issued by
 45-51 the agent during the previous week. The department by rule shall
 45-52 prescribe the format [~~form~~] and content of a report required by this
 45-53 subsection.

45-54 (e) [~~The department may:~~

45-55 [~~(1) adopt rules to administer this section, and~~

45-56 [~~(2) prescribe an application for a permit and other~~
 45-57 ~~forms under this section.~~

45-58 [~~(f)~~] A vehicle issued a permit under this section is
 45-59 subject to Subchapters B and F, Chapter 548, unless the vehicle:

45-60 (1) is registered in another state of the United
 45-61 States, in a province of Canada, or in a state of the United Mexican
 45-62 States; or

45-63 (2) is mobile drilling or servicing equipment used in
 45-64 the production of gas, crude petroleum, or oil, including a mobile
 45-65 crane or hoisting equipment, mobile lift equipment, forklift, or
 45-66 tug.

45-67 (f) [~~(g)~~] A commercial motor vehicle, trailer, semitrailer,
 45-68 or motor bus apprehended for violating a registration law of this
 45-69 state:

46-1 (1) may not be issued a permit under this section; and
46-2 (2) is immediately subject to registration in this
46-3 state.

46-4 (g) [~~h~~] A person who operates a commercial motor vehicle,
46-5 trailer, or semitrailer with an expired permit issued under this
46-6 section is considered to be operating an unregistered vehicle
46-7 subject to each penalty prescribed by law.

46-8 (h) [~~i~~] The department may establish one or more escrow
46-9 accounts in the state highway fund for the prepayment of a 72-hour
46-10 permit or a 144-hour permit. Any fee established by the department
46-11 for the administration of this subsection shall be administered as
46-12 required by an agreement entered into by the department.

46-13 (i) The department may refuse and may instruct a county
46-14 assessor-collector to refuse to issue a temporary registration for
46-15 any vehicle if, in the department's opinion, the vehicle or the
46-16 owner of the vehicle has been involved in operations that
46-17 constitute an abuse of the privilege granted by this section. A
46-18 registration issued after notice of the involvement is received is
46-19 void.

46-20 SECTION 97. Section 502.354, Transportation Code, is
46-21 transferred to Subchapter C, Chapter 502, Transportation Code,
46-22 renumbered as Section 502.095, Transportation Code, and amended to
46-23 read as follows:

46-24 Sec. 502.095 [~~502.354~~]. ONE-TRIP [~~SINGLE~~] OR 30-DAY TRIP
46-25 PERMITS [~~, OFFENSE~~]. (a) The department may issue a temporary
46-26 permit in lieu of registration for a vehicle [~~that~~]

46-27 [~~(1) is~~] subject to registration in this state that [~~+~~
46-28 ~~and~~

46-29 [~~(2)~~] is not authorized to travel on a public highway
46-30 because of the lack of registration in this state or the lack of
46-31 reciprocity with the state or country in which the vehicle is
46-32 registered.

46-33 (b) A permit issued under this section [~~+~~
46-34 [~~(1) is in lieu of registration, and~~
46-35 [~~(2)~~] is valid for:

46-36 (1) [~~(A)~~] one trip, as provided by Subsection (c); or
46-37 (2) [~~(B)~~] 30 days, as provided by Subsection (d).

46-38 (c) A one-trip permit is valid for one trip between the
46-39 points of origin and destination and those intermediate points
46-40 specified in the application and registration receipt. Unless the
46-41 vehicle is a bus operating under charter that is not covered by a
46-42 reciprocity agreement with the state or country in which the bus is
46-43 registered, a one-trip permit is for the transit of the vehicle
46-44 only, and the vehicle may not be used for the transportation of any
46-45 passenger or property. A one-trip permit may not be valid for
46-46 longer than 15 days from the effective date of registration.

46-47 (d) A 30-day permit may be issued only to a passenger
46-48 vehicle, a private bus, a trailer or semitrailer with a gross weight
46-49 of not more than 10,000 pounds, a light truck, or a light commercial
46-50 vehicle with a gross vehicle weight [~~manufacturer's rated carrying~~
46-51 ~~capacity~~] of more than 10,000 pounds [~~one ton~~] that will operate
46-52 unladen. A person may obtain multiple 30-day permits. The
46-53 department may issue a single registration receipt to apply to all
46-54 of the periods for which the vehicle is registered.

46-55 (e) A person may obtain a permit under this section by:

46-56 (1) applying as [~~on a form~~] provided by the department
46-57 to:

46-58 (A) the county assessor-collector of the county
46-59 in which the vehicle will first be operated on a public highway; or

46-60 (B) the department in Austin or at one of the
46-61 department's vehicle title and registration regional offices;

46-62 (2) paying a fee, in the manner prescribed by the
46-63 department including a service charge for a credit card payment or
46-64 escrow account [~~cash or by postal money order or certified check,~~]
46-65 of:

46-66 (A) \$5 for a one-trip permit; or

46-67 (B) \$25 for each 30-day period; and

46-68 (3) furnishing evidence of financial responsibility
46-69 for the vehicle in a form listed under Section 502.046(c)

47-1 ~~[502.153(c)].~~

47-2 (f) A registration receipt ~~[and temporary tag]~~ shall be
 47-3 carried in the vehicle at all times during the period in which it is
 47-4 valid [issued on forms provided by the department]. The temporary
 47-5 tag must contain all pertinent information required by this section
 47-6 and must be displayed in the rear window of the vehicle so that the
 47-7 tag is clearly visible and legible when viewed from the rear of the
 47-8 vehicle. If the vehicle does not have a rear window, the temporary
 47-9 tag must be attached on or carried in the vehicle to allow ready
 47-10 inspection. The registration receipt must be carried in the
 47-11 vehicle at all times during the period in which it is valid.

47-12 (g) The department may refuse and may instruct a county
 47-13 assessor-collector to refuse to issue a temporary registration for
 47-14 any vehicle if, in the department's opinion, the vehicle or the
 47-15 owner of the vehicle has been involved in operations that
 47-16 constitute an abuse of the privilege granted by this section. A
 47-17 registration issued after notice to a county assessor-collector
 47-18 under this subsection is void.

47-19 ~~[(h) A person issued a temporary registration under this~~
 47-20 ~~section who operates a vehicle in violation of Subsection (f)~~
 47-21 ~~commits an offense. An offense under this subsection is a Class C~~
 47-22 ~~misdemeanor.~~

47-23 ~~[(i) The department may:~~

47-24 ~~[(1) adopt rules to administer this section; and~~

47-25 ~~[(2) prescribe an application for a permit and other~~
 47-26 ~~forms under this section.]~~

47-27 SECTION 98. The heading to Subchapter D, Chapter 502,
 47-28 Transportation Code, is amended to read as follows:

47-29 SUBCHAPTER D. VEHICLES NOT ISSUED REGISTRATION ~~[PROCEDURES AND~~
 47-30 ~~FEES]~~

47-31 SECTION 99. Section 502.006, Transportation Code, is
 47-32 transferred to Subchapter D, Chapter 502, Transportation Code,
 47-33 renumbered as Section 502.140, Transportation Code, and amended to
 47-34 read as follows:

47-35 Sec. 502.140 ~~[502.006]~~. ALL-TERRAIN VEHICLES. (a) Except
 47-36 as provided by Subsection (b), a person may not register an
 47-37 all-terrain vehicle, with or without design alterations, for
 47-38 operation on a public highway.

47-39 (b) The state, a county, or a municipality may register an
 47-40 all-terrain vehicle for operation on a public beach or highway to
 47-41 maintain public safety and welfare.

47-42 (c) ~~[(c)]~~ Section 502.401 ~~[502.172]~~ does not apply to an
 47-43 all-terrain vehicle.

47-44 (d) Operation in compliance with Section 663.037 does not
 47-45 require registration.

47-46 SECTION 100. Section 502.0071, Transportation Code, is
 47-47 transferred to Subchapter D, Chapter 502, Transportation Code,
 47-48 renumbered as Section 502.141, Transportation Code, and amended to
 47-49 read as follows:

47-50 Sec. 502.141 ~~[502.0071]~~. GOLF CARTS. A ~~[An owner of a]~~
 47-51 golf cart may be operated on a public highway without registration
 47-52 [is not required to register the golf cart] if:

47-53 (1) the operation of the golf cart occurs in the
 47-54 daytime, as defined by Section 541.401; and

47-55 (2) the operation:

47-56 (A) does not exceed a distance of two miles from
 47-57 the point of origin to the destination if driven to and from a golf
 47-58 course;

47-59 (B) occurs entirely within a master planned
 47-60 community with a uniform set of restrictive covenants that has had a
 47-61 plat approved by a county or a municipality; or

47-62 (C) occurs on a public or private beach.

47-63 SECTION 101. Section 502.0072, Transportation Code, is
 47-64 transferred to Subchapter D, Chapter 502, Transportation Code, and
 47-65 renumbered as Section 502.142, Transportation Code, to read as
 47-66 follows:

47-67 Sec. 502.142 ~~[502.0072]~~. MANUFACTURED HOUSING.
 47-68 Manufactured housing, as defined by Section 1201.003, Occupations
 47-69 Code, is not a vehicle subject to this chapter.

48-1 SECTION 102. Section 502.0073, Transportation Code, is
 48-2 transferred to Subchapter D, Chapter 502, Transportation Code,
 48-3 renumbered as Section 502.143, Transportation Code, and amended to
 48-4 read as follows:

48-5 Sec. 502.143 [~~502.0073~~]. OTHER VEHICLES [~~POWER SWEEPERS~~].
 48-6 [~~(a)~~] An owner [~~of a power sweeper~~] is not required to register the
 48-7 following vehicles for operation on a public highway:

- 48-8 (1) power sweepers;
 48-9 (2) motorized mobility devices;
 48-10 (3) electric personal assistive mobility devices; and
 48-11 (4) electric bicycles [~~sweeper~~].

48-12 [~~(b)~~] ~~In this section, "power sweeper" means an implement,~~
 48-13 ~~with or without motive power, designed for the removal by broom,~~
 48-14 ~~vacuum, or regenerative air system of debris, dirt, gravel, litter,~~
 48-15 ~~or sand from asphaltic concrete or cement concrete surfaces,~~
 48-16 ~~including surfaces of parking lots, roads, streets, highways, and~~
 48-17 ~~warehouse floors. The term includes a vehicle on which the~~
 48-18 ~~implement is permanently mounted if the vehicle is used only as a~~
 48-19 ~~power sweeper.]~~

48-20 SECTION 103. Section 502.0078, Transportation Code, is
 48-21 transferred to Subchapter D, Chapter 502, Transportation Code, and
 48-22 renumbered as Section 502.144, Transportation Code, to read as
 48-23 follows:

48-24 Sec. 502.144 [~~502.0078~~]. VEHICLES OPERATED ON PUBLIC
 48-25 HIGHWAY SEPARATING REAL PROPERTY UNDER VEHICLE OWNER'S CONTROL.
 48-26 Where a public highway separates real property under the control of
 48-27 the owner of a motor vehicle, the operation of the motor vehicle by
 48-28 the owner or the owner's agent or employee across the highway is not
 48-29 a use of the motor vehicle on the public highway.

48-30 SECTION 104. Section 502.0079, Transportation Code, is
 48-31 transferred to Subchapter D, Chapter 502, Transportation Code,
 48-32 renumbered as Section 502.145, Transportation Code, and amended to
 48-33 read as follows:

48-34 Sec. 502.145 [~~502.0079~~]. VEHICLES OPERATED BY CERTAIN
 48-35 NONRESIDENTS. (a) [~~A nonresident owner of a motor vehicle,~~
 48-36 ~~trailer, or semitrailer that is registered in the state or country~~
 48-37 ~~in which the person resides may operate the vehicle to transport~~
 48-38 ~~persons or property for compensation without being registered in~~
 48-39 ~~this state, if the person does not exceed two trips in a calendar~~
 48-40 ~~month and each trip does not exceed four days.~~

48-41 [~~(b)~~] ~~A nonresident owner of a privately owned vehicle that~~
 48-42 ~~is not registered in this state may not make more than five~~
 48-43 ~~occasional trips in any calendar month into this state using the~~
 48-44 ~~vehicle. Each occasional trip into this state may not exceed five~~
 48-45 ~~days.~~

48-46 [~~(c)~~] A nonresident owner of a privately owned passenger car
 48-47 that is registered in the state or country in which the person
 48-48 resides and that is not operated for compensation may operate the
 48-49 car in this state for the period in which the car's license plates
 48-50 are valid. In this subsection, "nonresident" means a resident of a
 48-51 state or country other than this state whose presence in this state
 48-52 is as a visitor and who does not engage in gainful employment or
 48-53 enter into business or an occupation, except as may otherwise be
 48-54 provided by any reciprocal agreement with another state or country.

48-55 (b) [~~(d)~~] This section does not prevent:

48-56 (1) a nonresident owner of a motor vehicle from
 48-57 operating the vehicle in this state for the sole purpose of
 48-58 marketing farm products raised exclusively by the person; or

48-59 (2) a resident of an adjoining state or country from
 48-60 operating in this state a privately owned and registered vehicle to
 48-61 go to and from the person's place of regular employment and to make
 48-62 trips to purchase merchandise, if the vehicle is not operated for
 48-63 compensation.

48-64 (c) [~~(e)~~] The privileges provided by this section may be
 48-65 allowed only if, under the laws of the appropriate state or country,
 48-66 similar privileges are granted to vehicles registered under the
 48-67 laws of this state and owned by residents of this state.

48-68 (d) [~~(f)~~] This section does not affect the right or status
 48-69 of a vehicle owner under any reciprocal agreement between this

49-1 state and another state or country.

49-2 SECTION 105. Section 504.504, Transportation Code, is
 49-3 transferred to Subchapter D, Chapter 502, Transportation Code,
 49-4 renumbered as Section 502.146, Transportation Code, and amended to
 49-5 read as follows:

49-6 Sec. 502.146 [~~504.504~~]. CERTAIN FARM VEHICLES AND DRILLING
 49-7 AND CONSTRUCTION EQUIPMENT. (a) The department shall issue
 49-8 specialty license plates to a vehicle described by Subsection (b)
 49-9 or (c). The fee for the license plates is \$5.

49-10 (b) An owner is not required to register a vehicle that is
 49-11 used only temporarily on the highways if the vehicle is:

49-12 (1) a farm trailer or farm semitrailer with a gross
 49-13 weight of more than 4,000 pounds but not more than 34,000 pounds
 49-14 that is used exclusively to transport:

49-15 (A) seasonally harvested agricultural products
 49-16 or livestock from the place of production to the place of
 49-17 processing, market, or storage; or

49-18 (B) farm supplies from the place of loading to
 49-19 the farm;

49-20 (2) machinery used exclusively for the purpose of
 49-21 drilling water wells; [~~or~~]

49-22 (3) oil well servicing or drilling machinery; or

49-23 (4) construction machinery [~~that is not designed to~~
 49-24 ~~transport persons or property on a public highway~~].

49-25 (c) An owner is not required to register a vehicle that is:

49-26 (1) a farm trailer or farm semitrailer owned by a
 49-27 cotton gin and used exclusively to transport agricultural products
 49-28 without charge from the place of production to the place of
 49-29 processing, market, or storage;

49-30 (2) a trailer used exclusively to transport fertilizer
 49-31 without charge from a place of supply or storage to a farm; or

49-32 (3) a trailer used exclusively to transport cottonseed
 49-33 without charge from a place of supply or storage to a farm or place
 49-34 of processing.

49-35 (d) A vehicle described by Subsection (b) is exempt from the
 49-36 inspection requirements of Subchapters B and F, Chapter 548.

49-37 (e) This section does not apply to a farm trailer or farm
 49-38 semitrailer that:

49-39 (1) is used for hire;

49-40 (2) has metal tires operating in contact with the
 49-41 highway;

49-42 (3) is not equipped with an adequate hitch pinned or
 49-43 locked so that it will remain securely engaged to the towing vehicle
 49-44 while in motion; or

49-45 (4) is not operated and equipped in compliance with
 49-46 all other law.

49-47 (f) A vehicle to which this section applies that is operated
 49-48 on a public highway in violation of this section is considered to be
 49-49 operated while unregistered and is immediately subject to the
 49-50 applicable registration fees and penalties prescribed by this
 49-51 chapter [~~Chapter 502~~].

49-52 (g) In this section, the gross weight of a trailer or
 49-53 semitrailer is the combined weight of the vehicle and the load
 49-54 carried on the highway.

49-55 SECTION 106. The heading to Subchapter E, Chapter 502,
 49-56 Transportation Code, is amended to read as follows:

49-57 SUBCHAPTER E. ADMINISTRATION OF FEES [~~SPECIALLY DESIGNATED LICENSE~~
 49-58 ~~PLATES, EXEMPTIONS FOR GOVERNMENTAL AND QUASI-GOVERNMENTAL~~
 49-59 ~~VEHICLES~~]

49-60 SECTION 107. Section 502.159, Transportation Code, is
 49-61 transferred to Subchapter E, Chapter 502, Transportation Code,
 49-62 renumbered as Section 502.190, Transportation Code, and amended to
 49-63 read as follows:

49-64 Sec. 502.190 [~~502.159~~]. SCHEDULE OF REGISTRATION FEES.
 49-65 The department shall post [~~compile and furnish to each county~~
 49-66 ~~assessor-collector~~] a complete schedule of registration fees on the
 49-67 Internet [~~to be collected on the various makes, models, and types of~~
 49-68 ~~vehicles~~].

49-69 SECTION 108. Section 502.004, Transportation Code, is

50-1 transferred to Subchapter E, Chapter 502, Transportation Code,
 50-2 renumbered as Section 502.191, Transportation Code, and amended to
 50-3 read as follows:

50-4 Sec. 502.191 [~~502.004~~]. COLLECTION OF FEES. (a) A person
 50-5 may not collect a registration fee under this chapter unless the
 50-6 person is:

- 50-7 (1) an officer or employee of the department; or
- 50-8 (2) a county assessor-collector or a deputy county
 50-9 assessor-collector.

50-10 (b) The department may accept electronic payment by
 50-11 electronic funds transfer, credit card, or debit card of any fee
 50-12 that the department is authorized to collect under this chapter.

50-13 (c) The department may collect a fee for processing a
 50-14 payment by electronic funds transfer, credit card, or debit card.
 50-15 The amount of the fee must be reasonably related to the expense
 50-16 incurred by the department in processing the payment by electronic
 50-17 funds transfer, credit card, or debit card and may not be more than
 50-18 five percent of the amount of the fee being paid.

50-19 (d) In addition to the fee authorized by Subsection (b), the
 50-20 department may collect from a person making payment by electronic
 50-21 funds transfer, credit card, or debit card an amount equal to the
 50-22 amount of any transaction fee charged to the department by a vendor
 50-23 providing services in connection with payments made by electronic
 50-24 funds transfer, credit card, or debit card. The limitation
 50-25 prescribed by Subsection (c) on the amount of a fee does not apply
 50-26 to a fee collected under this subsection.

50-27 (e) If, for any reason, the payment of a fee under this
 50-28 chapter by electronic funds transfer, credit card, or debit card is
 50-29 not honored by the funding institution or by the electronic funds
 50-30 transfer, credit card, or debit card company on which the funds are
 50-31 drawn, the department may collect from the person who owes the fee
 50-32 being collected a service charge that is for the collection of that
 50-33 original amount and is in addition to the original fee. The amount
 50-34 of the service charge must be reasonably related to the expense
 50-35 incurred by the department in collecting the original amount.

50-36 SECTION 109. Subchapter E, Chapter 502, Transportation
 50-37 Code, is amended by adding Section 502.192 to read as follows:

50-38 Sec. 502.192. TRANSFER FEE. The purchaser of a used motor
 50-39 vehicle shall pay, in addition to any fee required under Chapter 501
 50-40 for the transfer of title, a transfer fee of \$2.50 for the transfer
 50-41 of the registration of the motor vehicle. The county
 50-42 assessor-collector may retain as commission for services provided
 50-43 under this subchapter half of each transfer fee collected.

50-44 SECTION 110. Section 502.181, Transportation Code, is
 50-45 transferred to Subchapter E, Chapter 502, Transportation Code,
 50-46 renumbered as Section 502.193, Transportation Code, and amended to
 50-47 read as follows:

50-48 Sec. 502.193 [~~502.181~~]. PAYMENT [~~OF REGISTRATION FEE~~] BY
 50-49 CHECK DRAWN AGAINST INSUFFICIENT FUNDS. (a) A county
 50-50 assessor-collector who receives from any person a check or draft
 50-51 for [~~drawn on a bank or trust company in~~] payment of a registration
 50-52 fee for a registration year that has not ended [~~on a motor vehicle,~~
 50-53 ~~trailer, or motorcycle sidecar~~] that is returned unpaid because of
 50-54 insufficient funds or no funds in the bank or trust company to the
 50-55 credit of the drawer of the check or draft shall immediately certify
 50-56 the fact to the sheriff or a constable or highway patrol officer in
 50-57 the county. The certification must:

- 50-58 (1) be under the assessor-collector's official seal;
- 50-59 (2) include the name and address of the person who gave
 50-60 [~~the assessor-collector~~] the check or draft;
- 50-61 (3) include the license plate number and make of the
 50-62 vehicle; and
- 50-63 (4) be accompanied by the check or draft.

