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SECTION 1. Section 29.001, Parks and Wildlife Code, is amended to read as follows:

Sec. 29.001. DEFINITION. In this chapter, "off-highway vehicle" means:

- (1) an all-terrain vehicle, as defined by Section 663.001, Transportation Code;
- (2) an off-highway motorcycle; ~~and~~
- (3) a recreational off-highway vehicle, as defined by Section 502.001, Transportation Code; and
- (4) any other motorized vehicle used for off-highway recreation on:
 - (A) public land over which the department has authority or on land purchased or leased by the department; or
 - (B) land acquired or developed under a grant made under Section 29.008 or any other grant program operated or administered by the department.

Same as House version.

SECTION 2. Section 501.002(14), Transportation Code, is amended to read as follows:

- (14) "Motor vehicle" means:
 - (A) any motor driven or propelled vehicle required to be registered under the laws of this state;
 - (B) a trailer or semitrailer, other than manufactured housing, that has a gross vehicle weight that exceeds 4,000 pounds;
 - (C) a house trailer;
 - (D) an all-terrain vehicle or a recreational off-highway vehicle, as those terms are defined by Section 502.001,

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designed by the manufacturer for off-highway use that is not required to be registered under the laws of this state; or
(E) a motorcycle, motor-driven cycle, or moped that is not required to be registered under the laws of this state, other than a motorcycle, motor-driven cycle, or moped designed for and used exclusively on a golf course.

SECTION 3. Section 502.001, Transportation Code, is amended by amending Subdivision (1) and adding Subdivision (19-a) to read as follows:

- (1) "All-terrain vehicle" means a motor vehicle that is:
- (A) equipped with a saddle[, bench, or bucket seats] for the use of:
 - (i) the rider; and
 - (ii) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;
 - (B) designed to propel itself with three or more tires in contact with the ground;
 - (C) designed by the manufacturer for off-highway use; and
 - (D) not designed by the manufacturer primarily for farming or lawn care.

(19-a) "Recreational off-highway vehicle" means a motor vehicle that is:

- (A) equipped with a non-straddle seat for the use of:
- (i) the rider; and
 - (ii) a passenger, if the vehicle is designed by the

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manufacturer to transport a passenger;

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

(C) designed by the manufacturer for off-highway use by the operator only; and

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

SECTION 4. Section 502.006, Transportation Code, is amended to read as follows:

Sec. 502.006. CERTAIN OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES. (a) Except as provided by Subsection (b), a person may not register an all-terrain vehicle or a recreational off-highway vehicle, with or without design alterations, for operation on a public highway.

(b) The state, a county, or a municipality may register an all-terrain vehicle or a recreational off-highway vehicle for operation on a public beach or highway to maintain public safety and welfare.

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SECTION 4. Section 502.006, Transportation Code, is amended to read as follows:

Sec. 502.006. CERTAIN OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES. (a) Except as provided by Subsection (b), a person may not register an all-terrain vehicle or a recreational off-highway vehicle, with or without design alterations, for operation on a public highway.

(b) The state, a county, or a municipality may register an all-terrain vehicle or a recreational off-highway vehicle for operation on a public beach or highway to maintain public safety and welfare.

(c) A recreational off-highway vehicle registered as provided by subsection (b) may be operated on a public or private beach in the same manner as a golf cart may be operated on a public or private beach under Section 502.0071. The operator must hold and have in the operator's possession a driver's license issued under Chapter 521 or a commercial driver's license issued under Chapter 522.

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(c) ~~(e)~~ Section 502.172 does not apply to an all-terrain vehicle or a recreational off-highway vehicle.

No equivalent provision.

No equivalent provision.

No equivalent provision.

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(d) ~~(e)~~ Section 502.172 does not apply to an all-terrain vehicle or a recreational off-highway vehicle.

SECTION 5. Section 547.001, Transportation Code, is amended by adding Subsection (2-a) to read as follows:
(2-a) "Golf cart" has the meaning assigned by Section 502.001.

SECTION 6. Section 547.002, Transportation Code, is amended to read as follows:
Sec. 547.002. APPLICABILITY. Unless a provision is specifically made applicable, this chapter and the rules of the department adopted under this chapter do not apply to:

- (1) an implement of husbandry;
- (2) road machinery;
- (3) a road roller;
- (4) a farm tractor;
- (5) a bicycle, a bicyclist, or bicycle equipment;
- (6) an electric bicycle, an electric bicyclist, or electric bicycle equipment; or
- (7) a golf cart that is operated only as authorized by ~~not required to be registered under~~ Section 551.403 ~~[502.284]~~.