50-64 (b) On receiving a complaint under Subsection (a) from the
 50-65 county assessor-collector, the sheriff, constable, or highway
 50-66 patrol officer shall find the person who gave [~~the~~
 50-67 ~~assessor-collector~~] the check or draft, if the person is in the
 50-68 county, and demand immediate redemption of the check or draft from
 50-69 the person. If the person fails or refuses to redeem the check or

51-1 draft, the sheriff, constable, or highway patrol officer shall:

51-2 (1) seize and remove the license plates and
51-3 registration insignia from the vehicle; and

51-4 (2) return the license plates and registration
51-5 insignia to the county assessor-collector.

51-6 SECTION 111. Section 502.182, Transportation Code, is
51-7 transferred to Subchapter E, Chapter 502, Transportation Code,
51-8 renumbered as Section 502.194, Transportation Code, and amended to
51-9 read as follows:

51-10 Sec. 502.194 [~~502.182~~]. CREDIT FOR REGISTRATION FEE PAID
51-11 ON MOTOR VEHICLE SUBSEQUENTLY DESTROYED. (a) The owner of a motor
51-12 vehicle that is destroyed to the extent that it cannot afterwards be
51-13 operated on a public highway is entitled to a registration fee
51-14 credit if the prorated portion of the registration fee for the
51-15 remainder of the registration year is more than \$15. The owner must
51-16 claim the credit by[+]

51-17 [~~(1)~~] sending the registration fee receipt [~~and the~~
51-18 ~~license plates~~] for the vehicle to the department[+; and

51-19 [~~(2)~~ ~~executing a statement on a form provided by the~~
51-20 ~~department showing that the license plates have been surrendered to~~
51-21 ~~the department~~].

51-22 (b) The department, on satisfactory proof that the vehicle
51-23 is destroyed, shall issue a registration fee credit slip to the
51-24 owner in an amount equal to the prorated portion of the registration
51-25 fee for the remainder of the registration year. The owner, during
51-26 the same or the next registration year, may use the registration fee
51-27 credit slip as payment or part payment for the registration of
51-28 another vehicle to the extent of the credit.

51-29 [~~(c)~~ ~~A statement executed under Subsection (a)(2) shall be~~
51-30 ~~delivered to a purchaser of the destroyed vehicle. The purchaser~~
51-31 ~~may surrender the statement to the department in lieu of the vehicle~~
51-32 ~~license plates.~~

51-33 [~~(d)~~ ~~The department shall adopt rules to administer this~~
51-34 ~~section.~~]

51-35 SECTION 112. Section 502.183, Transportation Code, is
51-36 transferred to Subchapter E, Chapter 502, Transportation Code,
51-37 renumbered as Section 502.195, Transportation Code, and amended to
51-38 read as follows:

51-39 Sec. 502.195 [~~502.183~~]. REFUND OF OVERCHARGED
51-40 REGISTRATION FEE. (a) The owner of a motor vehicle [~~that is~~
51-41 ~~required to be registered~~] who pays an annual registration fee in
51-42 excess of the statutory amount is entitled to a refund of the
51-43 overcharge.

51-44 (b) The county assessor-collector who collects the
51-45 excessive fee shall refund an overcharge on presentation to the
51-46 assessor-collector of satisfactory evidence of the overcharge[~~-~~
51-47 ~~The owner must make a claim for a refund of an overcharge~~] not later
51-48 than the first [~~fifth~~] anniversary of the date the excessive
51-49 registration fee was paid.

51-50 (c) A refund shall be paid from the fund in which the
51-51 county's share of registration fees is deposited.

51-52 SECTION 113. Section 502.051, Transportation Code, is
51-53 transferred to Subchapter E, Chapter 502, Transportation Code, and
51-54 renumbered as Section 502.196, Transportation Code, to read as
51-55 follows:

51-56 Sec. 502.196 [~~502.051~~]. DEPOSIT OF REGISTRATION FEES IN
51-57 STATE HIGHWAY FUND. Except as otherwise provided by this chapter,
51-58 the Texas Transportation Commission and the department shall
51-59 deposit all money received from registration fees in the state
51-60 treasury to the credit of the state highway fund.

51-61 SECTION 114. Section 502.101, Transportation Code, is
51-62 transferred to Subchapter E, Chapter 502, Transportation Code, and
51-63 renumbered as Section 502.197, Transportation Code, to read as
51-64 follows:

51-65 Sec. 502.197 [~~502.101~~]. REGISTRATION BY MAIL OR
51-66 ELECTRONIC MEANS; SERVICE CHARGE. (a) A county
51-67 assessor-collector may collect a service charge of \$1 from each
51-68 applicant registering a vehicle by mail. The service charge shall
51-69 be used to pay the costs of handling and postage to mail the

52-1 registration receipt and insignia to the applicant.

52-2 (b) With the approval of the commissioners court of a
52-3 county, a county assessor-collector may contract with a private
52-4 entity to enable an applicant for registration to use an electronic
52-5 off-premises location. A private entity may charge an applicant
52-6 not more than \$1 for the service provided.

52-7 (c) The department may adopt rules to cover the timely
52-8 application for and issuance of registration receipts and insignia
52-9 by mail or through an electronic off-premises location.

52-10 SECTION 115. Section 502.102, Transportation Code, is
52-11 transferred to Subchapter E, Chapter 502, Transportation Code,
52-12 renumbered as Section 502.198, Transportation Code, and amended to
52-13 read as follows:

52-14 Sec. 502.198 [~~502.102~~]. DISPOSITION OF FEES GENERALLY.

52-15 (a) Except as provided by Section 502.1982 [~~Sections 502.103 and~~
52-16 ~~502.104~~], this section applies to all fees collected by a county
52-17 assessor-collector under this chapter.

52-18 (b) Each Monday, a county assessor-collector shall credit
52-19 to the county road and bridge fund an amount equal to the net
52-20 collections made during the preceding week until the amount so
52-21 credited for the calendar year equals the total of:

52-22 (1) \$60,000;

52-23 (2) \$350 for each mile of county road maintained by the
52-24 county, according to the most recent information available from the
52-25 department, not to exceed 500 miles; and

52-26 (3) an additional amount of fees equal to the amount
52-27 calculated under Section 502.1981 [~~502.1025~~].

52-28 (c) After the credits to the county road and bridge fund
52-29 equal the total computed under Subsection (b), each Monday the
52-30 county assessor-collector shall:

52-31 (1) credit to the county road and bridge fund an amount
52-32 equal to 50 percent of the net collections made during the preceding
52-33 week, until the amount so credited for the calendar year equals
52-34 \$125,000; and

52-35 (2) send to the department an amount equal to 50
52-36 percent of those collections.

52-37 (d) After the credits to the county road and bridge fund
52-38 equal the total amounts computed under Subsections (b) and (c)(1),
52-39 each Monday the county assessor-collector shall send to the
52-40 department all collections made during the preceding week.

52-41 [~~(c) Each Monday the county assessor-collector shall send~~
52-42 ~~to the department a copy of each receipt issued the previous week~~
52-43 ~~for a registration fee under this chapter.~~]

52-44 SECTION 116. Section 502.1025, Transportation Code, is
52-45 transferred to Subchapter E, Chapter 502, Transportation Code,
52-46 renumbered as Section 502.1981, Transportation Code, and amended to
52-47 read as follows:

52-48 Sec. 502.1981 [~~502.1025~~]. CALCULATION OF ADDITIONAL FEE
52-49 AMOUNTS RETAINED BY A COUNTY. (a) The county tax

52-50 assessor-collector each calendar year shall calculate five percent
52-51 of the tax and penalties collected by the county tax
52-52 assessor-collector under Chapter 152, Tax Code, in the preceding
52-53 calendar year. In addition, the county tax assessor-collector
52-54 shall calculate each calendar year an amount equal to five percent
52-55 of the tax and penalties that the comptroller:

52-56 (1) collected under Section 152.047, Tax Code, in the
52-57 preceding calendar year; and

52-58 (2) determines are attributable to sales in the
52-59 county.

52-60 (b) A county tax assessor-collector shall retain under
52-61 Section 502.198(b) [~~502.102(b)~~] fees based on the following
52-62 percentage of the amounts calculated under Subsection [~~subsection~~]

52-63 (a) during each of the following fiscal years:

52-64 (1) [~~in fiscal year 2006, 90 percent,~~

52-65 [~~(2) in fiscal year 2007, 80 percent,~~

52-66 [~~(3) in fiscal year 2008, 70 percent,~~

52-67 [~~(4) in fiscal year 2009, 60 percent,~~

52-68 [~~(5) in fiscal year 2010, 50 percent,~~

52-69 [~~(6) in fiscal year 2011, 40 percent,~~

53-1 ~~[(7) in fiscal year 2012, 30 percent,~~
 53-2 ~~[(8)] in fiscal year 2013, 20 percent;~~
 53-3 (2) ~~[(9)]~~ in fiscal year 2014, 10 percent;
 53-4 (3) ~~[(10)]~~ in fiscal year 2015 and succeeding years, 0
 53-5 percent.

53-6 (c) The county shall credit the amounts retained under
 53-7 Subsection (b) to the county road and bridge fund. Money credited
 53-8 to the fund under this section may only be used for:

- 53-9 (1) county road construction, maintenance, and
 53-10 repair;
 53-11 (2) bridge construction, maintenance, and repair;
 53-12 (3) the purchase of right-of-way for road or highway
 53-13 purposes; or
 53-14 (4) the relocation of utilities for road or highway
 53-15 purposes.

53-16 SECTION 117. Section 502.103, Transportation Code, is
 53-17 transferred to Subchapter E, Chapter 502, Transportation Code,
 53-18 renumbered as Section 502.1982, Transportation Code, and amended to
 53-19 read as follows:

53-20 Sec. 502.1982 ~~[502.103]~~. DISPOSITION OF OPTIONAL COUNTY
 53-21 ROAD AND BRIDGE FEE. Each Monday a county assessor-collector shall
 53-22 apportion the collections for the preceding week for a fee imposed
 53-23 under Section 502.401 ~~[502.172]~~ by:

- 53-24 (1) crediting an amount equal to 97 percent of the
 53-25 collections to the county road and bridge fund; and
 53-26 (2) sending to the department an amount equal to three
 53-27 percent of the collections to defray the department's costs of
 53-28 administering Section 502.401 ~~[502.172]~~.

53-29 SECTION 118. Section 502.106, Transportation Code, is
 53-30 transferred to Subchapter E, Chapter 502, Transportation Code,
 53-31 renumbered as Section 502.1983, Transportation Code, and amended to
 53-32 read as follows:

53-33 Sec. 502.1983 ~~[502.106]~~. DEPOSIT OF FEES IN
 53-34 INTEREST-BEARING ACCOUNT. (a) Except as provided by Section
 53-35 502.1982 ~~[Sections 502.103 and 502.104]~~, a county
 53-36 assessor-collector may:

- 53-37 (1) deposit the fees in an interest-bearing account or
 53-38 certificate in the county depository; and
 53-39 (2) send the fees to the department not later than the
 53-40 34th day after the date the fees are due ~~[under Section 502.104]~~.

53-41 (b) The county owns all interest earned on fees deposited
 53-42 under this section. The county treasurer shall credit the interest
 53-43 to the county general fund.

53-44 SECTION 119. Section 502.107, Transportation Code, is
 53-45 transferred to Subchapter E, Chapter 502, Transportation Code, and
 53-46 renumbered as Section 502.1984, Transportation Code, to read as
 53-47 follows:

53-48 Sec. 502.1984 ~~[502.107]~~. INTEREST ON FEES. (a) A fee
 53-49 required to be sent to the department under this chapter bears
 53-50 interest for the benefit of the state highway fund at an annual rate
 53-51 of 10 percent beginning on the 60th day after the date the county
 53-52 assessor-collector collects the fee.

53-53 (b) The department shall audit the registration and
 53-54 transfer fees collected and disbursed by each county
 53-55 assessor-collector and shall determine the exact amount of interest
 53-56 due on any fee not sent to the department.

53-57 (c) The state has a claim against a county
 53-58 assessor-collector and the sureties on the assessor-collector's
 53-59 official bond for the amount of interest due on a fee.

53-60 SECTION 120. Section 502.108, Transportation Code, is
 53-61 transferred to Subchapter E, Chapter 502, Transportation Code,
 53-62 renumbered as Section 502.1985, Transportation Code, and amended to
 53-63 read as follows:

53-64 Sec. 502.1985 ~~[502.108]~~. USE OF REGISTRATION FEES
 53-65 RETAINED BY COUNTY. (a) Money credited to the county road and
 53-66 bridge fund under Section 502.198 ~~[502.102]~~ or 502.1982 ~~[502.103]~~
 53-67 may not be used to pay the compensation of the county judge or a
 53-68 county commissioner. The money may be used only for the
 53-69 construction and maintenance of lateral roads in the county, under

54-1 the supervision of the county engineer.

54-2 (b) If there is not a county engineer, the commissioners
54-3 court of the county may require the services of the department's
54-4 district engineer or resident engineer to supervise the
54-5 construction and surveying of lateral roads in the county.

54-6 (c) A county may use money allocated to it under this
54-7 chapter to:

54-8 (1) pay obligations issued in the construction or
54-9 improvement of any roads, including state highways in the county;

54-10 (2) improve the roads in the county road system; or

54-11 (3) construct new roads.

54-12 (d) To the maximum extent possible, contracts for roads
54-13 constructed by a county using funds provided under this chapter
54-14 should be awarded by competitive bids.

54-15 SECTION 121. Section 502.110, Transportation Code, is
54-16 transferred to Subchapter E, Chapter 502, Transportation Code, and
54-17 renumbered as Section 502.1986, Transportation Code, to read as
54-18 follows:

54-19 Sec. 502.1986 [~~502.110~~]. CONTINGENT PROVISION FOR
54-20 DISTRIBUTION OF FEES BETWEEN STATE AND COUNTIES. If the method of
54-21 distributing vehicle registration fees collected under this
54-22 chapter between the state and counties is declared invalid because
54-23 of inequality of collection or distribution of those fees, 60
54-24 percent of each fee shall be distributed to the county collecting
54-25 the fee and 40 percent shall be sent to the state in the manner
54-26 provided by this chapter.

54-27 SECTION 122. The heading to Subchapter F, Chapter 502,
54-28 Transportation Code, is amended to read as follows:

54-29 SUBCHAPTER F. REGULAR REGISTRATION FEES [~~SPECIALIZED LICENSE~~
54-30 ~~PLATES; EXEMPTIONS FOR PRIVATELY OWNED VEHICLES~~]

54-31 SECTION 123. Section 502.160, Transportation Code, is
54-32 transferred to Subchapter F, Chapter 502, Transportation Code,
54-33 renumbered as Section 502.251, Transportation Code, and amended to
54-34 read as follows:

54-35 Sec. 502.251 [~~502.160~~]. FEE: MOTORCYCLE OR MOPED. The
54-36 fee for a registration year for registration of a motorcycle or
54-37 moped is \$30.

54-38 SECTION 124. Section 502.161, Transportation Code, is
54-39 transferred to Subchapter F, Chapter 502, Transportation Code,
54-40 renumbered as Section 502.252, Transportation Code, and amended to
54-41 read as follows:

54-42 Sec. 502.252 [~~502.161~~]. FEE: PASSENGER CAR, MUNICIPAL
54-43 BUS, PRIVATE BUS. (a) The fee for a registration year for
54-44 registration of a passenger car, a municipal bus, or a private bus
54-45 that weighs 6,000 pounds or less is:

54-46 (1) \$40.50 for a vehicle the model year of which is
54-47 more than six years before the year in which the registration year
54-48 begins;

54-49 (2) \$50.50 for a vehicle the model year of which is
54-50 more than three years but is six years or less before the year in
54-51 which the registration year begins; or

54-52 (3) \$58.50 for a vehicle the model year of which is
54-53 three years or less before the year in which the registration year
54-54 begins.

54-55 (b) The fee for a registration year for registration of a
54-56 passenger car, a municipal bus, or a private bus that weighs more
54-57 than 6,000 pounds is \$25 plus 60 cents for each 100 pounds.

54-58 (c) For registration purposes, the weight of a passenger
54-59 car, a municipal bus, or a private bus is the weight generally
54-60 accepted as its correct shipping weight plus 100 pounds.

54-61 [~~(d) In this section, "private bus" has the meaning assigned~~
54-62 ~~by Section 502.294.~~]

54-63 SECTION 125. Section 502.162, Transportation Code, is
54-64 transferred to Subchapter F, Chapter 502, Transportation Code,
54-65 renumbered as Section 502.253, Transportation Code, and amended to
54-66 read as follows:

54-67 Sec. 502.253 [~~502.162~~]. FEE: COMMERCIAL MOTOR VEHICLE OR
54-68 TRUCK-TRACTOR. [~~(a)~~] The fee for a registration year for
54-69 registration of a commercial motor vehicle or truck-tractor is \$25

55-1 plus an amount determined according to the vehicle's gross weight
 55-2 and tire equipment, as follows:

55-3	55-4	55-5	
55-6	55-7	55-8	55-8
	Gross weight	Equipped with	Equipped with
	in pounds	pneumatic tires	solid tires
55-9	1-6,000	\$0.44	\$0.55
55-10	6,001-8,000	0.495	0.66
55-11	8,001-10,000	0.605	0.77
55-12	10,001-17,000	0.715	0.88
55-13	17,001-24,000	0.77	0.99
55-14	24,001-31,000	0.88	1.10
55-15	31,001 and over	0.99	1.32

55-16 ~~[(b) The gross weight of a vehicle is the actual weight of~~
 55-17 ~~the vehicle, fully equipped with a body and other equipment, as~~
 55-18 ~~certified by a public weigher or a license and weight inspector of~~
 55-19 ~~the Department of Public Safety, plus its net carrying capacity.~~

55-20 ~~[(c) The net carrying capacity of a vehicle other than a bus~~
 55-21 ~~is the heaviest net load to be carried on the vehicle, but not less~~
 55-22 ~~than the manufacturer's rated carrying capacity.~~

55-23 ~~[(d) The net carrying capacity of a bus is computed by~~
 55-24 ~~multiplying its seating capacity by 150 pounds. The seating~~
 55-25 ~~capacity of a bus is:~~

- 55-26 ~~[(1) the manufacturer's rated seating capacity,~~
- 55-27 ~~excluding the operator's seat; or~~
- 55-28 ~~[(2) if the manufacturer has not rated the vehicle for~~
- 55-29 ~~seating capacity, a number computed by allowing one passenger for~~
- 55-30 ~~each 16 inches of seating on the bus, excluding the operator's~~
- 55-31 ~~seat.]~~

55-32 SECTION 126. Section 502.166, Transportation Code, is
 55-33 transferred to Subchapter F, Chapter 502, Transportation Code,
 55-34 renumbered as Section 502.254, Transportation Code, and amended to
 55-35 read as follows:

55-36 Sec. 502.254 [~~502.166~~]. FEE: TRAILER OR SEMITRAILER.

55-37 ~~[(a)]~~ The fee for a registration year for registration of a trailer
 55-38 or semitrailer is \$25 plus an amount determined according to the
 55-39 vehicle's gross weight and tire equipment, as follows:

55-41	55-42	55-43	
55-44	55-45	55-46	55-46
	Gross weight	Equipped with	Equipped with
	in pounds	pneumatic tires	solid tires
55-46	1-6,000	\$0.33	\$0.44
55-47	6,001-8,000	0.44	0.55
55-48	8,001-10,000	0.55	0.66
55-49	10,001-17,000	0.66	0.88
55-50	17,001 and over	0.715	0.99

55-51 ~~[(b) The gross weight of a trailer or semitrailer is the~~
 55-52 ~~actual weight of the vehicle, as certified by a public weigher or a~~
 55-53 ~~license and weight inspector of the Department of Public Safety,~~
 55-54 ~~plus its net carrying capacity.~~

55-55 ~~[(c) The net carrying capacity of a vehicle is the heaviest~~
 55-56 ~~net load to be carried on the vehicle, but not less than the~~
 55-57 ~~manufacturer's rated carrying capacity.~~

55-58 ~~[(d) The department may issue specially designed license~~
 55-59 ~~plates for rental trailers and travel trailers that include, as~~
 55-60 ~~appropriate, the words "rental trailer" or "travel trailer."~~

55-61 ~~[(e) In this section:~~

- 55-62 ~~[(1) "Rental fleet" means five or more vehicles that~~

56-1 are:
 56-2 [~~(A) owned by the same owner,~~
 56-3 [~~(B) offered for rent or rented without drivers,~~
 56-4 and
 56-5 [~~(C) designated by the owner in the manner~~
 56-6 ~~prescribed by the department as a rental fleet.~~
 56-7 [~~(2) "Rental trailer" means a utility trailer that:~~
 56-8 [~~(A) has a gross weight of 4,000 pounds or less,~~
 56-9 and
 56-10 [~~(B) is part of a rental fleet.~~
 56-11 [~~(3) "Travel trailer" means a house trailer-type~~
 56-12 ~~vehicle or a camper trailer that is:~~
 56-13 [~~(A) less than eight feet in width or 40 feet in~~
 56-14 ~~length, exclusive of any hitch installed on the vehicle, and~~
 56-15 [~~(B) designed primarily for use as temporary~~
 56-16 ~~living quarters in connection with recreational, camping, travel,~~
 56-17 ~~or seasonal use and not as a permanent dwelling; provided that~~
 56-18 ~~"travel trailer" shall not include a utility trailer, enclosed~~
 56-19 ~~trailer, or other trailer not having human habitation as its~~
 56-20 ~~primary purpose.]~~

56-21 SECTION 127. Section 502.167, Transportation Code, is
 56-22 transferred to Subchapter F, Chapter 502, Transportation Code,
 56-23 renumbered as Section 502.255, Transportation Code, and amended to
 56-24 read as follows:

56-25 Sec. 502.255 [~~502.167~~]. TRUCK-TRACTOR OR COMMERCIAL MOTOR
 56-26 VEHICLE COMBINATION FEE; SEMITRAILER TOKEN FEE. (a) This section
 56-27 applies only to a truck-tractor or commercial motor vehicle with a
 56-28 gross vehicle weight [~~manufacturer's rated carrying capacity~~] of
 56-29 more than 18,000 pounds [~~one ton~~] that is used or is to be used in
 56-30 combination with a semitrailer that has a gross weight of more than
 56-31 6,000 pounds.

56-32 (b) Notwithstanding Section 502.253 [~~502.162~~], the fee for
 56-33 a registration year for registration of a truck-tractor or
 56-34 commercial motor vehicle is \$40 plus an amount determined according
 56-35 to the combined gross weight of the vehicles, as follows:

56-37	56-38 Combined gross weight	56-39 Fee for each 100 pounds
	in pounds	or
		fraction of 100 pounds
56-40	18,000-36,000	\$0.60
56-41	36,001-42,000	0.75
56-42	42,001-62,000	0.90
56-43	62,001 and over	1.00

56-44 (c) Notwithstanding Section 502.254 [~~502.166~~], the fee for
 56-45 a registration year for registration of a semitrailer used in the
 56-46 manner described by Subsection (a), regardless of the date the
 56-47 semitrailer is registered, is:

- 56-48 (1) \$30, for a semitrailer being propelled by a power
- 56-49 unit for which a permit under Section 623.011 has been issued; or
- 56-50 (2) \$15, for a semitrailer being propelled by a power
- 56-51 unit for which a permit under Section 623.011 has not been issued.

56-52 (d) A registration made under Subsection (c) is valid only
 56-53 when the semitrailer is used in the manner described by Subsection
 56-54 (a).

56-55 (e) For registration purposes, a semitrailer converted to a
 56-56 trailer by means of an auxiliary axle assembly retains its status as
 56-57 a semitrailer.

56-58 (f) A combination of vehicles may not be registered under
 56-59 this section for a combined gross weight of less than 18,000 pounds.

56-60 (g) This section does not apply to:

- 56-61 (1) a combination of vehicles that includes a vehicle
- 56-62 that has a distinguishing license plate under Section 502.146
- 56-63 [~~504.504~~];
- 56-64 (2) a truck-tractor or commercial motor vehicle
- 56-65 registered or to be registered with \$5 distinguishing license

57-1 plates for which the vehicle is eligible under this chapter;

57-2 (3) a truck-tractor or commercial motor vehicle used
57-3 exclusively in combination with a semitrailer of the travel trailer
57-4 [~~housetrailer~~] type; or

57-5 (4) a vehicle registered or to be registered:
57-6 (A) with a temporary registration permit;
57-7 (B) under Section 502.433 [~~502.163~~]; or
57-8 (C) under Section 502.435 [~~502.188~~].

57-9 (h) The department may adopt rules to administer this
57-10 section.

57-11 (i) The department may issue specially designed license
57-12 plates for token trailers.

57-13 (j) A person may register a semitrailer under this section
57-14 for a registration period of five consecutive years if the person:

57-15 (1) applies to the department for the five-year
57-16 registration;

57-17 (2) provides proof of the person's eligibility to
57-18 register the vehicle under this subsection as required by the
57-19 department; and

57-20 (3) pays a fee of \$15, plus any applicable fee under
57-21 Section 502.401 [~~502.172~~], for each year included in the
57-22 registration period.

57-23 (k) If during the five-year registration period for a
57-24 vehicle registered under Subsection (j) the amount of a fee imposed
57-25 under that subsection is increased, the owner of the vehicle is
57-26 liable to the department for the amount of the increase. If the
57-27 amount of a fee is decreased, the owner of the vehicle is not
57-28 entitled to a refund.

57-29 [~~(1) In this section:~~

57-30 [~~(1) "Combined gross weight" means the empty weight of~~
57-31 ~~the truck-tractor or commercial motor vehicle combined with the~~
57-32 ~~empty weight of the heaviest semitrailer used or to be used in~~
57-33 ~~combination with the truck-tractor or commercial motor vehicle plus~~
57-34 ~~the heaviest net load to be carried on the combination during the~~
57-35 ~~registration year.~~

57-36 [~~(2) "Empty weight" means the unladen weight of the~~
57-37 ~~truck-tractor or commercial motor vehicle and semitrailer~~
57-38 ~~combination fully equipped, as certified by a public weigher or~~
57-39 ~~license and weight inspector of the Department of Public Safety.~~

57-40 [~~(3) "Token trailer" means a semitrailer that:~~
57-41 [~~(A) has a gross weight of more than 6,000~~
57-42 ~~pounds; and~~

57-43 [~~(B) is operated in combination with a truck or a~~
57-44 ~~truck-tractor that has been issued:~~

57-45 [~~(i) an apportioned license plate,~~
57-46 [~~(ii) a combination license plate; or~~
57-47 [~~(iii) a forestry vehicle license plate.~~

57-48 [~~(4) "Apportioned license plate" means a license plate~~
57-49 ~~issued in lieu of truck license plates or combination license~~
57-50 ~~plates to a motor carrier in this state who proportionally~~
57-51 ~~registers a vehicle owned by the carrier in one or more other~~
57-52 ~~states.~~

57-53 [~~(5) "Combination license plate" means a license plate~~
57-54 ~~issued for a truck or truck-tractor that:~~

57-55 [~~(A) has a manufacturer's rated carrying~~
57-56 ~~capacity of more than one ton; and~~

57-57 [~~(B) is used or intended to be used in~~
57-58 ~~combination with a semitrailer that has a gross weight of more than~~
57-59 ~~6,000 pounds.]~~

57-60 SECTION 128. Section 502.165, Transportation Code, is
57-61 transferred to Subchapter F, Chapter 502, Transportation Code, and
57-62 renumbered as Section 502.256, Transportation Code, to read as
57-63 follows:

57-64 Sec. 502.256 [~~502.165~~]. FEE: ROAD TRACTOR. The fee for a
57-65 registration year for registration of a road tractor is \$25 plus an
57-66 amount determined according to the vehicle's weight as certified by
57-67 a public weigher or a license and weight inspector of the Department
57-68 of Public Safety, as follows:

57-69

58-1		Fee for each 100 pounds
58-2	Gross weight in	or
58-3	pounds	fraction of 100 pounds
58-4		
58-5	1-4,000	\$0.275
58-6	4,001-6,000	0.55
58-7	6,001-8,000	0.66
58-8	8,001-10,000	0.825
58-9	10,001 and over	1.10

58-10 SECTION 129. The heading to Subchapter G, Chapter 502,
58-11 Transportation Code, is amended to read as follows:

58-12 SUBCHAPTER G. ADDITIONAL FEES [~~TEMPORARY REGISTRATION~~]

58-13 SECTION 130. Section 502.1705, Transportation Code, is
58-14 transferred to Subchapter G, Chapter 502, Transportation Code,
58-15 renumbered as Section 502.356, Transportation Code, and amended to
58-16 read as follows:

58-17 Sec. 502.356 [~~502.1705~~]. [~~ADDITIONAL FEE FOR~~] AUTOMATED
58-18 REGISTRATION AND TITLING [~~TITLE~~] SYSTEM. (a) In addition to other
58-19 registration fees for a license plate or set of license plates or
58-20 other device used as the registration insignia, a fee of \$1 shall be
58-21 collected.

58-22 (b) The department may use money collected under this
58-23 section to enhance and provide [~~perform one or more of the~~
58-24 ~~following~~]:

58-25 [~~(1) enhancing the department's automated~~
58-26 ~~registration and titling system;~~

58-27 [~~(2) providing for the automated on-site production of~~
58-28 ~~registration insignia; or~~

58-29 [~~(3) providing~~] for automated on-premises and
58-30 off-premises [~~self-service~~] registration and titling-related
58-31 services.

58-32 (c) This section applies only in a county in which the
58-33 department's automated registration and title system has been
58-34 implemented and in which 50,000 or more motor vehicles were
58-35 registered during the preceding year.

58-36 SECTION 131. Section 502.1715, Transportation Code, as
58-37 amended by Chapters 892 (S.B. 1670) and 1108 (H.B. 2337), Acts of
58-38 the 79th Legislature, Regular Session, 2005, is transferred to
58-39 Subchapter G, Chapter 502, Transportation Code, renumbered as
58-40 Section 502.357, Transportation Code, and reenacted and amended to
58-41 read as follows:

58-42 Sec. 502.357 [~~502.1715~~]. FINANCIAL RESPONSIBILITY
58-43 [~~ADDITIONAL FEE FOR CERTAIN DEPARTMENT~~] PROGRAMS. (a) In
58-44 addition to other fees imposed for registration of a motor vehicle,
58-45 at the time of application for registration or renewal of
58-46 registration of a motor vehicle for which the owner is required to
58-47 submit evidence of financial responsibility under Section 502.046
58-48 [~~502.153~~], the applicant shall pay a fee of \$1. In addition to other
58-49 fees imposed for registration of a motor vehicle, at the time of
58-50 application for registration of a motor vehicle that is subject to
58-51 Section 501.0234, the applicant shall pay a fee of \$1. Fees
58-52 collected under this section shall be remitted weekly to the
58-53 department.

58-54 (b) Fees collected under this section shall be deposited to
58-55 the credit of the state highway fund. Subject to appropriations,
58-56 the money shall be used by the Department of Public Safety to:

58-57 (1) support the Department of Public Safety's
58-58 reengineering of the driver's license system to provide for the
58-59 issuance by the Department of Public Safety of a driver's license or
58-60 personal identification certificate, to include use of image
58-61 comparison technology;

58-62 (2) establish and maintain a system to support the
58-63 driver responsibility program under Chapter 708; and

58-64 (3) make lease payments to the master lease purchase
58-65 program for the financing of the driver's license reengineering
58-66 project.

58-67 (c) Fees collected under this section shall be deposited to
58-68 the credit of the state highway fund. Subject to appropriation, the
58-69 money may be used by the Department of Public Safety, the Texas

59-1 Department of Insurance, the Department of Information Resources,
 59-2 and the department to carry out Subchapter N, Chapter 601.

59-3 (d) The Department of Public Safety, the Texas Department of
 59-4 Insurance, the Department of Information Resources, and the
 59-5 department shall jointly adopt rules and develop forms necessary to
 59-6 administer this section.

59-7 SECTION 132. Section 502.1675, Transportation Code, is
 59-8 transferred to Subchapter G, Chapter 502, Transportation Code,
 59-9 renumbered as Section 502.358, Transportation Code, and amended to
 59-10 read as follows:

59-11 Sec. 502.358 [~~502.1675~~]. TEXAS EMISSIONS REDUCTION PLAN
 59-12 SURCHARGE. (a) In addition to the registration fees charged under
 59-13 Section 502.255 [~~502.167~~], a surcharge is imposed on the
 59-14 registration of a truck-tractor or commercial motor vehicle under
 59-15 that section in an amount equal to 10 percent of the total fees due
 59-16 for the registration of the truck-tractor or commercial motor
 59-17 vehicle under that section.

59-18 (b) The county tax assessor-collector shall remit the
 59-19 surcharge collected under this section to the comptroller at the
 59-20 time and in the manner prescribed by the comptroller for deposit in
 59-21 the Texas emissions reduction plan fund.

59-22 (c) This section expires August 31, 2013.

59-23 SECTION 133. Section 502.171, Transportation Code, is
 59-24 transferred to Subchapter G, Chapter 502, Transportation Code,
 59-25 renumbered as Section 502.359, Transportation Code, and amended to
 59-26 read as follows:

59-27 Sec. 502.359 [~~502.171~~]. ADDITIONAL FEE FOR CERTAIN
 59-28 VEHICLES USING DIESEL MOTOR. (a) The registration fee under this
 59-29 chapter for a motor vehicle other than a passenger car, a truck with
 59-30 a gross vehicle weight [~~manufacturer's rated carrying capacity~~] of
 59-31 18,000 pounds [~~two tons~~] or less, or a vehicle registered in
 59-32 combination under Section 502.255 [~~502.167~~] is increased by 11
 59-33 percent if the vehicle has a diesel motor.

59-34 (b) ~~The [A county assessor-collector shall show on the]~~
 59-35 registration receipt for a motor vehicle, other than a passenger
 59-36 car or a truck with a gross vehicle weight [~~manufacturer's rated~~
 59-37 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less, must show
 59-38 that the vehicle has a diesel motor.

59-39 (c) The department may adopt rules to administer this
 59-40 section.

59-41 SECTION 134. Section 502.170, Transportation Code, is
 59-42 transferred to Subchapter G, Chapter 502, Transportation Code, and
 59-43 renumbered as Section 502.360, Transportation Code, to read as
 59-44 follows:

59-45 Sec. 502.360 [~~502.170~~]. ADDITIONAL FEE FOR REFLECTORIZED
 59-46 LICENSE PLATES. (a) In addition to the other registration fees
 59-47 for a license plate or set of license plates or other device used as
 59-48 the registration insignia, 30 cents shall be collected.

59-49 (b) The department shall use money collected under this
 59-50 section to purchase equipment and material for the production and
 59-51 manufacture of reflectORIZED license plates.

59-52 SECTION 135. The heading to Subchapter H, Chapter 502,
 59-53 Transportation Code, is amended to read as follows:

59-54 SUBCHAPTER H. OPTIONAL FEES [~~OFFENSES AND PENALTIES~~]

59-55 SECTION 136. Section 502.172, Transportation Code, is
 59-56 transferred to Subchapter H, Chapter 502, Transportation Code,
 59-57 renumbered as Section 502.401, Transportation Code, and amended to
 59-58 read as follows:

59-59 Sec. 502.401 [~~502.172~~]. OPTIONAL COUNTY FEE FOR ROAD AND
 59-60 BRIDGE FUND. (a) The commissioners court of a county by order may
 59-61 impose an additional fee, not to exceed \$10, for registering a
 59-62 vehicle in the county.

59-63 (b) A vehicle that may be registered under this chapter
 59-64 without payment of a registration fee may be registered in a county
 59-65 imposing a fee under this section without payment of the additional
 59-66 fee.

59-67 (c) A fee imposed under this section may take effect only on
 59-68 January 1 of a year. The county must adopt the order and notify the
 59-69 department not later than September 1 of the year preceding the year

60-1 in which the fee takes effect.

60-2 (d) A fee imposed under this section may be removed. The
60-3 removal may take effect only on January 1 of a year. A county may
60-4 remove the fee only by:

60-5 (1) rescinding the order imposing the fee; and

60-6 (2) notifying the department not later than September
60-7 1 of the year preceding the year in which the removal takes effect.

60-8 (e) The county assessor-collector of a county imposing a fee
60-9 under this section shall collect the additional fee for a vehicle
60-10 when other fees imposed under this chapter are collected.

60-11 (f) The department shall collect the additional fee on a
60-12 vehicle that is owned by a resident of a county imposing a fee under
60-13 this section ~~[and] that[, under this chapter,]~~ must be registered
60-14 directly with the department. The department shall send all fees
60-15 collected for a county under this subsection to the county
60-16 treasurer to be credited to the county road and bridge fund.

60-17 (g) The department shall adopt rules ~~[and develop forms]~~
60-18 necessary to administer registration ~~[by mail]~~ for a vehicle being
60-19 registered in a county imposing a fee under this section.

60-20 SECTION 137. Section 502.1725, Transportation Code, is
60-21 transferred to Subchapter H, Chapter 502, Transportation Code,
60-22 renumbered as Section 502.402, Transportation Code, and amended to
60-23 read as follows:

60-24 Sec. 502.402 ~~[502.1725]~~. OPTIONAL COUNTY FEE FOR
60-25 TRANSPORTATION PROJECTS. (a) This section applies only to a
60-26 county:

60-27 (1) that borders the United Mexican States;

60-28 (2) that has a population of more than 300,000; and

60-29 (3) in which the largest municipality has a population
60-30 of less than 300,000.

60-31 (b) The commissioners court of a county by order may impose
60-32 an additional fee, not to exceed \$10, for ~~[registering]~~ a vehicle
60-33 registered in the county.

60-34 (c) A vehicle that may be registered under this chapter
60-35 without payment of a registration fee may be registered ~~[in a county~~
60-36 ~~imposing a fee]~~ under this section without payment of the
60-37 additional fee.

60-38 (d) A fee imposed under this section may take effect ~~[only~~
60-39 ~~on January 1 of a year. The county must adopt the order]~~ and
60-40 ~~[notify the department not later than September 1 of the year~~
60-41 ~~preceding the year in which the fee takes effect.~~

60-42 ~~[(c) A fee imposed under this section may] be removed in~~
60-43 ~~accordance with Section 502.401 requirements[. The removal may~~
60-44 ~~take effect only on January 1 of a year. A county may remove the~~
60-45 ~~fee only by:~~

60-46 ~~[(1) rescinding the order imposing the fee; and~~

60-47 ~~[(2) notifying the department not later than September~~
60-48 ~~1 of the year preceding the year in which the removal takes effect].~~

60-49 (e) ~~[(f)]~~ The ~~[county assessor-collector of a county~~
60-50 ~~imposing a fee under this section shall collect the]~~ additional fee
60-51 shall be collected for a vehicle when other fees imposed under this
60-52 chapter are collected. The ~~[county shall send the]~~ fee revenue
60-53 collected shall be sent to the regional mobility authority of the
60-54 county to fund long-term transportation projects in the county.

60-55 (f) ~~[(g) The department shall collect the additional fee~~
60-56 ~~on a vehicle that is owned by a resident of a county imposing a fee~~
60-57 ~~under this section and that, under this chapter, must be registered~~
60-58 ~~directly with the department. The department shall send all fees~~
60-59 ~~collected for a county under this subsection to the regional~~
60-60 ~~mobility authority of the county to fund long-term transportation~~
60-61 ~~projects in the county.~~

60-62 ~~[(h)]~~ The department shall adopt rules ~~[and develop forms]~~
60-63 necessary to administer registration ~~[by mail]~~ for a vehicle being
60-64 registered in a county imposing a fee under this section.

60-65 SECTION 138. Section 502.173, Transportation Code, is
60-66 transferred to Subchapter H, Chapter 502, Transportation Code,
60-67 renumbered as Section 502.403, Transportation Code, and amended to
60-68 read as follows:

60-69 Sec. 502.403 ~~[502.173]~~. OPTIONAL COUNTY FEE FOR CHILD

61-1 SAFETY. (a) The commissioners court of a county that has a
 61-2 population greater than 1.3 million and in which a municipality
 61-3 with a population of more than one million is primarily located may
 61-4 impose by order an additional fee of not less than 50 cents or more
 61-5 than \$1.50 for ~~registering~~ a vehicle registered in the county.
 61-6 The commissioners court of any other county may impose by order an
 61-7 additional fee of not more than \$1.50 for registering a vehicle in
 61-8 the county.

61-9 (b) A vehicle that may be registered under this chapter
 61-10 without payment of a registration fee may be registered ~~[in a county~~
 61-11 ~~imposing a fee under this section]~~ without payment of the
 61-12 additional fee.

61-13 (c) A fee imposed under this section may take effect ~~[only~~
 61-14 ~~on January 1 of a year. The county must adopt the order]~~ and ~~[notify~~
 61-15 ~~the department not later than September 10 of the year preceding the~~
 61-16 ~~year in which the fee takes effect.~~

61-17 ~~[(d) A fee imposed under this section may]~~ be removed in
 61-18 accordance with the provisions of Section 502.401. ~~[The removal~~
 61-19 ~~may take effect only on January 1 of a year. A county may remove the~~
 61-20 ~~fee only by:~~

61-21 ~~[(1) rescinding the order imposing the fee; and~~
 61-22 ~~[(2) notifying the department not later than September~~
 61-23 ~~1 of the year preceding the year in which the removal takes effect.]~~

61-24 (d) ~~[(e)]~~ The ~~[county assessor-collector of a county~~
 61-25 ~~imposing a fee under this section shall collect the]~~ additional fee
 61-26 shall be collected for a vehicle when other fees imposed under this
 61-27 chapter are collected.

61-28 (e) ~~[(f)]~~ A county imposing a fee under this section may
 61-29 deduct for administrative costs an amount of not more than 10
 61-30 percent of the revenue it receives from the fee. The county may
 61-31 also deduct from the fee revenue an amount proportional to the
 61-32 percentage of county residents who live in unincorporated areas of
 61-33 the county. After making the deductions provided for by this
 61-34 subsection, the county shall send the remainder of the fee revenue
 61-35 to the municipalities in the county according to their population.

61-36 (f) ~~[(g)]~~ A municipality with a population greater than
 61-37 850,000 shall deposit revenue from a fee imposed under this
 61-38 subsection to the credit of the child safety trust fund created
 61-39 under Section 106.001, Local Government Code. A municipality with a
 61-40 population less than 850,000 shall use revenue from a fee imposed
 61-41 under this section in accordance with Subsection (f), Article
 61-42 102.014, Code of Criminal Procedure.

61-43 (g) ~~[(h)]~~ After deducting administrative costs, a county
 61-44 may use revenue from a fee imposed under this section only for a
 61-45 purpose permitted by Subsection (g), Article 102.014, Code of
 61-46 Criminal Procedure.

61-47 SECTION 139. Section 502.174, Transportation Code, is
 61-48 transferred to Subchapter H, Chapter 502, Transportation Code,
 61-49 renumbered as Section 502.404, Transportation Code, and amended to
 61-50 read as follows:

61-51 Sec. 502.404 ~~[502.174]~~. VOLUNTARY ASSESSMENT FOR YOUNG
 61-52 FARMER LOAN GUARANTEES. (a) When a person registers a commercial
 61-53 motor vehicle under Section 502.433 ~~[502.163]~~, the person shall pay
 61-54 a voluntary assessment of \$5.

61-55 (b) The county assessor-collector shall send an assessment
 61-56 collected under this section to the comptroller, at the time and in
 61-57 the manner prescribed by the Texas Agricultural Finance Authority,
 61-58 for deposit in the Texas agricultural fund to the credit of the
 61-59 young farmer loan guarantee account.

61-60 (c) The Texas Agricultural Finance Authority shall
 61-61 prescribe procedures under which an assessment collected under this
 61-62 section may be refunded. The county assessor-collector of the
 61-63 county in which an assessment is collected shall:

61-64 (1) implement the refund procedures; and
 61-65 (2) provide notice of those procedures to a person
 61-66 paying an assessment at the time of payment.

61-67 SECTION 140. Section 502.1745, Transportation Code, is
 61-68 transferred to Subchapter H, Chapter 502, Transportation Code,
 61-69 renumbered as Section 502.405, Transportation Code, and amended to

62-1 read as follows:

62-2 Sec. 502.405 [~~502.1745~~]. DONOR EDUCATION, AWARENESS, AND
 62-3 REGISTRY PROGRAM [~~VOLUNTARY FEE~~]. (a) The department shall
 62-4 provide to each county assessor-collector the educational
 62-5 materials for prospective donors provided as required by the Donor
 62-6 Education, Awareness, and Registry Program of Texas under Chapter
 62-7 49, Health and Safety Code. The [~~A county assessor-collector shall~~
 62-8 ~~make the~~] educational materials shall be made available in each
 62-9 office authorized to accept applications for registration of motor
 62-10 vehicles.

62-11 (b) A person may elect to pay [~~county assessor-collector~~
 62-12 ~~shall collect~~] an additional fee of \$1 for the registration or
 62-13 renewal of registration of a motor vehicle to pay the costs of the
 62-14 Donor Education, Awareness, and Registry Program of Texas,
 62-15 established under Chapter 49, Health and Safety Code, and of the
 62-16 Texas Organ, Tissue, and Eye Donor Council, established under
 62-17 Chapter 113, Health and Safety Code [~~, if the person registering or~~
 62-18 ~~renewing the registration of a motor vehicle opts to pay the~~
 62-19 ~~additional fee~~]. Notwithstanding any other provision of this
 62-20 chapter, the county assessor-collector shall remit all fees
 62-21 collected under this subsection to the comptroller, who shall
 62-22 maintain the identity of the source of the fees.

62-23 (c) Three percent of all money collected under this section
 62-24 may be appropriated only to the department to administer this
 62-25 section.

62-26 SECTION 141. The heading to Subchapter I, Chapter 502,
 62-27 Transportation Code, is amended to read as follows:

62-28 SUBCHAPTER I. ALTERNATE REGISTRATION FEES [~~TRANSFER AND REMOVAL OF~~
 62-29 ~~LICENSE PLATES FOR THE SALE OR TRANSFER OF USED VEHICLES~~]

62-30 SECTION 142. Section 502.164, Transportation Code, is
 62-31 transferred to Subchapter I, Chapter 502, Transportation Code, and
 62-32 renumbered as Section 502.431, Transportation Code, to read as
 62-33 follows:

62-34 Sec. 502.431 [~~502.164~~]. FEE: MOTOR VEHICLE USED
 62-35 EXCLUSIVELY TO TRANSPORT AND SPREAD FERTILIZER. The fee for a
 62-36 registration year for registration of a motor vehicle designed or
 62-37 modified and used exclusively to transport to the field and spread
 62-38 fertilizer, including agricultural limestone, is \$75.

62-39 SECTION 143. Section 502.1586, Transportation Code, is
 62-40 transferred to Subchapter I, Chapter 502, Transportation Code,
 62-41 renumbered as Section 502.432, Transportation Code, and amended to
 62-42 read as follows:

62-43 Sec. 502.432 [~~502.1586~~]. [~~REGISTRATION PERIOD FOR~~
 62-44 ~~TRUCK-TRACTOR OR COMMERCIAL MOTOR~~] VEHICLE TRANSPORTING SEASONAL
 62-45 AGRICULTURAL PRODUCTS. (a) The department shall provide for a
 62-46 monthly registration period for a truck-tractor or a commercial
 62-47 motor vehicle that:

62-48 (1) is used exclusively to transport a seasonal
 62-49 agricultural product; and

62-50 (2) would otherwise be registered for a vehicle
 62-51 registration year.

62-52 (b) The department shall [~~adopt forms for registration~~
 62-53 ~~under this section. An applicant must indicate the number of months~~
 62-54 ~~registration is applied for.~~

62-55 [~~(c) The department shall design,~~] prescribe [~~, and~~
 62-56 ~~furnish~~] a registration receipt that is valid until the expiration
 62-57 of the designated registration period.

62-58 (c) [~~(d)~~] The registration fee for a registration under
 62-59 this section is computed at a rate of one-twelfth the annual
 62-60 registration fee under Section 502.253 [~~502.162~~], 502.433
 62-61 [~~502.163~~], or 502.255 [~~502.167~~], as applicable, multiplied by the
 62-62 number of months in the registration period specified in the
 62-63 application for the registration, which may not be less than one
 62-64 month or longer than six months.

62-65 (d) [~~(e) A person issued a registration under this section~~
 62-66 ~~commits an offense if the person, during the registration period~~
 62-67 ~~for the truck-tractor or commercial motor vehicle, uses the~~
 62-68 ~~truck-tractor or commercial motor vehicle for a purpose other than~~
 62-69 ~~to transport a seasonal agricultural product.~~

63-1 ~~[(f) A truck-tractor or commercial motor vehicle may not be~~
63-2 ~~registered under this section for a registration period that is~~
63-3 ~~less than one month or longer than six months.~~

63-4 ~~[(g)]~~ For purposes of this section, "to transport a seasonal
63-5 agricultural product" includes any transportation activity
63-6 necessary for the production, harvest, or delivery of an
63-7 agricultural product that is produced seasonally.

63-8 SECTION 144. Section 502.163, Transportation Code, is
63-9 transferred to Subchapter I, Chapter 502, Transportation Code,
63-10 renumbered as Section 502.433, Transportation Code, and amended to
63-11 read as follows:

63-12 Sec. 502.433 [~~502.163~~]. FEE: COMMERCIAL FARM MOTOR
63-13 VEHICLE [~~USED PRIMARILY FOR FARM PURPOSES, OFFENSE~~]. (a) The
63-14 registration fee for a commercial motor vehicle as a farm vehicle is
63-15 50 percent of the applicable fee under Section 502.253 [~~502.162~~] if
63-16 the vehicle's owner will use the vehicle for commercial purposes
63-17 only to transport:

63-18 (1) the person's own poultry, dairy, livestock,
63-19 livestock products, timber in its natural state, or farm products
63-20 to market or another place for sale or processing;

63-21 (2) laborers from their place of residence to the
63-22 owner's farm or ranch; or

63-23 (3) without charge, materials, tools, equipment, or
63-24 supplies from the place of purchase or storage to the owner's farm
63-25 or ranch exclusively for the owner's use or for use on the farm or
63-26 ranch.

63-27 (b) A commercial motor vehicle may be registered under this
63-28 section despite its use for transporting without charge the owner
63-29 or a member of the owner's family:

63-30 (1) to attend church or school;

63-31 (2) to visit a doctor for medical treatment or
63-32 supplies; or

63-33 (3) for other necessities of the home or family.

63-34 (c) Subsection (b) does not permit the use of a vehicle
63-35 registered under this section in connection with gainful employment
63-36 other than farming or ranching.

63-37 (d) The department shall provide distinguishing license
63-38 plates for a vehicle registered under this section.

63-39 (e) The owner of a commercial motor vehicle registered under
63-40 this section commits an offense if the person uses or permits to be
63-41 used the vehicle for a purpose other than one permitted by this
63-42 section. Each use or permission for use in violation of this
63-43 section is a separate offense.

63-44 ~~[(f) An offense under this section is a misdemeanor~~
63-45 ~~punishable by a fine of not less than \$25 or more than \$200.]~~

63-46 SECTION 145. Section 502.351, Transportation Code, is
63-47 transferred to Subchapter I, Chapter 502, Transportation Code,
63-48 renumbered as Section 502.434, Transportation Code, and amended to
63-49 read as follows:

63-50 Sec. 502.434 [~~502.351~~]. FARM VEHICLES: EXCESS WEIGHT.

63-51 (a) The owner of a registered commercial motor vehicle,
63-52 truck-tractor, trailer, or semitrailer may obtain a short-term
63-53 permit to haul loads of a weight more than that for which the
63-54 vehicle is registered by paying an additional fee before the
63-55 additional weight is hauled to transport:

63-56 (1) the person's own seasonal agricultural products to
63-57 market or another point for sale or processing;

63-58 (2) seasonal laborers from their place of residence to
63-59 a farm or ranch; or

63-60 (3) materials, tools, equipment, or supplies, without
63-61 charge, from the place of purchase or storage to a farm or ranch
63-62 exclusively for use on the farm or ranch.

63-63 (b) A permit may not be issued under this section for a
63-64 period that is less than one month or that:

63-65 (1) is greater than one year; or

63-66 (2) extends beyond the expiration of the registration
63-67 year for the vehicle.

63-68 (c) A permit issued under this section for a quarter must be
63-69 for a calendar quarter.

64-1 (d) The fee for a permit under this section is a percentage
 64-2 of the difference between the registration fee otherwise prescribed
 64-3 ~~[by this chapter]~~ for the vehicle and the annual fee for the desired
 64-4 weight, as follows:

64-5	One month (30 consecutive days)	10 percent
64-6	One quarter	30 percent
64-7	Two quarters	60 percent
64-8	Three quarters	90 percent

64-9 (e) The department shall design, prescribe, and furnish a
 64-10 sticker, plate, or other means of indicating the additional weight
 64-11 and the registration period for each vehicle registered under this
 64-12 section.

64-13 SECTION 146. Section 502.188, Transportation Code, is
 64-14 transferred to Subchapter I, Chapter 502, Transportation Code,
 64-15 renumbered as Section 502.435, Transportation Code, and amended to
 64-16 read as follows:

64-17 Sec. 502.435 ~~[502.188]~~. CERTAIN SOIL CONSERVATION
 64-18 EQUIPMENT. (a) The owner of a truck-tractor, semitrailer, or
 64-19 low-boy trailer used on a highway exclusively to transport the
 64-20 owner's soil conservation machinery or equipment used in clearing
 64-21 real property, terracing, or building farm ponds, levees, or
 64-22 ditches may register the vehicle for a fee equal to 50 percent of
 64-23 the fee otherwise prescribed by this chapter for the vehicle.

64-24 (b) An owner may register only one truck-tractor and only
 64-25 one semitrailer or low-boy trailer under this section.

64-26 (c) An owner ~~[applying for registration under this section]~~
 64-27 must certify ~~[submit a statement]~~ that the vehicle is to be used
 64-28 only as provided by Subsection (a).

64-29 (d) The registration receipt issued for a vehicle
 64-30 registered under this section must be carried in or on the vehicle
 64-31 and ~~[shall]~~ state the nature of the operation for which the vehicle
 64-32 may be used. ~~[The receipt must be carried at all times in or on the~~
 64-33 ~~vehicle to permit ready inspection.]~~

64-34 (e) A vehicle to which this section applies that is operated
 64-35 on a public highway in violation of this section is considered to be
 64-36 operated while unregistered and is immediately subject to the
 64-37 applicable registration fees and penalties prescribed by this
 64-38 chapter.

64-39 SECTION 147. Chapter 502, Transportation Code, is amended
 64-40 by adding Subchapter J to read as follows:

64-41 SUBCHAPTER J. REGISTRATIONS EXEMPT FROM FEES

64-42 SECTION 148. Section 502.201, Transportation Code, is
 64-43 transferred to Subchapter J, Chapter 502, Transportation Code, as
 64-44 added by this Act, renumbered as Section 502.451, Transportation
 64-45 Code, and amended to read as follows:

64-46 Sec. 502.451 ~~[502.201]~~. ~~[LICENSE PLATES FOR]~~ EXEMPT
 64-47 VEHICLES. (a) Before license plates are issued or delivered to
 64-48 the owner of a vehicle that is exempt by law from payment of
 64-49 registration fees, the department must approve the application for
 64-50 registration. The department may not approve an application if
 64-51 there is the appearance that:

64-52 (1) the vehicle was transferred to the owner or
 64-53 purported owner:

64-54 (A) for the sole purpose of evading the payment
 64-55 of registration fees; or

64-56 (B) in bad faith; or

64-57 (2) the vehicle is not being used in accordance with
 64-58 the exemption requirements.

64-59 (b) The department shall revoke the registration of a
 64-60 vehicle issued license plates under this section and may recall the
 64-61 plates if the vehicle is no longer:

64-62 (1) owned and operated by the person whose ownership
 64-63 of the vehicle qualified the vehicle for the exemption; or

64-64 (2) used in accordance with the exemption
 64-65 requirements.

64-66 (c) The owner of a vehicle described by Subsection (b) shall
 64-67 return the license plates and registration receipt to the
 64-68 department for cancellation.

64-69 (d) The department shall provide by rule for the issuance of

65-1 specially designated license plates for vehicles that are exempt by
 65-2 law. Except as provided by Subsection (g), the license plates must
 65-3 bear the word "exempt."

65-4 (e) A license plate under Subsection (d) is not issued
 65-5 annually, but remains on the vehicle until:

65-6 (1) the registration is revoked as provided by
 65-7 Subsection (b); or

65-8 (2) the plate is lost, stolen, or mutilated.

65-9 (f) A person who operates on a public highway a vehicle
 65-10 after the registration has been revoked is liable for the penalties
 65-11 for failing to register a vehicle.

65-12 (g) The department shall provide by rule for the issuance of
 65-13 regularly designed license plates not bearing the word "exempt" for
 65-14 a vehicle that is exempt by law and that is:

65-15 (1) a law enforcement vehicle, if the agency certifies
 65-16 to the department that the vehicle will be dedicated to law
 65-17 enforcement activities;

65-18 (2) a vehicle exempt from inscription requirements
 65-19 under a rule adopted as provided by Section 721.003; or

65-20 (3) a vehicle exempt from inscription requirements
 65-21 under an order or ordinance adopted by a governing body of a
 65-22 municipality or commissioners court of a county as provided by
 65-23 Section 721.005, if the applicant presents a copy of the order or
 65-24 ordinance.

65-25 SECTION 149. Section 502.2015, Transportation Code, is
 65-26 transferred to Subchapter J, Chapter 502, Transportation Code, as
 65-27 added by this Act, renumbered as Section 502.452, Transportation
 65-28 Code, and amended to read as follows:

65-29 Sec. 502.452 [~~502.2015~~]. LIMITATION ON ISSUANCE OF EXEMPT
 65-30 LICENSE PLATES; SEIZURE OF CERTAIN VEHICLES. (a) The department
 65-31 may not issue exempt license plates for a vehicle owned by the
 65-32 United States, this state, or a political subdivision of this state
 65-33 unless when application is made for registration of the vehicle,
 65-34 the person who under Section 502.453 [~~502.202~~] has authority to
 65-35 certify to the department that the vehicle qualifies for
 65-36 registration under that section also certifies in writing to the
 65-37 department that there is printed on each side of the vehicle, in
 65-38 letters that are at least two inches high or in an emblem that is at
 65-39 least 100 square inches in size, the name of the agency, department,
 65-40 bureau, board, commission, or officer of the United States, this
 65-41 state, or the political subdivision of this state that has custody
 65-42 of the vehicle. The letters or emblem must be of a color
 65-43 sufficiently different from the body of the vehicle to be clearly
 65-44 legible from a distance of 100 feet.

65-45 (b) The department may not issue exempt license plates for a
 65-46 vehicle owned by a person other than the United States, this state,
 65-47 or a political subdivision of this state unless, when application
 65-48 is made for registration of the vehicle, the person who under
 65-49 Section 502.453 [~~502.202~~] has authority to certify to the
 65-50 department that the vehicle qualifies for registration under that
 65-51 section also certifies in writing to the department that the name of
 65-52 the owner of the vehicle is printed on the vehicle in the manner
 65-53 prescribed by Subsection (a).

65-54 (c) A peace officer listed in Article 2.12, Code of Criminal
 65-55 Procedure, may seize a motor vehicle displaying exempt license
 65-56 plates if the vehicle is:

65-57 (1) operated on a public highway; and

65-58 (2) not identified in the manner prescribed by
 65-59 Subsection (a) or (b), unless the vehicle is covered by Subsection
 65-60 (f).

65-61 (d) A peace officer who seizes a motor vehicle under
 65-62 Subsection (c) may require that the vehicle be:

65-63 (1) moved to the nearest place of safety off the
 65-64 main-traveled part of the highway; or

65-65 (2) removed and placed in the nearest vehicle storage
 65-66 facility designated or maintained by the law enforcement agency
 65-67 that employs the peace officer.

65-68 (e) To obtain the release of the vehicle, in addition to any
 65-69 other requirement of law, the owner of a vehicle seized under

66-1 Subsection (c) must:
 66-2 (1) remedy the defect by identifying the vehicle as
 66-3 required by Subsection (a) or (b); or

66-4 (2) agree in writing with the law enforcement agency
 66-5 to provide evidence to that agency, before the 10th day after the
 66-6 date the vehicle is released, that the defect has been remedied by
 66-7 identifying the vehicle as required by Subsection (a) or (b).

66-8 (f) Subsections (a) and (b) do not apply to a vehicle to
 66-9 which Section 502.451(g) [~~502.201(g) or 502.206~~] applies.

66-10 (g) For purposes of this section, an exempt license plate is
 66-11 a license plate issued by the department that is plainly marked with
 66-12 the word "exempt."

66-13 SECTION 150. Section 502.202, Transportation Code, is
 66-14 transferred to Subchapter J, Chapter 502, Transportation Code, as
 66-15 added by this Act, renumbered as Section 502.453, Transportation
 66-16 Code, and amended to read as follows:

66-17 Sec. 502.453 [~~502.202~~]. GOVERNMENT-OWNED VEHICLES; PUBLIC
 66-18 SCHOOL BUSES; FIRE-FIGHTING VEHICLES; COUNTY MARINE LAW
 66-19 ENFORCEMENT VEHICLES. (a) The owner of a motor vehicle, trailer,
 66-20 or semitrailer may annually apply for registration under Section
 66-21 502.451 [~~502.201~~] and is exempt from the payment of a registration
 66-22 fee under this chapter if the vehicle is:

66-23 (1) owned by and used exclusively in the service of:
 66-24 (A) the United States;
 66-25 (B) this state; or
 66-26 (C) a county, municipality, or school district in
 66-27 this state;

66-28 (2) owned by a commercial transportation company and
 66-29 used exclusively to provide public school transportation services
 66-30 to a school district under Section 34.008, Education Code;

66-31 (3) designed and used exclusively for fire fighting;

66-32 (4) owned by a volunteer fire department and used
 66-33 exclusively in the conduct of department business; [~~or~~]

66-34 (5) privately owned and used by a volunteer
 66-35 exclusively in county marine law enforcement activities, including
 66-36 rescue operations, under the direction of the sheriff's department;
 66-37 or

66-38 (6) used by law enforcement under an alias for covert
 66-39 criminal investigations.

66-40 (b) An application for registration under this section must
 66-41 be made by a person having the authority to certify that the vehicle
 66-42 meets the exemption requirements prescribed by Subsection (a). An
 66-43 application for registration under this section of a fire-fighting
 66-44 vehicle described by Subsection (a)(3) must include a reasonable
 66-45 description of the vehicle and of any fire-fighting equipment
 66-46 mounted on the vehicle. An application for registration under this
 66-47 section of a vehicle described by Subsection (a)(5) must include a
 66-48 statement signed by a person having the authority to act for a
 66-49 sheriff's department that the vehicle is used exclusively in marine
 66-50 law enforcement activities under the direction of the sheriff's
 66-51 department.

66-52 SECTION 151. Section 502.203, Transportation Code, is
 66-53 transferred to Subchapter J, Chapter 502, Transportation Code, as
 66-54 added by this Act, renumbered as Section 502.454, Transportation
 66-55 Code, and amended to read as follows:

66-56 Sec. 502.454 [~~502.203~~]. VEHICLES USED BY NONPROFIT
 66-57 DISASTER RELIEF ORGANIZATIONS. (a) The owner of a commercial
 66-58 motor vehicle, trailer, or semitrailer may apply for registration
 66-59 under Section 502.451 [~~502.201~~] and is exempt from the payment of
 66-60 the registration fee that would otherwise be required by this
 66-61 chapter if the vehicle is owned and used exclusively for
 66-62 emergencies by a nonprofit disaster relief organization.

66-63 (b) An application for registration under this section must
 66-64 include:

66-65 (1) a statement by the owner of the vehicle that the
 66-66 vehicle is used exclusively for emergencies and has not been used
 66-67 for any other purpose;

66-68 (2) a statement signed by an officer of the nonprofit
 66-69 disaster relief organization that the vehicle has not been used for

67-1 any purpose other than emergencies and qualifies for registration
67-2 under this section; and

67-3 (3) a reasonable description of the vehicle and the
67-4 emergency equipment included in the vehicle.

67-5 (c) An applicant for registration under this section must
67-6 pay a fee of \$5.

67-7 (d) A commercial motor vehicle registered under this
67-8 section must display the name of the organization that owns it on
67-9 each front door.

67-10 (e) A vehicle registered under this section must display at
67-11 all times an appropriate license plate showing the vehicle's
67-12 status.

67-13 (f) A vehicle registered under this section that is used for
67-14 any purpose other than an emergency may not again be registered
67-15 under this section.

67-16 SECTION 152. Section 502.2035, Transportation Code, is
67-17 transferred to Subchapter J, Chapter 502, Transportation Code, as
67-18 added by this Act, and renumbered as Section 502.455,
67-19 Transportation Code, to read as follows:

67-20 Sec. 502.455 [~~502.2035~~]. TRAILERS AND SEMITRAILERS OWNED
67-21 BY RELIGIOUS ORGANIZATIONS. (a) A trailer or semitrailer may be
67-22 registered without payment if the trailer or semitrailer is:

67-23 (1) owned by an organization that qualifies as a
67-24 religious organization under Section 11.20, Tax Code; and

67-25 (2) used primarily for the purpose of transporting
67-26 property in connection with the charitable activities and functions
67-27 of the organization.

67-28 (b) An application for registration under this section must
67-29 include a statement signed by an officer of the religious
67-30 organization stating that the trailer or semitrailer qualifies for
67-31 registration under this section.

67-32 SECTION 153. Section 502.204, Transportation Code, is
67-33 transferred to Subchapter J, Chapter 502, Transportation Code, as
67-34 added by this Act, renumbered as Section 502.456, Transportation
67-35 Code, and amended to read as follows:

67-36 Sec. 502.456 [~~502.204~~]. EMERGENCY SERVICES VEHICLES.

67-37 (a) A vehicle may be registered without payment if:

67-38 (1) the vehicle is owned or leased by an emergency
67-39 medical services provider that:

67-40 (A) is a nonprofit entity; or

67-41 (B) is created and operated by:

67-42 (i) a county;

67-43 (ii) a municipality; or

67-44 (iii) any combination of counties and
67-45 municipalities through a contract, joint agreement, or other method
67-46 provided by Chapter 791, Government Code, or other law authorizing
67-47 counties and municipalities to provide joint programs; and

67-48 (2) the vehicle:

67-49 (A) is authorized under an emergency medical
67-50 services provider license issued by the Department of State [~~Texas~~
67-51 ~~Board of~~] Health Services under Chapter 773, Health and Safety
67-52 Code, and is used exclusively as an emergency medical services
67-53 vehicle; or

67-54 (B) is an emergency medical services chief or
67-55 supervisor vehicle and is used exclusively as an emergency services
67-56 vehicle.

67-57 (b) A vehicle may be registered without payment of a
67-58 registration fee if the vehicle:

67-59 (1) is owned by the Civil Air Patrol, Texas Wing; and

67-60 (2) is used exclusively as an emergency services
67-61 vehicle by members of the Civil Air Patrol, Texas Wing.

67-62 (c) An application for registration under Subsection (a)
67-63 must be accompanied by a copy of the license issued by the
67-64 Department of State [~~Texas Board of~~] Health Services. An
67-65 application for registration of an emergency medical services
67-66 vehicle must include a statement signed by an officer of the
67-67 emergency medical services provider that the vehicle is used
67-68 exclusively as an emergency response vehicle and qualifies for
67-69 registration under this section. An application for registration

68-1 of an emergency medical services chief or supervisor vehicle must
 68-2 include a statement signed by an officer of the emergency medical
 68-3 services provider stating that the vehicle qualifies for
 68-4 registration under this section.

68-5 (d) An application for registration under Subsection (b)
 68-6 must include a statement signed by an officer of the Civil Air
 68-7 Patrol, Texas Wing, that the vehicle is used exclusively as an
 68-8 emergency services vehicle by members of the Civil Air Patrol,
 68-9 Texas Wing.

68-10 (e) The department must approve an application for
 68-11 registration under this section as provided by Section 502.451
 68-12 [~~502.201~~].

68-13 SECTION 154. Section 520.0225, Transportation Code, is
 68-14 transferred to Subchapter J, Chapter 502, Transportation Code, as
 68-15 added by this Act, renumbered as Section 502.457, Transportation
 68-16 Code, and amended to read as follows:

68-17 Sec. 502.457 [~~520.0225~~]. PERSONS ON ACTIVE DUTY IN ARMED
 68-18 FORCES OF UNITED STATES. (a) This section applies only to a used
 68-19 motor vehicle that is owned by a person who:

68-20 (1) is on active duty in the armed forces of the United
 68-21 States;

68-22 (2) is stationed in or has been assigned to another
 68-23 nation under military orders; and

68-24 (3) has registered the vehicle or been issued a
 68-25 license for the vehicle under the applicable status of forces
 68-26 agreement by:

68-27 (A) the appropriate branch of the armed forces of
 68-28 the United States; or

68-29 (B) the nation in which the person is stationed
 68-30 or to which the person has been assigned.

68-31 (b) The requirement [~~in Section 520.021~~] that a used vehicle
 68-32 be registered under the law of this state does not apply to a
 68-33 vehicle described by Subsection (a). In lieu of delivering the
 68-34 license receipt to the transferee of the vehicle, as required by
 68-35 Section 501.0721 [~~520.022~~], the person selling, trading, or
 68-36 otherwise transferring a used motor vehicle described by Subsection
 68-37 (a) shall deliver to the transferee:

68-38 (1) a letter written on official letterhead by the
 68-39 owner's unit commander attesting to the registration of the vehicle
 68-40 under Subsection (a)(3); or

68-41 (2) the registration receipt issued by the appropriate
 68-42 branch of the armed forces or host nation.

68-43 (c) A registration receipt issued by a host nation that is
 68-44 not written in the English language must be accompanied by:

68-45 (1) a written translation of the registration receipt
 68-46 in English; and

68-47 (2) an affidavit, in English and signed by the person
 68-48 translating the registration receipt, attesting to the person's
 68-49 ability to translate the registration receipt into English.

68-50 SECTION 155. Chapter 502, Transportation Code, is amended
 68-51 by adding Subchapter K to read as follows:

68-52 SUBCHAPTER K. OFFENSES AND PENALTIES

68-53 SECTION 156. Section 502.401, Transportation Code, is
 68-54 transferred to Subchapter K, Chapter 502, Transportation Code, as
 68-55 added by this Act, renumbered as Section 502.471, Transportation
 68-56 Code, and amended to read as follows:

68-57 Sec. 502.471 [~~502.401~~]. GENERAL PENALTY. (a) A person
 68-58 commits an offense if the person violates a provision of this
 68-59 chapter and no other penalty is prescribed for the violation.

68-60 (b) ~~Unless otherwise specified, an [This section does not~~
 68-61 ~~apply to a violation of Section 502.003, 502.101, 502.109, 502.112,~~
 68-62 ~~502.113, 502.114, 502.152, 502.164, or 502.282.~~

68-63 [~~(c) An~~] offense under this section is a misdemeanor
 68-64 punishable by a fine not to exceed \$200.

68-65 SECTION 157. Section 502.402, Transportation Code, is
 68-66 transferred to Subchapter K, Chapter 502, Transportation Code, as
 68-67 added by this Act, renumbered as Section 502.472, Transportation
 68-68 Code, and amended to read as follows:

68-69 Sec. 502.472 [~~502.402~~]. OPERATION OF VEHICLE UNDER IMPROPER

69-1 REGISTRATION [UNREGISTERED MOTOR VEHICLE]. [~~(a)~~] A person commits
 69-2 an offense if the person operates a motor vehicle that has not been
 69-3 registered or registered for a class other than that to which the
 69-4 vehicle belongs as required by law. [~~An offense under this~~
 69-5 ~~subsection is a misdemeanor punishable by a fine not to exceed~~
 69-6 ~~\$200.~~]

69-7 SECTION 158. Section 502.404, Transportation Code, is
 69-8 transferred to Subchapter K, Chapter 502, Transportation Code, as
 69-9 added by this Act, renumbered as Section 502.473, Transportation
 69-10 Code, and amended to read as follows:

69-11 Sec. 502.473 [502.404]. OPERATION OF VEHICLE WITHOUT
 69-12 [LICENSE PLATE OR] REGISTRATION INSIGNIA. (a) A person commits an
 69-13 offense if the person operates on a public highway during a
 69-14 registration period a passenger car, [~~or~~] commercial motor vehicle,
 69-15 road tractor, motorcycle, trailer, or semitrailer that does not
 69-16 display a [~~two license plates, at the front and rear of the vehicle,~~
 69-17 ~~that have been:~~

69-18 [~~(1) assigned by the department for the period; or~~
 69-19 [~~(2)~~] validated [~~by a~~] registration insignia issued by
 69-20 the department that establishes that the vehicle is registered [~~for~~
 69-21 ~~the period].~~

69-22 (b) Subsection [A person commits an offense if the person
 69-23 operates on a public highway during a registration period a
 69-24 passenger car or commercial motor vehicle, other than a vehicle
 69-25 assigned license plates for the registration period, that does not
 69-26 properly display the registration insignia issued by the department
 69-27 that establishes that the license plates have been validated for
 69-28 the period.

69-29 [~~(c) A person commits an offense if the person operates on a~~
 69-30 ~~public highway during a registration period a road tractor,~~
 69-31 ~~motorcycle, trailer, or semitrailer that does not display a license~~
 69-32 ~~plate, attached to the rear of the vehicle, that has been:~~

69-33 [~~(1) assigned by the department for the period; or~~
 69-34 [~~(2)~~] validated by a registration insignia issued by
 69-35 the department that establishes that the vehicle is registered for
 69-36 the period.

69-37 [~~(d) Subsections] (a) does [and (b) do] not apply to a~~
 69-38 dealer operating a vehicle as provided by law.

69-39 (c) [~~(e) An offense under this section is a misdemeanor~~
 69-40 ~~punishable by a fine not to exceed \$200.~~

69-41 [~~(f)] A court may dismiss a charge brought under Subsection~~

69-42 (a) if the defendant:
 69-43 (1) remedies the defect before the defendant's first
 69-44 court appearance; or [~~and]~~

69-45 (2) [~~pays an administrative fee not to exceed \$10.~~

69-46 [~~(g) A court may dismiss a charge brought under Subsection~~
 69-47 ~~(b) if the defendant:~~

69-48 [~~(1)] shows that [~~+~~~~

69-49 [~~(A)] the passenger car or commercial [~~motor~~]
 69-50 vehicle was issued a registration insignia by the department that
 69-51 was attached to the passenger car or commercial vehicle that
 69-52 establishes that the vehicle was registered for the period during
 69-53 which the offense was committed; and~~

69-54 (3) [~~(B) the registration insignia described in~~
 69-55 ~~Paragraph (A) was attached to the passenger car or commercial motor~~
 69-56 ~~vehicle before the defendant's first court appearance; and~~

69-57 [~~(2)] pays an administrative fee not to exceed \$10.~~

69-58 SECTION 159. Subchapter K, Chapter 502, Transportation
 69-59 Code, as added by this Act, is amended by adding Section 502.474 to
 69-60 read as follows:

69-61 Sec. 502.474. OPERATION OF ONE-TRIP PERMIT VEHICLE. A
 69-62 person commits an offense if the person operates a vehicle for which
 69-63 a one-trip permit is required without the registration receipt and
 69-64 properly displayed temporary tag.

69-65 SECTION 160. Section 502.409, Transportation Code, as
 69-66 amended by Chapters 30 (S.B. 369) and 1027 (H.B. 1623), Acts of the
 69-67 80th Legislature, Regular Session, 2007, is transferred to
 69-68 Subchapter K, Chapter 502, Transportation Code, as added by this
 69-69 Act, renumbered as Section 502.475, Transportation Code, and

70-1 amended to read as follows:

70-2 Sec. 502.475 [~~502.409~~]. WRONG, FICTITIOUS, ALTERED, OR
 70-3 OBSCURED INSIGNIA [~~LICENSE PLATE~~]. (a) A person commits an
 70-4 offense if the person attaches to or displays on a motor vehicle [~~a~~
 70-5 ~~number plate or~~] registration insignia that:

70-6 (1) is assigned to a different motor vehicle;

70-7 (2) is assigned to the vehicle under any other motor
 70-8 vehicle law other than by the department;

70-9 (3) is assigned for a registration period other than
 70-10 the registration period in effect; or

70-11 (4) is fictitious [~~+~~

70-12 ~~[(5) has blurring or reflective matter that~~
 70-13 ~~significantly impairs the readability of the name of the state in~~
 70-14 ~~which the vehicle is registered or the letters or numbers of the~~
 70-15 ~~license plate number at any time;~~

70-16 ~~[(6) has an attached illuminated device or sticker,~~
 70-17 ~~decal, emblem, or other insignia that is not authorized by law and~~
 70-18 ~~that interferes with the readability of the letters or numbers of~~
 70-19 ~~the license plate number or the name of the state in which the~~
 70-20 ~~vehicle is registered; or~~

70-21 ~~[(7) has a coating, covering, protective material, or~~
 70-22 ~~other apparatus that:~~

70-23 ~~[(A) distorts angular visibility or~~
 70-24 ~~detectability;~~

70-25 ~~[(B) alters or obscures one-half or more of the~~
 70-26 ~~name of the state in which the vehicle is registered; or~~

70-27 ~~[(C) alters or obscures the letters or numbers of~~
 70-28 ~~the license plate number or the color of the plate].~~

70-29 (b) An [~~Except as provided by Subsection (f), an~~] offense
 70-30 under Subsection (a) is a misdemeanor punishable by a fine of not
 70-31 more than \$200, unless it is shown at the trial of the offense that
 70-32 the owner knowingly altered or made illegible the letters, numbers,
 70-33 and other identification marks, in which case the offense is a Class
 70-34 B misdemeanor.

70-35 ~~[(c) Subsection (a)(7) may not be construed to apply to:~~

70-36 ~~[(1) a trailer hitch installed on a vehicle in a normal~~
 70-37 ~~or customary manner;~~

70-38 ~~[(2) a transponder, as defined by Section 228.057,~~
 70-39 ~~that is attached to a vehicle in the manner required by the issuing~~
 70-40 ~~authority;~~

70-41 ~~[(3) a wheelchair lift or wheelchair carrier that is~~
 70-42 ~~attached to a vehicle in a normal or customary manner;~~

70-43 ~~[(4) a trailer being towed by a vehicle; or~~

70-44 ~~[(5) a bicycle rack that is attached to a vehicle in a~~
 70-45 ~~normal or customary manner.~~

70-46 ~~[(c) A court may dismiss a charge brought under Subsection~~
 70-47 ~~(a)(3), (5), (6), or (7) if the defendant:~~

70-48 ~~[(1) remedies the defect before the defendant's first~~
 70-49 ~~court appearance; and~~

70-50 ~~[(2) pays an administrative fee not to exceed \$10.~~

70-51 ~~[(f) An offense under Subsection (a)(4) is a Class B~~
 70-52 ~~misdemeanor.]~~

70-53 SECTION 161. Subchapter K, Chapter 502, Transportation
 70-54 Code, as added by this Act, is amended by adding Sections 502.476,
 70-55 502.477, 502.478, and 502.479 to read as follows:

70-56 Sec. 502.476. FOREIGN COMMERCIAL REGISTRATION; OFFENSE. A
 70-57 person who violates Section 502.093 commits an offense.

70-58 Sec. 502.477. NONRESIDENT-OWNED VEHICLES USED TO TRANSPORT
 70-59 AGRICULTURAL PRODUCT; OFFENSE. (a) A person operating a vehicle
 70-60 under a permit issued under Section 502.092 commits an offense if
 70-61 the person:

70-62 (1) transports farm products to a place of market,
 70-63 storage, or processing or a railhead or seaport that is farther from
 70-64 the place of production or point of entry, as appropriate, than the
 70-65 distance provided for in the permit; or

70-66 (2) follows a route other than that prescribed by the
 70-67 department.

70-68 (b) An offense under this section is a misdemeanor
 70-69 punishable by a fine of not less than \$25 or more than \$200.

71-1 Sec. 502.478. COMMERCIAL MOTOR VEHICLE USED PRIMARILY FOR
 71-2 AGRICULTURAL PURPOSES; OFFENSE. An offense under Section 502.432
 71-3 is a misdemeanor punishable by a fine of not less than \$25 or more
 71-4 than \$200.

71-5 Sec. 502.479. SEASONAL AGRICULTURAL VEHICLE; OFFENSE. A
 71-6 person issued a registration under Section 502.432 commits an
 71-7 offense if the person, during the registration period, uses the
 71-8 truck-tractor or commercial motor vehicle for a purpose other than
 71-9 to transport a seasonal agricultural product.

71-10 SECTION 162. Section 520.014, Transportation Code, is
 71-11 transferred to Subchapter K, Chapter 502, Transportation Code, as
 71-12 added by this Act, renumbered as Section 502.480, Transportation
 71-13 Code, and amended to read as follows:

71-14 Sec. 502.480 [520.014]. VIOLATION BY COUNTY
 71-15 ASSESSOR-COLLECTOR; PENALTY. (a) A county assessor-collector
 71-16 commits an offense if the county assessor-collector knowingly
 71-17 accepts an application for the registration of a motor vehicle
 71-18 that:

71-19 (1) has had the original motor number or vehicle
 71-20 identification number removed, erased, or destroyed; and

71-21 (2) does not bear a motor number or vehicle
 71-22 identification number assigned by the department.

71-23 (b) An offense under this section is a misdemeanor
 71-24 punishable by a fine of not less than \$10 and not more than \$50.

71-25 SECTION 163. Chapter 502, Transportation Code, is amended
 71-26 by adding Subchapter L to read as follows:

71-27 SUBCHAPTER L. REGISTRATION AND TRANSFER OF USED VEHICLES

71-28 SECTION 164. Section 502.451, Transportation Code, is
 71-29 transferred to Subchapter L, Chapter 502, Transportation Code, as
 71-30 added by this Act, renumbered as Section 502.491, Transportation
 71-31 Code, and amended to read as follows:

71-32 Sec. 502.491 [502.451]. TRANSFER OF VEHICLE REGISTRATION
 71-33 [AND REMOVAL OF LICENSE PLATES]. (a) On the sale or transfer of a
 71-34 motor vehicle [to a dealer], [as defined by Section 503.001, who
 71-35 holds a general distinguishing number issued under Chapter 503, the
 71-36 dealer shall remove each license plate and] the registration
 71-37 insignia issued for the motor vehicle shall be removed.

71-38 ~~[(a-1) On a sale or transfer of a motor vehicle to a person~~
 71-39 ~~that does not hold a general distinguishing number issued under~~
 71-40 ~~Chapter 503, the seller or transferor may remove each license plate~~
 71-41 ~~and the registration insignia issued for the motor vehicle.]~~

71-42 (b) ~~[A license plate removed from a motor vehicle under~~
 71-43 ~~Subsection (a) or (a-1) must be:~~

71-44 ~~[(1) disposed of in the manner specified by the~~
 71-45 ~~department; or~~

71-46 ~~[(2) transferred to another vehicle owned by the~~
 71-47 ~~seller or transferor as provided by Section 502.452.~~

71-48 ~~[(c)]~~ The part of the registration period remaining at the
 71-49 time of the sale or transfer shall continue with the vehicle being
 71-50 sold or transferred and does not transfer with the license plates or
 71-51 registration validation insignia. To continue the remainder of
 71-52 the registration period, the purchaser or transferee must file the
 71-53 documents required under Section 501.145 ~~[520.031].~~

71-54 SECTION 165. Section 502.454, Transportation Code, is
 71-55 transferred to Subchapter L, Chapter 502, Transportation Code, as
 71-56 added by this Act, renumbered as Section 502.492, Transportation
 71-57 Code, and amended to read as follows:

71-58 Sec. 502.492 [502.454]. TEMPORARY PERMIT FOR A VEHICLE
 71-59 PURCHASED [IN A PRIVATE PARTY TRANSACTION]. (a) A purchaser [or
 71-60 transferee] may obtain from the department a temporary
 71-61 [single-trip] permit to operate a motor vehicle:

71-62 (1) that is subject to registration in this state;

71-63 (2) from which the license plates and the registration
 71-64 insignia have been removed as authorized by Section 502.491
 71-65 [502.451(a-1)]; and

71-66 (3) that is not authorized to travel on a public
 71-67 roadway because the required license plates and the registration
 71-68 insignia are not attached to the vehicle.

71-69 (b) The department may issue the permit in accordance with

72-1 this section.

72-2 (c) A permit issued under this section is valid for one trip
72-3 between the point of origin and the destination and those
72-4 intermediate points specified in the permit.

72-5 (d) A permit issued under this section may not be valid for
72-6 longer than a five-day period.

72-7 (e) A person may obtain a permit under this section by
72-8 applying, as [on a form] provided by the department, to the
72-9 department. Application may be made using the department's
72-10 Internet website.

72-11 (f) A person is eligible to receive only one permit under
72-12 this section for a motor vehicle.

72-13 (g) A permit receipt issued under this section must be in
72-14 [on] a manner [form] provided by the department. The receipt must
72-15 contain the information required by this section and shall be
72-16 carried in the vehicle at all times during which it is valid.

72-17 (h) The department may refuse to issue a permit under this
72-18 section for any vehicle if in the department's opinion the
72-19 applicant has been involved in operations that constitute an abuse
72-20 of the privilege granted under this section.

72-21 SECTION 166. The heading to Chapter 504, Transportation
72-22 Code, is amended to read as follows:

72-23 CHAPTER 504. [~~SPECIALTY~~] LICENSE PLATES

72-24 SECTION 167. Subsection (a), Section 504.001,
72-25 Transportation Code, is amended to read as follows:

72-26 (a) In this chapter:

72-27 (1) [~~→~~] "commission" and "director" have the meanings
72-28 assigned by Section 201.001; and

72-29 (2) "seller" and "purchaser" have the meanings
72-30 assigned by Section 501.002.

72-31 SECTION 168. Section 504.004, Transportation Code, is
72-32 renumbered as Section 504.0011, Transportation Code, and amended to
72-33 read as follows:

72-34 Sec. 504.0011 [~~504.004~~]. RULES [~~AND FORMS~~]. The
72-35 commission may adopt rules [~~and the department may issue forms~~] to
72-36 implement and administer this chapter.

72-37 SECTION 169. Section 504.002, Transportation Code, is
72-38 amended to read as follows:

72-39 Sec. 504.002. [~~PROVISIONS OF~~] GENERAL PROVISIONS
72-40 [~~APPLICABILITY~~]. Unless expressly provided by this chapter or by
72-41 department rule:

72-42 (1) except for license plates specified as exempt,
72-43 [any vehicle is eligible to be issued specialty license plates,
72-44 provided that the department may vary the design of a license plate
72-45 to accommodate or reflect its use on a motor vehicle other than a
72-46 passenger car or light truck,

72-47 [(2) ~~an application for specialty license plates must~~
72-48 ~~be submitted in the manner specified by the department, provided~~
72-49 ~~that if issuance of a specialty license plate is limited to~~
72-50 ~~particular persons or motor vehicles, the application must be~~
72-51 ~~accompanied by evidence satisfactory to the department that the~~
72-52 ~~applicant or the applicant's vehicle is eligible,~~

72-53 [(3)] the fee for issuance of a [specialty] license
72-54 plate, including replacement plates, is in addition to each other
72-55 fee that is paid for [or] at the time of the registration of the
72-56 motor vehicle and shall be deposited to the credit of the state
72-57 highway fund;

72-58 (2) [(4) ~~each fee described by this chapter is an~~
72-59 ~~annual fee, provided that the department may prorate the fee for a~~
72-60 ~~specialty license plate fee on a monthly basis to align the license~~
72-61 ~~plate fee to the registration period for the motor vehicle for which~~
72-62 ~~the license plate was issued, and if a fee is prorated the~~
72-63 ~~allocation of the fee by this chapter to an account or fund shall be~~
72-64 ~~prorated in proportion,~~

72-65 [(5)] the department is the exclusive owner of the
72-66 design of each [specialty] license plate;

72-67 (3) [(6) ~~the director may refuse to issue a specialty~~
72-68 ~~license plate with a design or alphanumeric pattern that the~~
72-69 ~~director considers potentially objectionable to one or more members~~

73-1 ~~of the public and the director's refusal may not be overturned in~~
 73-2 ~~the absence of an abuse of discretion;~~

73-3 ~~[(7) for each specialty license plate that is issued~~
 73-4 ~~through a county tax assessor-collector and for which the~~
 73-5 ~~department is allocated a portion of a fee for administrative~~
 73-6 ~~costs, the department shall credit 50 cents from its administrative~~
 73-7 ~~costs to the county treasurer of the applicable county, who shall~~
 73-8 ~~credit the money to the general fund of the county to defray the~~
 73-9 ~~costs to the county of administering this chapter;~~

73-10 ~~[(8) if a [specialty] license plate is lost, stolen,~~
 73-11 ~~or mutilated, an application for a replacement plate must be~~
 73-12 ~~accompanied by the fee prescribed by Section 502.060~~
 73-13 ~~[502.184(a)(2)];~~

73-14 ~~[(9) if the owner of a motor vehicle for which a~~
 73-15 ~~specialty license plate is issued disposes of the vehicle or for any~~
 73-16 ~~reason ceases to be eligible for that specialty license plate, the~~
 73-17 ~~owner shall return the specialty license plate to the department];~~
 73-18 ~~and~~

73-19 ~~(4) the department shall prepare the designs and~~
 73-20 ~~specifications of license plates [(10) a person who is issued a~~
 73-21 ~~specialty license plate may not transfer it to another person or~~
 73-22 ~~vehicle without first receiving approval from the department].~~

73-23 SECTION 170. Section 504.103, Transportation Code, is
 73-24 transferred to Subchapter A, Chapter 504, Transportation Code,
 73-25 renumbered as Section 504.005, Transportation Code, and amended to
 73-26 read as follows:

73-27 Sec. 504.005 [~~504.103~~]. DESIGN AND ALPHANUMERIC PATTERN.
 73-28 The department has sole control over the design, typeface, color,
 73-29 and alphanumeric pattern for all [~~a personalized~~] license plates
 73-30 [~~plate~~].

73-31 SECTION 171. Subchapter A, Chapter 504, Transportation
 73-32 Code, is amended by adding Section 504.006 to read as follows:

73-33 Sec. 504.006. DESIGN OF LICENSE PLATES. (a) The
 73-34 department shall prepare the designs and specifications of license
 73-35 plates and devices selected by the commission to be used as a unique
 73-36 identifier.

73-37 (b) The department shall design each license plate to
 73-38 include a design at least one-half inch wide that represents in
 73-39 silhouette the shape of Texas and that appears between letters and
 73-40 numerals. The department may omit the silhouette of Texas from
 73-41 specially designed license plates.

73-42 (c) To promote highway safety, each license plate shall be
 73-43 made with a reflectorized material that provides effective and
 73-44 dependable brightness for the period for which the plate is issued.

73-45 SECTION 172. Section 502.053, Transportation Code, is
 73-46 transferred to Subchapter A, Chapter 504, Transportation Code,
 73-47 renumbered as Section 504.007, Transportation Code, and amended to
 73-48 read as follows:

73-49 Sec. 504.007 [~~502.053~~]. COST OF MANUFACTURING [~~LICENSE~~
 73-50 ~~PLATES OR REGISTRATION INSIGNIA~~]. (a) The Texas Department of
 73-51 Transportation shall reimburse the Texas Department of Criminal
 73-52 Justice for the cost of manufacturing license plates [~~or~~
 73-53 ~~registration insignia~~] as [~~the license plates or insignia and~~] the
 73-54 invoices [~~invoice~~] for the license plates [~~or insignia~~] are
 73-55 delivered to the Texas Department of Transportation.

73-56 (b) When manufacturing is started, the Texas Department of
 73-57 Criminal Justice and [~~7~~] the Texas Department of Transportation,
 73-58 [~~and the comptroller,~~] after negotiation, shall set the price to be
 73-59 paid for each license plate [~~or insignia~~]. The price must be
 73-60 determined from:

73-61 (1) the cost of metal, paint, and other materials
 73-62 purchased;

73-63 (2) the inmate maintenance cost per shift [~~day~~];

73-64 (3) overhead expenses;

73-65 (4) miscellaneous charges; and

73-66 (5) a previously agreed upon [~~approved~~] amount of
 73-67 profit for the work.

73-68 [~~(c) The annual profit received by the Texas Department of~~
 73-69 ~~Criminal Justice from all contracts for the manufacturing of~~

74-1 ~~license plates or related manufacturing may not be less than the~~
 74-2 ~~profit received by the Texas Department of Corrections for~~
 74-3 ~~manufacturing license plates for use in 1974.]~~

74-4 SECTION 173. Subchapter A, Chapter 504, Transportation
 74-5 Code, is amended by adding Sections 504.008 and 504.009 to read as
 74-6 follows:

74-7 Sec. 504.008. REPLACEMENT OF LICENSE PLATE. (a) The owner
 74-8 of a registered motor vehicle may obtain replacement license plates
 74-9 through the county assessor-collector by:

74-10 (1) certifying that the replacement plates will not be
 74-11 used on any other vehicle owned or operated by the person making the
 74-12 statement;

74-13 (2) paying a fee of \$5 plus the fees required by
 74-14 Sections 502.356(a) and 502.360 for each set of replacement license
 74-15 plates, unless otherwise specified by law; and

74-16 (3) returning each replaced plate in the owner's
 74-17 possession.

74-18 (b) No fee is required for the replacement of specialized
 74-19 license plates issued under Section 504.202, 504.305, 504.308,
 74-20 504.315(c), (e), or (f), or 504.515. The fee for replacement of
 74-21 specialized license plates issued under Section 504.513 is \$9.

74-22 (c) The owner of a vehicle issued license plates approved
 74-23 under Section 504.501(b) or 504.502(c) may obtain approval of
 74-24 another set of license plates as provided by Section 504.501 or
 74-25 504.502, respectively. The fee for approval of replacement license
 74-26 plates is \$5.

74-27 (d) Replacement license plates may not be issued except in
 74-28 compliance with this section.

74-29 (e) A county assessor-collector shall retain \$2.50 of each
 74-30 fee collected under this section and shall report and send the
 74-31 remainder to the department as provided by Section 502.060.

74-32 (f) Replacement license plates may be used in the
 74-33 registration year in which the plates are issued and during each
 74-34 succeeding year of the six-year period as prescribed by Section
 74-35 502.059(b) if the registration insignia is properly displayed on
 74-36 the vehicle.

74-37 (g) Subsection (f) does not apply to the issuance of
 74-38 specialized license plates for limited distribution, including
 74-39 state official license plates, exempt plates for governmental
 74-40 entities, and temporary registration plates.

74-41 (h) The owner of a vehicle listed in Section 502.059(f) or
 74-42 504.011(d) may obtain replacement plates and a replacement
 74-43 registration insignia by paying a fee of \$5 plus the fees required
 74-44 by Sections 502.356(a) and 502.360(a).

74-45 Sec. 504.009. SPECIALTY LICENSE PLATES. (a) The
 74-46 department shall prepare the designs and specifications of
 74-47 specialty license plates.

74-48 (b) Any motor vehicle other than a vehicle manufactured for
 74-49 off-highway use only is eligible to be issued specialty license
 74-50 plates, provided that the department may vary the design of a
 74-51 license plate to accommodate or reflect its use on a motor vehicle
 74-52 other than a passenger car or light truck.

74-53 (c) An application for specialty license plates must be
 74-54 submitted in the manner specified by the department, provided that
 74-55 if issuance of a specialty license plate is limited to particular
 74-56 persons or motor vehicles, the application must be accompanied by
 74-57 evidence satisfactory to the department that the applicant or the
 74-58 applicant's vehicle is eligible.

74-59 (d) Each fee described by this chapter is an annual fee,
 74-60 provided that the department may prorate the fee for a specialty
 74-61 license plate fee on a monthly basis to align the license plate fee
 74-62 to the registration month for the motor vehicle for which the
 74-63 license plate was issued, and if a fee is prorated the allocation of
 74-64 the fee by this chapter to an account or fund shall be prorated in
 74-65 proportion.

74-66 (e) The director or the director's designee may refuse to
 74-67 issue a specialty license plate with a design or alphanumeric
 74-68 pattern that the director or designee considers potentially
 74-69 objectionable to one or more members of the public and the director

75-1 or designee's refusal may not be overturned in the absence of an
75-2 abuse of discretion.

75-3 (f) The department is the exclusive owner of the design of
75-4 each license plate.

75-5 (g) For each specialty license plate that is issued by a
75-6 county assessor-collector and for which the department is allocated
75-7 a portion of the fee for administrative costs, the department shall
75-8 credit 50 cents from its administrative costs to the county
75-9 treasurer of the applicable county, who shall credit the money to
75-10 the general fund of the county to defray the costs to the county of
75-11 administering this chapter.

75-12 (h) A replacement license plate of a specialty license plate
75-13 must be accompanied by an application for a replacement plate and
75-14 the fee prescribed by Section 504.008.

75-15 (i) If the owner of a motor vehicle for which a specialty
75-16 license plate is issued disposes of the vehicle or for any reason
75-17 ceases to be eligible for that specialty license plate, the owner
75-18 shall return the specialty license plate to the department.

75-19 (j) A person who is issued a specialty license plate may not
75-20 transfer the plate to another person or vehicle unless the
75-21 department approves the transfer.

75-22 SECTION 174. Section 504.003, Transportation Code, is
75-23 renumbered as Section 504.010, Transportation Code, and amended to
75-24 read as follows:

75-25 Sec. 504.010 [~~504.003~~]. SOUVENIR LICENSE PLATES.

75-26 (a) The department may issue a souvenir version of any specialty
75-27 license plate for any vehicle[~~, including a motorcycle~~].

75-28 (b) The fee for a single souvenir license plate is \$20. The
75-29 fee shall be deposited to the credit of the state highway fund
75-30 unless the souvenir license plate is a replica of a specialty
75-31 license plate issued under Subchapter G or I for which the fee is
75-32 deposited to an account other than the state highway fund, in which
75-33 case:

75-34 (1) \$10 of the fee for the souvenir license plate shall
75-35 be deposited to the credit of the designated account; and

75-36 (2) \$10 of the fee for the souvenir license plate shall
75-37 be deposited to the credit of the state highway fund.

75-38 (c) If the souvenir license plate is personalized, the fee
75-39 for the plate is \$40. Of the fee:

75-40 (1) \$20 shall be deposited to the credit of the state
75-41 highway fund;

75-42 (2) \$10 shall be deposited to the credit of the
75-43 designated account if the souvenir license plate is a replica of a
75-44 specialty license plate issued under Subchapter G or I for which the
75-45 fee is deposited to a designated account other than the state
75-46 highway fund; and

75-47 (3) the remainder shall be deposited to the credit of
75-48 the general revenue fund.

75-49 (d) A souvenir license plate may not be used on a motor
75-50 vehicle[~~, including a motorcycle~~] and is not an insignia of
75-51 registration for a motor vehicle. Each souvenir license plate must
75-52 be identified by the department in a way that identifies it to law
75-53 enforcement officers and others as a souvenir license plate.

75-54 (e) A beneficiary of a specialty license plate issued under
75-55 Subchapter G or I, as designated by the applicable section of those
75-56 subchapters, may purchase the specialty license plates, in minimum
75-57 quantity amounts determined by the department [~~boxes of 25,~~] for
75-58 use or resale by the beneficiary. The beneficiary shall pay the
75-59 required fee per plate, less the amount of the fee that would be
75-60 deposited to the credit of the designated account.

75-61 SECTION 175. Subchapter A, Chapter 504, Transportation
75-62 Code, is amended by adding Section 504.011 to read as follows:

75-63 Sec. 504.011. ISSUANCE OF LICENSE PLATE. (a) On payment
75-64 of the prescribed fee, an applicant for motor vehicle registration
75-65 shall be issued a license plate or set of plates.

75-66 (b) Subject to Subchapter I, the department shall issue only
75-67 one license plate or set of plates for a vehicle during a seven-year
75-68 period.

75-69 (c) On application and payment of the prescribed fee for a

76-1 renewal of the registration of a vehicle for the first through the
76-2 seventh year the department shall issue a registration insignia for
76-3 the validation of the license plate or plates to be attached as
76-4 provided by Chapter 502.

76-5 (d) The registration insignia for validation of a license
76-6 plate shall be attached to the rear license plate of the vehicle, if
76-7 the vehicle is:

- 76-8 (1) a motorcycle;
- 76-9 (2) machinery used exclusively to drill water wells or
76-10 construction machinery for which a distinguishing license plate has
76-11 been issued under Section 502.146; or
- 76-12 (3) oil well servicing, oil clean out, or oil well
76-13 drilling machinery or equipment for which a distinguishing license
76-14 plate has been issued under Subchapter G, Chapter 623.

76-15 SECTION 176. Subsection (a), Section 504.101,
76-16 Transportation Code, is amended to read as follows:

76-17 (a) The department shall issue personalized license plates.
76-18 The department may not issue more than one set of license plates
76-19 with the same alphanumeric pattern. All personalized license
76-20 plates issued before January 1, 2013, may continue to be renewed in
76-21 accordance with the law at the time of initial issuance.

76-22 SECTION 177. Subsections (b), (d), and (g), Section
76-23 504.201, Transportation Code, are amended to read as follows:

76-24 (b) The department shall issue specialty license plates for
76-25 a motor vehicle that:

- 76-26 (1) has a gross vehicle weight [~~manufacturer's rated~~
76-27 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less; and
- 76-28 (2) is regularly operated for noncommercial use by or
76-29 for the transportation of a person with a permanent disability.

76-30 (d) The initial application for specialty license plates
76-31 under this section must be accompanied by a written statement from a
76-32 physician who is licensed to practice medicine in this state or in a
76-33 state adjacent to this state or who is authorized by applicable law
76-34 to practice medicine in a hospital or other health facility of the
76-35 Department of Veterans Affairs. If the applicant has a mobility
76-36 problem caused by a disorder of the foot, the written statement may
76-37 be issued by a person licensed to practice podiatry in this state or
76-38 a state adjacent to this state. In this subsection, "podiatry" has
76-39 the meaning assigned by Section 681.001. The statement must
76-40 certify that the person making the application or on whose behalf
76-41 the application is made is legally blind or has a mobility problem
76-42 that substantially impairs the person's ability to ambulate. The
76-43 statement must also certify whether a mobility problem is temporary
76-44 or permanent. A written statement is not required as acceptable
76-45 medical proof if:

- 76-46 (1) the person with a disability:
 - 76-47 (A) has had a limb, hand, or foot amputated; or
 - 76-48 (B) must use a wheelchair; and
- 76-49 (2) the applicant executes a statement [~~and the county~~
76-50 ~~assessor-collector processing the application execute an~~
76-51 ~~affidavit~~] attesting to the person's disability before the county
76-52 assessor-collector.

76-53 (g) In addition to a license plate issued under this
76-54 section, an eligible person is entitled to be issued a set of the
76-55 license plates for each motor vehicle owned by the person that has a
76-56 gross vehicle weight [~~carrying capacity~~] of 18,000 pounds [~~two~~
76-57 ~~tons~~] or less and is equipped with special equipment that:

- 76-58 (1) is designed to allow a person who has lost the use
76-59 of one or both of the person's legs to operate the vehicle; and
- 76-60 (2) is not standard equipment on that type of vehicle
76-61 for use by a person who has use of both legs.

76-62 SECTION 178. Subsection (b), Section 504.202,
76-63 Transportation Code, is amended to read as follows:

76-64 (b) A veteran of the United States armed forces is entitled
76-65 to register, for the person's own use, two motor vehicles under this
76-66 section if:

- 76-67 (1) the person has suffered, as a result of military
76-68 service:
 - 76-69 (A) at least a 50 percent service-connected

77-1 disability; or

77-2 (B) a 40 percent service-connected disability
77-3 because of the amputation of a lower extremity;

77-4 (2) the person receives compensation from the United
77-5 States because of the disability; and

77-6 (3) the motor vehicle:

77-7 (A) is owned by the person; and

77-8 (B) has a gross vehicle weight [~~manufacturer's~~
77-9 ~~rated carrying capacity~~] of 18,000 pounds [~~two tons~~] or less.

77-10 SECTION 179. Subsection (b), Section 504.203,
77-11 Transportation Code, is amended to read as follows:

77-12 (b) An application for license plates under this section
77-13 must be accompanied by a written statement acknowledged [~~signed~~] by
77-14 the administrator or manager of the institution, facility, or
77-15 retirement community certifying that the institution, facility, or
77-16 retirement community regularly transports, as a part of the
77-17 services that the institution, facility, or retirement community
77-18 provides, one or more eligible persons who reside in the
77-19 institution, facility, or retirement community. The department
77-20 shall determine the eligibility of the institution, facility, or
77-21 retirement community on the evidence the applicant provides.

77-22 SECTION 180. Section 504.3011, Transportation Code, is
77-23 amended to read as follows:

77-24 Sec. 504.3011. DESIGN OF CERTAIN LICENSE PLATES FOR THE
77-25 MILITARY. [~~(a) License plates issued under Section 504.303 must~~
77-26 ~~at a minimum bear a color depiction of the emblem of the appropriate~~
77-27 ~~branch of the United States armed forces.~~

77-28 [~~(b) License plates issued under Section 504.308(a) or~~
77-29 ~~504.315(e), (f), or (g) must at a minimum bear a color depiction of~~
77-30 ~~the appropriate medal.~~

77-31 [~~(c)~~] The department shall design military license plates
77-32 that bear a color depiction of the emblem of the appropriate branch
77-33 of the United States armed forces or a color depiction of the
77-34 appropriate medal as provided by the United States Department of
77-35 Defense [to which this section applies in consultation with
77-36 veterans organizations].

77-37 SECTION 181. Subsection (d), Section 504.315,
77-38 Transportation Code, is amended to read as follows:

77-39 (d) The department shall issue specialty license plates for
77-40 survivors of the attack on Pearl Harbor on December 7, 1941. The
77-41 license plates must include the words "Pearl Harbor Survivor" [~~and~~
77-42 ~~must be consecutively numbered~~]. A person is eligible if the
77-43 person:

77-44 (1) served in the United States armed forces;

77-45 (2) was stationed in the Hawaiian Islands on December
77-46 7, 1941; and

77-47 (3) survived the attack on Pearl Harbor on December 7,
77-48 1941.

77-49 SECTION 182. Subchapter E, Chapter 504, Transportation
77-50 Code, is amended by adding Section 504.400 to read as follows:

77-51 Sec. 504.400. FEES FOR CERTAIN RESTRICTED PLATES. The
77-52 department shall issue, without charge, not more than three sets of
77-53 specialty license plates under this subchapter.

77-54 SECTION 183. Subsection (a), Section 504.401,
77-55 Transportation Code, is amended to read as follows:

77-56 (a) The department shall issue [~~without charge~~] specialty
77-57 license plates that include the words "State Official" to a state
77-58 official. [~~The license plates must include the words "State~~
77-59 ~~Official."~~]

77-60 SECTION 184. Subsection (a), Section 504.402,
77-61 Transportation Code, is amended to read as follows:

77-62 (a) The department shall issue [~~without charge~~] specialty
77-63 license plates to [for] members of congress, which [~~. License~~
77-64 ~~plates issued under this section~~] must include the words "U.S.
77-65 Congress."

77-66 SECTION 185. Subsection (a), Section 504.403,
77-67 Transportation Code, is amended to read as follows:

77-68 (a) The department shall issue [~~without charge~~] specialty
77-69 license plates for a current or visiting state or federal judge.

78-1 The license plates must include the words "State Judge" or "U.S.
78-2 Judge," as appropriate.

78-3 SECTION 186. Subdivision (2), Subsection (d), Section
78-4 504.403, Transportation Code, is amended to read as follows:

- 78-5 (2) "State judge" means:
- 78-6 (A) a justice of the supreme court;
- 78-7 (B) a judge of the court of criminal appeals;
- 78-8 (C) a judge of a court of appeals of this state;
- 78-9 (D) a district court judge;
- 78-10 (E) a presiding judge of an administrative
- 78-11 judicial district; or
- 78-12 (F) a statutory county court judge.

78-13 SECTION 187. Section 504.404, Transportation Code, is
78-14 amended to read as follows:

78-15 Sec. 504.404. FEDERAL ADMINISTRATIVE LAW JUDGES.
78-16 ~~[(a)]~~ The department shall issue ~~[without charge]~~ specialty
78-17 license plates to ~~[for]~~ current federal administrative law judges
78-18 that ~~[. The license plates shall]~~ bear the words "U.S. A. L.
78-19 Judge."

78-20 ~~[(b) A person may be issued three sets of license plates~~
78-21 ~~under this section.]~~

78-22 SECTION 188. Subsection (a), Section 504.405,
78-23 Transportation Code, is amended to read as follows:

78-24 (a) The department shall issue ~~[without charge]~~ specialty
78-25 license plates for current county judges of this state that~~[. The~~
78-26 ~~license plates shall]~~ bear the words "County Judge."

78-27 SECTION 189. Section 504.406, Transportation Code, is
78-28 amended to read as follows:

78-29 Sec. 504.406. TEXAS CONSTABLES. The department shall issue
78-30 ~~[without charge]~~ specialty license plates for Texas constables
78-31 that~~[. The license plates shall]~~ bear the words "Texas Constable."

78-32 SECTION 190. Section 504.412, Transportation Code, is
78-33 renumbered as Section 504.4061, Transportation Code, and is amended
78-34 to read as follows:

78-35 Sec. 504.4061 ~~[504.412]~~. FOREIGN ORGANIZATION VEHICLES.
78-36 ~~[(a)]~~ The department shall issue specialty license plates for an
78-37 instrumentality established by a foreign government recognized by
78-38 the United States before January 1, 1979, that is without official
78-39 representation or diplomatic relations with the United States. The
78-40 license plates must include the words "Foreign Organization" ~~[and~~
78-41 ~~shall remain valid for five years.]~~

78-42 ~~[(b) A person entitled to specialty license plates under~~
78-43 ~~this section may register the vehicle without payment of any fee~~
78-44 ~~paid for or at the time of registration].~~

78-45 SECTION 191. Section 504.509, Transportation Code, is
78-46 transferred to Subchapter E, Chapter 504, Transportation Code, and
78-47 renumbered as Section 504.414, Transportation Code, to read as
78-48 follows:

78-49 Sec. 504.414 ~~[504.509]~~. VEHICLES CARRYING MOBILE AMATEUR
78-50 RADIO EQUIPMENT. (a) The department shall issue specialty license
78-51 plates for a person who holds an amateur radio station license
78-52 issued by the Federal Communications Commission and who operates
78-53 receiving and transmitting mobile amateur radio equipment. The
78-54 license plates shall include the person's amateur call letters as
78-55 assigned by the Federal Communications Commission. A person may
78-56 register more than one vehicle equipped with mobile amateur radio
78-57 equipment under this section, and the department shall issue
78-58 license plates that include the same amateur call letters for each
78-59 vehicle.

78-60 (b) The fee for issuance of the license plates is \$2 for the
78-61 first year and \$1 for each subsequent year.

78-62 SECTION 192. The heading to Subchapter F, Chapter 504,
78-63 Transportation Code, is amended to read as follows:

78-64 SUBCHAPTER F. SPECIALTY LICENSE PLATES WITH RESTRICTED
78-65 DISTRIBUTION AND REGULAR LICENSE PLATE FEES ~~[FOR CERTAIN VEHICLES]~~

78-66 SECTION 193. The heading to Section 504.501, Transportation
78-67 Code, is amended to read as follows:

78-68 Sec. 504.501. CLASSIC MOTOR VEHICLES AND TRAVEL TRAILERS.

78-69 SECTION 194. Subsection (a), Section 504.501,

79-1 Transportation Code, is amended to read as follows:

79-2 (a) The department shall issue specialty license plates for
79-3 a motor vehicle that is at least 25 years old. The license plates
79-4 must include the word "Classic" [~~words "Classic Auto," "Classic~~
79-5 ~~Motorcycle," or "Classic Truck"~~] or a similar designation, as
79-6 appropriate.

79-7 SECTION 195. The heading to Section 504.502, Transportation
79-8 Code, is amended to read as follows:

79-9 Sec. 504.502. ANTIQU [~~CERTAIN EXHIBITION~~] VEHICLES;
79-10 OFFENSE.

79-11 SECTION 196. Subsections (b) and (g), Section 504.502,
79-12 Transportation Code, are amended to read as follows:

79-13 (b) The license plates must include the words "Antique
79-14 Vehicle." [~~"Antique Auto," "Antique Truck," "Antique Motorcycle,"~~
79-15 ~~or "Military Vehicle," as appropriate.~~]

79-16 (g) A person entitled to specialty license plates or to
79-17 department approval under this section may register the vehicle
79-18 without payment of any fees paid for or at the time of registration
79-19 except the fee for the license plate. [~~An owner of a vehicle~~
79-20 ~~registered under this subsection who violates this section commits~~
79-21 ~~an offense. An offense under this section is a misdemeanor~~
79-22 ~~punishable by a fine of not less than \$5 or more than \$200.~~]

79-23 SECTION 197. Section 504.503, Transportation Code, is
79-24 amended to read as follows:

79-25 Sec. 504.503. MUNICIPAL, MOTOR, AND PRIVATE BUSES.

79-26 [~~(a)~~] The department shall issue without charge specialty license
79-27 plates for municipal buses, motor buses, and private buses. The
79-28 license plates must include the words "City Bus," "Motor Bus," or
79-29 "Private Bus," as appropriate.

79-30 [~~(b) In this section, "private bus" means a bus that:~~

79-31 [~~(1) is not operated for hire; and~~

79-32 [~~(2) is not classified as a municipal bus or a motor~~
79-33 ~~bus.~~]

79-34 SECTION 198. The heading to Section 504.506, Transportation
79-35 Code, is amended to read as follows:

79-36 Sec. 504.506. [~~CERTAIN~~] LOG LOADER VEHICLES.

79-37 SECTION 199. Sections 504.407, 504.408, 504.409, 504.410,
79-38 and 504.411, Transportation Code, are transferred to Subchapter F,
79-39 Chapter 504, Transportation Code, renumbered as Sections 504.511,
79-40 504.512, 504.513, 504.514, and 504.515, Transportation Code, and
79-41 amended to read as follows:

79-42 Sec. 504.511 [~~504.407~~]. PEACE OFFICERS WOUNDED OR KILLED
79-43 IN LINE OF DUTY. (a) The department shall issue specialty license
79-44 plates for:

79-45 (1) a person wounded in the line of duty as a peace
79-46 officer; or

79-47 (2) a surviving spouse, parent, brother, sister, or
79-48 adult child, including an adopted child or stepchild, of a person
79-49 killed in the line of duty as a peace officer.

79-50 (b) License plates issued under this section must include
79-51 the words "To Protect and Serve" above an insignia depicting a
79-52 yellow rose superimposed over the outline of a badge.

79-53 (c) The fee for issuance of the license plates is \$20.

79-54 (d) In this section, "peace officer" has the meaning
79-55 assigned by Section 1.07, Penal Code.

79-56 Sec. 504.512 [~~504.408~~]. GOLD STAR MOTHER, SPOUSE, OR
79-57 FAMILY MEMBER. (a) The department shall issue a specialty license
79-58 plate for the mother, surviving spouse, or immediate family member
79-59 of a person who died while serving in the United States armed
79-60 forces. License plates issued under this section must include the
79-61 words "Gold Star Mother," "Gold Star Spouse," or "Gold Star Family"
79-62 and a gold star. A person may not be issued more than one set of the
79-63 license plates at a time.

79-64 (a-1) In this section "immediate family member" means the
79-65 parent, child, or sibling of a person who died while serving in the
79-66 United States armed forces.

79-67 (b) The fee for issuance of the license plates is \$10.

79-68 Sec. 504.513 [~~504.409~~]. VOLUNTEER FIREFIGHTERS. (a) The
79-69 department shall issue specialty license plates for volunteer

80-1 firefighters certified by:

80-2 (1) the Texas Commission on Fire Protection; or

80-3 (2) the State Firemen's and Fire Marshals' Association

80-4 of Texas.

80-5 (b) The fee for issuance of the license plates is \$4.

80-6 (c) A person may be issued only one set of the license

80-7 plates.

80-8 Sec. 504.514 [~~504.410~~]. EMERGENCY MEDICAL SERVICES

80-9 PERSONNEL. (a) The department shall issue specialty license

80-10 plates for emergency medical services personnel certified by the

80-11 [~~Texas~~] Department of State Health Services under Subchapter C,

80-12 Chapter 773, Health and Safety Code.

80-13 (b) The fee for issuance of the license plates is \$8.

80-14 (c) A person may be issued only one set of the license

80-15 plates.

80-16 Sec. 504.515 [~~504.411~~]. HONORARY CONSULS. (a) The

80-17 department shall issue specialty license plates for a person who is

80-18 an honorary consul authorized by the United States to perform

80-19 consular duties. License plates issued under this section must

80-20 include the words "Honorary Consul."

80-21 (b) The fee for issuance of the license plates is \$40.

80-22 SECTION 200. Subchapter F, Chapter 504, Transportation

80-23 Code, is amended by adding Section 504.516 to read as follows:

80-24 Sec. 504.516. RENTAL TRAILER OR TRAVEL TRAILER FEE:

80-25 TRAILER OR SEMITRAILER. (a) The department may issue specially

80-26 designed license plates for rental trailers and travel trailers

80-27 that include, as appropriate, the words "rental trailer" or "travel

80-28 trailer."

80-29 (b) In this section:

80-30 (1) "Rental fleet" means vehicles that are designated

80-31 in the manner prescribed by the department as a rental fleet.

80-32 (2) "Rental trailer" means a utility trailer.

80-33 (3) "Travel trailer" has the meaning assigned by

80-34 Section 501.002.

80-35 SECTION 201. Subsection (a), Section 504.614,

80-36 Transportation Code, is amended to read as follows:

80-37 (a) The department may issue specialty license plates that

80-38 include the name and insignia of a professional sports team located

80-39 in this state. The department shall design the license plates in

80-40 consultation with the professional sports team and may enter a

80-41 trademark license with the professional sports team or its league

80-42 to implement this section. A license plate may be issued under this

80-43 section only for a professional sports team that:

80-44 (1) certifies to the department that the requirements

80-45 of Section 504.702 are met [it has determined that at least 3,500

80-46 persons will apply for the plates]; and

80-47 (2) plays its home games in a facility constructed or

80-48 operated, in whole or in part, with public funds.

80-49 SECTION 202. Subsection (a), Section 504.615,

80-50 Transportation Code, is amended to read as follows:

80-51 (a) The department shall issue specialty license plates

80-52 that include the name and insignia of a college. The department

80-53 shall design the license plates in consultation with the applicable

80-54 college. The department may issue a license plate under this

80-55 section only for a college that certifies to the department that the

80-56 requirements of Section 504.702 are met [it has determined that at

80-57 least 1,500 persons will apply for the plates].

80-58 SECTION 203. Subsection (a), Section 504.616,

80-59 Transportation Code, is amended to read as follows:

80-60 (a) The department shall issue specialty license plates

80-61 including the words "Texas Reads" that ["Texas Reads." The

80-62 department shall design the license plates to] incorporate one or

80-63 more submissions from middle school students in a competition

80-64 conducted by the department.

80-65 SECTION 204. Subsection (a), Section 504.647,

80-66 Transportation Code, is amended to read as follows:

80-67 (a) The department shall issue Fight Terrorism specialty

80-68 license plates that [The license plates shall] include a

80-69 pentagon-shaped border surrounding:

- 81-1 (1) the date "9-11-01" with the likeness of the World
- 81-2 Trade Center towers forming the "11";
- 81-3 (2) the likeness of the United States flag; and
- 81-4 (3) the words "Fight Terrorism."

81-5 SECTION 205. Section 504.413, Transportation Code, is
 81-6 transferred to Subchapter G, Chapter 504, Transportation Code, and
 81-7 renumbered as Section 504.659, Transportation Code, to read as
 81-8 follows:

81-9 Sec. 504.659 [~~504.413~~]. MEMBERS OF AMERICAN LEGION.

81-10 (a) The department shall issue specialty license plates for
 81-11 members of the American Legion. The license plates shall include
 81-12 the words "Still Serving America" and the emblem of the American
 81-13 Legion. The department shall design the license plates in
 81-14 consultation with the American Legion.

81-15 (b) The fee for the license plates is \$30.

81-16 (c) After deduction of \$8 to reimburse the department for
 81-17 its administrative costs, the remainder of the fee for issuance of
 81-18 the license plates shall be deposited to the credit of the American
 81-19 Legion, Department of Texas account in the state treasury. Money in
 81-20 the account may be used only by the Texas Veterans Commission in
 81-21 making grants to the American Legion Endowment Fund for
 81-22 scholarships and youth programs sponsored by the American Legion,
 81-23 Department of Texas.

81-24 SECTION 206. Section 504.702, Transportation Code, is
 81-25 amended by amending Subsection (b) and adding Subsections (e) and
 81-26 (f) to read as follows:

81-27 (b) The department may manufacture the specialty license
 81-28 plates only if a request for manufacture of the license plates is
 81-29 filed with the department. The request must be:

81-30 (1) made in [~~on~~] a manner prescribed [~~form adopted~~] by
 81-31 the department;

81-32 (2) filed before the fifth anniversary of the
 81-33 effective date of the law that authorizes the issuance of the
 81-34 specialty license plates; and

81-35 (3) accompanied by [~~+~~
 81-36 [~~(A)~~] a deposit of \$8,000 [~~+~~ or
 81-37 [~~(B)~~] ~~applications for issuance of at least 1,900~~
 81-38 ~~sets of the license plates plus the fees for issuance of that number~~
 81-39 ~~of sets~~].

81-40 (e) The department may issue license plates under:

81-41 (1) Section 504.614 for a particular professional
 81-42 sports team only if \$8,000 has been deposited with the department
 81-43 for that sports team; or

81-44 (2) Section 504.615 for a particular institution of
 81-45 higher education or private college or university only if \$8,000
 81-46 has been deposited with the department for that institution,
 81-47 college, or university.

81-48 (f) Money deposited with the department under Subsection
 81-49 (b)(3) or (e) shall be returned by the department to the person who
 81-50 made the deposit after 800 sets of plates have been issued.

81-51 SECTION 207. Subsections (a) and (b), Section 504.801,
 81-52 Transportation Code, are amended to read as follows:

81-53 (a) The department may create new specialty license plates
 81-54 on its own initiative or on receipt of an application from a
 81-55 potential sponsor. A new specialty license plate created under
 81-56 this section must comply with each requirement of Section 504.702
 81-57 unless the license is created by the department on its own
 81-58 initiative. The department may permit a specialty license plate
 81-59 created under this section to be personalized. The redesign of an
 81-60 existing specialty license plate at the request of a sponsor shall
 81-61 be treated like the issuance of a new specialty license plate [~~+~~
 81-62 ~~except that the department may require a lower deposit amount to~~
 81-63 ~~reflect the actual costs of redesigning the license plate~~].

81-64 (b) Any nonprofit entity [~~person~~] may submit an application
 81-65 to the department to sponsor a new specialty license plate [~~by~~
 81-66 ~~submitting an application to the department~~]. An application may
 81-67 nominate a state agency to receive funds derived from the issuance
 81-68 of the license plates. The application may also identify uses to
 81-69 which those funds should be appropriated.

82-1 SECTION 208. Section 504.851, Transportation Code, is
82-2 amended by amending Subsections (a), (b), (c), (d), (f), (g), and
82-3 (h) and adding Subsection (n) to read as follows:

82-4 (a) The department shall enter into a contract with the
82-5 private vendor whose proposal is most advantageous to the state, as
82-6 determined from competitive sealed proposals that satisfy the
82-7 requirements of this section:

82-8 (1) ~~[7]~~ for the exclusive marketing and sale of
82-9 souvenir or ~~[+]~~
82-10 ~~[(1+)]~~ personalized license plates authorized by
82-11 Section 504.101 with the exception that personalized plates issued
82-12 before September 1, 2009, may be renewed in accordance with the law
82-13 at that time; or

82-14 (2) for the marketing and sale of, with the agreement
82-15 of the private vendor, other specialty license plates authorized by
82-16 this subchapter.

82-17 (b) Instead of the fees established by Section 504.101(c),
82-18 the commission by order ~~[rule]~~ shall establish fees for the
82-19 issuance or renewal of personalized license or personalized
82-20 souvenir plates that are marketed and sold by the private
82-21 vendor. Fees must be reasonable and not less than the greater of:

82-22 (1) the amounts necessary to allow the department to
82-23 recover all reasonable costs to the department associated with the
82-24 evaluation of the competitive sealed proposals received by the
82-25 department and with the implementation and enforcement of the
82-26 contract, including direct, indirect, and administrative costs; or

82-27 (2) the amount established by Section 504.101(c).

82-28 (c) The commission by order ~~[rule]~~ shall establish standard
82-29 ~~[the]~~ fees for the issuance or renewal of souvenir license plates,
82-30 specialty license plates, or souvenir or specialty license plates
82-31 that are personalized that are marketed and sold by the private
82-32 vendor. Fees must be reasonable and not less than the amounts
82-33 necessary to allow the department to recover all reasonable costs
82-34 to the department associated with the evaluation of the competitive
82-35 sealed proposals received by the department and with the
82-36 implementation and enforcement of the contract, including direct,
82-37 indirect, and administrative costs. A fee established under this
82-38 subsection is in addition to:

82-39 (1) the registration fee and any optional registration
82-40 fee prescribed by this chapter for the vehicle for which specialty
82-41 license plates are issued;

82-42 (2) any additional fee prescribed by this subchapter
82-43 for the issuance of specialty license plates for that vehicle; and

82-44 (3) any additional fee prescribed by this subchapter
82-45 for the issuance of personalized license plates for that vehicle.

82-46 (d) Specialty license or specialty personalized plates may
82-47 be sold for varying periods, including a permanent sale that may be
82-48 made through auction ~~[At any time as necessary to comply with~~
82-49 ~~Subsection (b) or (c), the commission may increase or decrease the~~
82-50 ~~amount of a fee established under the applicable subsection].~~

82-51 (f) The department may approve new design and color
82-52 combinations for specialty or personalized license plates that are
82-53 marketed and sold by a private vendor under a contract entered into
82-54 with the private vendor. Each approved license plate design and
82-55 color combination remains the property of the department.

82-56 (g) ~~[The department may approve new design and color~~
82-57 ~~combinations for specialty license plates authorized by this~~
82-58 ~~chapter, including specialty license plates that may be~~
82-59 ~~personalized, that are marketed and sold by a private vendor under a~~
82-60 ~~contract entered into with the private vendor. Each approved~~
82-61 ~~license plate design and color combination remains the property of~~
82-62 ~~the department.]~~ Except as otherwise provided by this chapter,
82-63 this subsection does not authorize a ~~[+]~~

82-64 ~~[(1) the department to approve a design or color~~
82-65 ~~combination for a specialty license plate that is inconsistent with~~
82-66 ~~the design or color combination specified for the license plate by~~
82-67 ~~the section of this chapter that authorizes the issuance of the~~
82-68 ~~specialty license plate; or~~

82-69 ~~[(2) the] private vendor to market and sell a~~

83-1 specialty license plate with a design or color combination that is
 83-2 issued as a license plate designed for a nonprofit organization
 83-3 ~~[inconsistent with the design or color combination specified by~~
 83-4 ~~that section].~~

83-5 (h) Subject to the limitations provided by Subsection
 83-6 ~~[Subsections (g) and] (g-1)~~, the department may cancel a license
 83-7 plate or require the discontinuation of a license plate design or
 83-8 color combination that is marketed and sold by a private vendor
 83-9 under contract at any time if the department determines that the
 83-10 cancellation or discontinuation is in the best interest of this
 83-11 state or the motoring public.

83-12 (n) If the vendor ceases operation, the program may be
 83-13 operated temporarily by the department until another vendor is
 83-14 selected and commences operation.

83-15 SECTION 209. Chapter 504, Transportation Code, is amended
 83-16 by adding Subchapter K to read as follows:

83-17 SUBCHAPTER K. TRANSFER AND REMOVAL OF LICENSE PLATES

83-18 SECTION 210. Section 502.451, Transportation Code, is
 83-19 transferred to Subchapter K, Chapter 504, Transportation Code, as
 83-20 added by this Act, renumbered as Section 504.901, Transportation
 83-21 Code, and amended to read as follows:

83-22 Sec. 504.901 [502.451]. TRANSFER [OF VEHICLE REGISTRATION]
 83-23 AND REMOVAL OF LICENSE PLATES. (a) On the sale or transfer of a
 83-24 motor vehicle [to a dealer, as defined by Section 503.001, who holds
 83-25 a general distinguishing number issued under Chapter 503, the
 83-26 dealer shall remove] each license plate [and the registration
 83-27 insignia] issued for the motor vehicle shall be removed.

83-28 ~~[(a-1) On a sale or transfer of a motor vehicle to a person~~
 83-29 ~~that does not hold a general distinguishing number issued under~~
 83-30 ~~Chapter 503, the seller or transferor may remove each license plate~~
 83-31 ~~and the registration insignia issued for the motor vehicle.]~~

83-32 (b) A license plate removed from a motor vehicle under
 83-33 Subsection (a) ~~[or (a-1)]~~ must be:

83-34 (1) transferred to another motor vehicle that is
 83-35 titled in the seller's name [disposed of in the manner specified by
 83-36 the department]; or

83-37 (2) transferred to a [another] vehicle that is
 83-38 purchased [owned] by the seller [or transferor as provided by
 83-39 Section 502.452].

83-40 (c) To be eligible for transfer, license plates must be
 83-41 appropriate for the class of vehicle to which the plates are being
 83-42 transferred. If the vehicle is a different classification the
 83-43 owner must:

83-44 (1) pay the applicable title and vehicle registration
 83-45 fees;

83-46 (2) obtain a new registration insignia; and

83-47 (3) dispose of the license plates in the manner
 83-48 specified by the department, or if the applicant fails to remove
 83-49 and transfer the license plates, purchase replacement license
 83-50 plates in accordance with this chapter [The part of the
 83-51 registration period remaining at the time of the sale or transfer
 83-52 shall continue with the vehicle being sold or transferred and does
 83-53 not transfer with the license plates or registration validation
 83-54 insignia. To continue the remainder of the registration period,
 83-55 the purchaser or transferee must file the documents required under
 83-56 Section 520.031].

83-57 SECTION 211. Chapter 504, Transportation Code, is amended
 83-58 by adding Subchapter L to read as follows:

83-59 SUBCHAPTER L. OFFENSES AND PENALTIES

83-60 Sec. 504.941. ANTIQUE VEHICLES; OFFENSE. (a) A person who
 83-61 violates Section 504.502 commits an offense. An offense under this
 83-62 section is a misdemeanor punishable by a fine of not less than \$5 or
 83-63 more than \$200.

83-64 (b) It is an affirmative defense to prosecution under this
 83-65 section that at the time of the offense the vehicle was en route to
 83-66 or from a location for the purpose of routine maintenance of the
 83-67 vehicle.

83-68 Sec. 504.942. LOG LOADER VEHICLES; PENALTIES. A vehicle
 83-69 operated in violation of Section 504.506 is considered to be

84-1 operated or moved while unregistered and is immediately subject to
84-2 the applicable fees and penalties prescribed by this chapter.

84-3 Sec. 504.943. OPERATION OF VEHICLE WITHOUT LICENSE PLATE.

84-4 (a) A person commits an offense if the person operates on a public
84-5 highway during a registration period:

84-6 (1) a passenger car, as defined by Section 541.201, or
84-7 commercial motor vehicle that does not display two license plates
84-8 issued by the department and attached to the front and rear of the
84-9 vehicle; or

84-10 (2) a road tractor, motorcycle, trailer, or
84-11 semitrailer that does not display a license plate assigned by the
84-12 department and attached to the rear of the vehicle.

84-13 (b) Subsection (a) does not apply to a person who holds a
84-14 general distinguishing number operating a vehicle as provided by
84-15 law.

84-16 (c) An offense under this section is a misdemeanor
84-17 punishable by a fine not to exceed \$200.

84-18 (d) A court may dismiss a charge brought under Subsection
84-19 (a) if the defendant:

84-20 (1) remedies the defect before the defendant's first
84-21 court appearance; and

84-22 (2) pays an administrative fee not to exceed \$10.

84-23 SECTION 212. Section 502.408, Transportation Code, is
84-24 transferred to Subchapter L, Chapter 504, Transportation Code, as
84-25 added by this Act, renumbered as Section 504.944, Transportation
84-26 Code, and amended to read as follows:

84-27 Sec. 504.944 [502.408]. OPERATION OF VEHICLE WITH WRONG
84-28 LICENSE PLATE. [(a)] A person commits an offense if the person
84-29 operates, or as the owner permits another to operate, on a public
84-30 highway a motor vehicle that has attached to it a number plate or
84-31 registration insignia issued for a different vehicle. An offense
84-32 under this subsection is a misdemeanor punishable by a fine not to
84-33 exceed \$200.

84-34 SECTION 213. Subchapter L, Chapter 504, Transportation
84-35 Code, as added by this Act, is amended by adding Section 504.945 to
84-36 read as follows:

84-37 Sec. 504.945. WRONG, FICTITIOUS, ALTERED, OR OBSCURED
84-38 LICENSE PLATE. (a) A person commits an offense if the person
84-39 attaches to or displays on a motor vehicle a license plate that:

84-40 (1) is issued for a different motor vehicle;

84-41 (2) is issued for the vehicle under any other motor
84-42 vehicle law other than by the department;

84-43 (3) is assigned for a registration period other than
84-44 the registration period in effect;

84-45 (4) is fictitious;

84-46 (5) has blurring or reflective matter that
84-47 significantly impairs the readability of the name of the state in
84-48 which the vehicle is registered or the letters or numbers of the
84-49 license plate number at any time;

84-50 (6) has an attached illuminated device or sticker,
84-51 decal, emblem, or other insignia that is not authorized by law and
84-52 that interferes with the readability of the letters or numbers of
84-53 the license plate number or the name of the state in which the
84-54 vehicle is registered; or

84-55 (7) has a coating, covering, protective substance, or
84-56 other material that:

84-57 (A) distorts angular visibility or
84-58 detectability;

84-59 (B) alters or obscures one-half or more of the
84-60 name of the state in which the vehicle is registered; or

84-61 (C) alters or obscures the letters or numbers of
84-62 the license plate number or the color of the plate.

84-63 (b) Except as provided by Subsection (e), an offense under
84-64 Subsection (a) is a misdemeanor punishable by a fine of not more
84-65 than \$200, unless it is shown at the trial of the offense that the
84-66 owner knowingly altered or made illegible the letters, numbers, and
84-67 other identification marks, in which case the offense is a Class B
84-68 misdemeanor.

84-69 (c) Subsection (a)(7) may not be construed to apply to:

85-1 (1) a trailer hitch installed on a vehicle in a normal
85-2 or customary manner;
85-3 (2) a transponder, as defined by Section 228.057, that
85-4 is attached to a vehicle in the manner required by the issuing
85-5 authority;
85-6 (3) a wheelchair lift or wheelchair carrier that is
85-7 attached to a vehicle in a normal or customary manner;
85-8 (4) a trailer being towed by a vehicle; or
85-9 (5) a bicycle or motorcycle rack that is attached to a
85-10 vehicle in a normal or customary manner.
85-11 (d) A court may dismiss a charge brought under Subsection
85-12 (a)(3), (5), (6), or (7) if the defendant:
85-13 (1) remedies the defect before the defendant's first
85-14 court appearance; and
85-15 (2) pays an administrative fee not to exceed \$10.
85-16 (e) An offense under Subsection (a)(4) is a Class B
85-17 misdemeanor.
85-18 SECTION 214. Subchapter A, Chapter 520, Transportation
85-19 Code, is amended by adding Sections 520.003 and 520.004 to read as
85-20 follows:
85-21 Sec. 520.003. RULES. The department may adopt rules to
85-22 administer this chapter.
85-23 Sec. 520.004. DEPARTMENT RESPONSIBILITIES. The department
85-24 has jurisdiction over the registration and titling of, and the
85-25 issuance of license plates to, motor vehicles in compliance with
85-26 the applicable statutes. The department:
85-27 (1) shall provide services that are reasonable,
85-28 adequate, and efficient;
85-29 (2) shall establish standards for service quality; and
85-30 (3) may enter into an agreement with a person involved
85-31 in the transaction processing, including a lienholder or an
85-32 electronic verification service, only to facilitate the processing
85-33 of electronic title benefits so as to benefit this state and
85-34 minimize inconveniences to the general public.
85-35 SECTION 215. Section 501.137, Transportation Code, is
85-36 transferred to Subchapter A, Chapter 520, Transportation Code,
85-37 renumbered as Section 520.005, Transportation Code, and amended to
85-38 read as follows:
85-39 Sec. 520.005 [501.137]. DUTY OF COUNTY ASSESSOR-COLLECTOR.
85-40 (a) Each county assessor-collector shall comply with Chapter 501
85-41 [~~this chapter~~].
85-42 (b) An assessor-collector who fails or refuses to comply
85-43 with Chapter 501 [~~this chapter~~] is liable on the
85-44 assessor-collector's official bond for resulting damages suffered
85-45 by any person.
85-46 SECTION 216. Section 502.109, Transportation Code, is
85-47 transferred to Subchapter A, Chapter 520, Transportation Code,
85-48 renumbered as Section 520.006, Transportation Code, and amended to
85-49 read as follows:
85-50 Sec. 520.006 [502.109]. COMPENSATION OF ASSESSOR-COLLECTOR.
85-51 (a) A county assessor-collector shall receive a fee of \$1.90 for
85-52 each receipt issued under Chapter 502 [~~this chapter~~. If the
85-53 assessor-collector may be compensated by fees, a fee received is
85-54 compensation for services under this chapter. The
85-55 assessor-collector shall deduct the fee weekly from the gross
85-56 collections made under this chapter].
85-57 (b) A county assessor-collector who is compensated under
85-58 this section shall pay the entire expense of issuing registration
85-59 receipts and license plates under Chapter 501 or 502 [~~this chapter~~]
85-60 from the compensation allowed under this section.
85-61 SECTION 217. Section 502.111, Transportation Code, is
85-62 transferred to Subchapter A, Chapter 520, Transportation Code,
85-63 renumbered as Section 520.007, Transportation Code, and amended to
85-64 read as follows:
85-65 Sec. 520.007 [502.111]. COUNTY BRANCH OFFICES. (a) The
85-66 commissioners court of a county may authorize the county
85-67 assessor-collector to:
85-68 (1) establish a suboffice or branch office for vehicle
85-69 registration at one or more locations in the county other than the

86-1 county courthouse; or
 86-2 (2) appoint a deputy to register vehicles in the same
 86-3 manner and with the same authority as though done in the office of
 86-4 the assessor-collector.
 86-5 (b) The report of vehicles registered through a suboffice or
 86-6 branch office shall be made through the office of the county
 86-7 assessor-collector.
 86-8 SECTION 218. Section 502.114, Transportation Code, is
 86-9 transferred to Subchapter A, Chapter 520, Transportation Code,
 86-10 renumbered as Section 520.008, Transportation Code, and amended to
 86-11 read as follows:
 86-12 Sec. 520.008 [~~502.114~~]. FULL-SERVICE DEPUTIES. (a) A
 86-13 full-service deputy appointed under Section 520.0091 [~~502.112~~]
 86-14 shall accept any application for registration, registration
 86-15 renewal, or title transfer that the county assessor-collector may
 86-16 accept.
 86-17 (b) A full-service deputy may charge and retain an
 86-18 additional motor vehicle registration fee not to exceed \$5 for each
 86-19 motor vehicle registration issued.
 86-20 (c) A county assessor-collector may delegate to a
 86-21 full-service deputy, in the manner selected by the
 86-22 assessor-collector, the authority to use data processing equipment
 86-23 and software provided by the department for use in the titling and
 86-24 registration of motor vehicles. The department may not limit a
 86-25 county assessor-collector's ability to delegate the
 86-26 assessor-collector's functions regarding the titling and
 86-27 registration of motor vehicles to a qualified full-service deputy
 86-28 in the manner the assessor-collector considers appropriate.
 86-29 SECTION 219. Section 502.113, Transportation Code, is
 86-30 transferred to Subchapter A, Chapter 520, Transportation Code,
 86-31 renumbered as Section 520.009, Transportation Code, and amended to
 86-32 read as follows:
 86-33 Sec. 520.009 [~~502.113~~]. LIMITED-SERVICE DEPUTIES. (a) A
 86-34 limited-service deputy appointed under Section 520.0091 [~~502.112~~]
 86-35 may only accept registration renewal cards provided by the
 86-36 department and may not prepare or accept an application for title
 86-37 transfer.
 86-38 (b) The county assessor-collector may pay a limited-service
 86-39 deputy an amount not to exceed the fee the assessor-collector could
 86-40 collect under Section 520.006(a) [~~502.109(a)~~] for each
 86-41 registration receipt issued. The commissioners court of the county
 86-42 may permit a limited-service deputy to charge and retain an
 86-43 additional fee not to exceed \$1 for each registration receipt
 86-44 issued.
 86-45 SECTION 220. Section 502.112, Transportation Code, is
 86-46 transferred to Subchapter A, Chapter 520, Transportation Code, and
 86-47 renumbered as Section 520.0091, Transportation Code, to read as
 86-48 follows:
 86-49 Sec. 520.0091 [~~502.112~~]. DEPUTY ASSESSOR-COLLECTORS.
 86-50 (a) A county assessor-collector, with the approval of the
 86-51 commissioners court of the county, may deputize an individual or
 86-52 business entity to:
 86-53 (1) issue motor vehicle registration receipts as a
 86-54 limited-service deputy; or
 86-55 (2) issue motor vehicle registration receipts and
 86-56 prepare or accept applications for title transfers as a
 86-57 full-service deputy.
 86-58 (b) An individual or business entity is eligible to be
 86-59 deputized as a limited-service deputy if the person:
 86-60 (1) is trained to issue registration receipts by the
 86-61 county assessor-collector; and
 86-62 (2) posts a bond payable to the county
 86-63 assessor-collector:
 86-64 (A) in an amount determined by the
 86-65 assessor-collector; and
 86-66 (B) conditioned on the person's proper
 86-67 accounting and remittance of all fees the person collects.
 86-68 (c) An individual or business entity is eligible to be
 86-69 deputized as a full-service deputy if the person:

87-1 (1) meets the requirements of Subsection (b); and
87-2 (2) has experience in title transfers.

87-3 (d) A person deputized under this section shall keep a
87-4 separate account of the fees collected and a record of daily
87-5 receipts.

87-6 SECTION 221. Section 501.136, Transportation Code, is
87-7 transferred to Subchapter A, Chapter 520, Transportation Code,
87-8 renumbered as Section 520.0092, Transportation Code, and amended to
87-9 read as follows:

87-10 Sec. 520.0092 [~~501.136~~]. ACTS BY DEPUTY COUNTY
87-11 ASSESSOR-COLLECTOR. A deputy county assessor-collector, other
87-12 than a limited service deputy appointed under Section 520.0091
87-13 [~~502.112~~], may perform the duties of an assessor-collector under
87-14 Chapter 501 [~~this chapter~~].

87-15 SECTION 222. Section 520.002, Transportation Code, is
87-16 renumbered as Section 520.0093, Transportation Code, and amended to
87-17 read as follows:

87-18 Sec. 520.0093 [~~520.002~~]. LEASE OF ADDITIONAL COMPUTER
87-19 EQUIPMENT. (a) This section applies only to the lease of
87-20 equipment [~~to a county~~] for the operation of the automated
87-21 registration and titling [~~title~~] system in addition to the
87-22 equipment provided by the department at no cost to the county under
87-23 a formula prescribed by the department.

87-24 (b) On the request of the tax assessor-collector of a
87-25 county, the department may enter into an agreement with the
87-26 commissioners court of that county under which the department
87-27 leases additional equipment to the county for the use of the tax
87-28 assessor-collector in operating the automated registration and
87-29 titling [~~title~~] system in that county.

87-30 (c) A county may install equipment leased under this section
87-31 at offices of the county or of an agent of the county.

87-32 (d) Equipment leased under this section:

87-33 (1) remains the property of the department; and

87-34 (2) must be used primarily for the automated
87-35 registration and titling [~~title~~] system.

87-36 (e) Under the agreement, the department shall charge [~~the~~
87-37 ~~county~~] an amount not less than the amount of the cost to the
87-38 department to provide the additional equipment and any related
87-39 services under the lease. All money collected under the lease shall
87-40 be deposited to the credit of the state highway fund.

87-41 SECTION 223. The heading to Subchapter B, Chapter 520,
87-42 Transportation Code, is amended to read as follows:

87-43 SUBCHAPTER B. ADMINISTRATIVE PROVISIONS [~~MOTOR NUMBER RECORD~~
87-44 ~~REQUIREMENTS~~]

87-45 SECTION 224. Subchapter B, Chapter 520, Transportation
87-46 Code, is amended by adding Sections 520.024 and 520.025 to read as
87-47 follows:

87-48 Sec. 520.024. REGISTRATION AND INSPECTION CONSOLIDATION
87-49 STUDY. (a) The department and the Department of Public Safety
87-50 shall conduct a joint study on the feasibility of consolidation of
87-51 the state's motor vehicle registration and compulsory inspection
87-52 procedures in a manner that will allow completion of annual
87-53 registration and compulsory inspection requirements as part of a
87-54 single process. The study must address recommendations for:

87-55 (1) consolidating shared records and information;

87-56 (2) the manner in which registration and inspection
87-57 fees collected will be distributed;

87-58 (3) oversight regarding implementation of the
87-59 consolidated procedures;

87-60 (4) transition from the current separate procedures to
87-61 the consolidated procedures; and

87-62 (5) other related issues the departments consider
87-63 appropriate.

87-64 (b) The departments shall share the cost of the study in
87-65 equal amounts.

87-66 Sec. 520.025. MERGER OR CONSOLIDATION OF SHARED INFORMATION
87-67 STUDY. (a) The department and the Department of Public Safety
87-68 shall conduct a joint study on the merger or consolidation of
87-69 similar information that is collected separately by each agency.

88-1 The study should include the feasibility of establishing a database
88-2 interface software system that:

- 88-3 (1) sufficiently protects the privacy of the public;
- 88-4 (2) sufficiently protects the security and integrity
88-5 of information provided;
- 88-6 (3) increases public convenience;
- 88-7 (4) is cost-effective; and
- 88-8 (5) improves the coordination of regulatory
88-9 resources.

88-10 (b) The implementing agencies may facilitate the
88-11 implementation of the merger or consolidation, assist in the
88-12 development of rules, and coordinate a testing phase.

88-13 SECTION 225. Section 520.036, Transportation Code, is
88-14 transferred to Subchapter B, Chapter 520, Transportation Code, and
88-15 renumbered as Section 520.026, Transportation Code, to read as
88-16 follows:

88-17 Sec. 520.026 [~~520.036~~]. GENERAL PENALTY. (a) A person
88-18 commits an offense if the person violates this subchapter in a
88-19 manner for which a specific penalty is not provided.

88-20 (b) An offense under this section is a misdemeanor
88-21 punishable by a fine of not less than \$50 and not more than \$200.

88-22 SECTION 226. Subdivision (5), Section 520.051,
88-23 Transportation Code, is amended to read as follows:

88-24 (5) "Title service record" means the written or
88-25 electronic record for each transaction in which a motor vehicle
88-26 title service receives compensation.

88-27 SECTION 227. Subsection (b), Section 681.003,
88-28 Transportation Code, is amended to read as follows:

88-29 (b) An application for a disabled parking placard must be:

- 88-30 (1) on a form furnished by the department;
- 88-31 (2) submitted to the county assessor-collector of the
88-32 county in which the person with the disability resides; and
- 88-33 (3) accompanied by a fee of \$5 if the application is
88-34 for a temporary placard.

88-35 SECTION 228. The following provisions of the Transportation
88-36 Code are repealed:

88-37 (1) Sections 501.026, 501.075, 501.076(f),
88-38 501.091(4), 501.094, 501.099, 501.133, 501.134(e) and (f), and
88-39 501.138(b-1);

88-40 (2) Sections 502.007, 502.0074, 502.0075, 502.008,
88-41 502.104, 502.105, 502.1535, 502.154, 502.1585, 502.168, 502.175,
88-42 502.177, 502.187, 502.206, 502.271, 502.2862, 502.2971, 502.403,
88-43 502.405, 502.407(c), 502.412(c), 502.452, 502.453, and 502.455;

88-44 (3) Sections 504.401(b), 504.402(b), 504.403(b),
88-45 504.405(b), 504.5011, 504.502(j), 504.506(f), 504.507(c),
88-46 504.508(d), 504.510, 504.620, 504.624, 504.629, 504.634, 504.643,
88-47 504.649, 504.650, 504.653, 504.655, 504.701, 504.702(c),
88-48 504.801(h), and 504.851(e) and (k); and

88-49 (4) Sections 520.013 and 520.034.

88-50 SECTION 229. (a) The change in law made by this Act applies
88-51 only to an offense committed on or after January 1, 2013.

88-52 (b) An offense committed before January 1, 2013, is covered
88-53 by the law in effect when the offense was committed, and the former
88-54 law is continued in effect for that purpose. For purposes of this
88-55 subsection, an offense was committed before January 1, 2013, if any
88-56 element of the offense was committed before that date.

88-57 SECTION 230. Except as otherwise provided by this Act, this
88-58 Act takes effect January 1, 2013.

88-59 * * * * *