SECTION 7. Subsection (d), Section 547.703,

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Transportation Code, is amended to read as follows:
(d) A golf cart that is operated at a speed of not more than 25 miles per hour [~~as defined by Section 502.001~~] is required to display a slow-moving-vehicle emblem [~~only~~] when it is operated on a public highway, as defined by Section 502.001, under Section 551.403 or 551.404 [~~an arterial street~~].

No equivalent provision.

SECTION 8. Chapter 551, Transportation Code, is amended by adding Subchapter F to read as follows:
SUBCHAPTER F. GOLF CARTS
Sec. 551.401. DEFINITIONS. In this subchapter, "golf cart" and "public highway" have the meanings assigned by Section 502.001.
Sec. 551.402. REGISTRATION NOT AUTHORIZED.
(a) The Texas Department of Transportation may not register a golf cart for operation on a public highway regardless of whether any alteration has been made to the golf cart.
(b) The department may issue license plates for a golf cart only as authorized by Section 504.510.
Sec. 551.403. LIMITED OPERATION. (a) An operator may operate a golf cart:
(1) in a master planned community:
(A) that has in place a uniform set of restrictive covenants; and
(B) for which a county or municipality has approved a plat;

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(2) on a public or private beach; or
(3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:
(A) during the daytime; and
(B) not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.
(b) The Texas Department of Transportation or a county or municipality may prohibit the operation of a golf cart on a public highway if the department or the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.
Sec. 551.404. OPERATION IN MUNICIPALITIES. (a) In addition to the operation authorized by Section 551.403, the governing body of a municipality may allow an operator to operate a golf cart on all or part of a public highway that:
(1) is in the corporate boundaries of the municipality; and
(2) has a posted speed limit of not more than 35 miles per hour.
(b) A golf cart operated under Subsection (a) must have the following equipment:
(1) headlamps;
(2) taillamps;
(3) reflectors;
(4) parking brake; and
(5) mirrors.

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Sec. 551.405. CROSSING CERTAIN ROADWAYS. A golf cart may cross intersections, including a road or street that has a posted speed limit of more than 35 miles per hour.

No equivalent provision.

SECTION 9. Subsection (a), Section 601.052, Transportation Code, is amended to read as follows:

(a) Section 601.051 does not apply to:

(1) the operation of a motor vehicle that:

(A) is a former military vehicle or is at least 25 years old;

(B) is used only for exhibitions, club activities, parades, and other functions of public interest and not for regular transportation; and

(C) for which the owner files with the department an affidavit, signed by the owner, stating that the vehicle is a collector's item and used only as described by Paragraph (B);

(2) the operation of a golf cart that is operated only as authorized by ~~[not required to be registered under]~~ Section 551.403 ~~[502.284]~~; or

(3) a volunteer fire department for the operation of a motor vehicle the title of which is held in the name of a volunteer fire department.

No equivalent provision.

SECTION 10. The following sections of the Transportation Code are repealed:

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- (1) Section 502.0071; and
- (2) Subsection (e), Section 547.703.

SECTION 5. The heading to Subtitle G, Title 7, Transportation Code, is amended to read as follows:
SUBTITLE G. MOTORCYCLES AND OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES

SECTION 11. Same as House version.

SECTION 6. The heading to Chapter 663, Transportation Code, is amended to read as follows:
CHAPTER 663. CERTAIN OFF-HIGHWAY [~~ALL-TERRAIN~~] VEHICLES

SECTION 12. Same as House version.

SECTION 7. Section 663.001, Transportation Code, is amended by adding Subdivision (3) to read as follows:
(3) "Recreational off-highway vehicle" has the meaning assigned by Section 502.001.

SECTION 13. Same as House version.

SECTION 8. Subchapter A, Chapter 663, Transportation Code, is amended by adding Section 663.003 to read as follows:
Sec. 663.003. RECREATIONAL OFF-HIGHWAY VEHICLES. This chapter applies to the operator and operation of a recreational off-highway vehicle in the same manner as if the recreational off-highway vehicle

SECTION 14. Same as House version.

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were an all-terrain vehicle.

SECTION 9. This Act takes effect September 1, 2009.

No equivalent provision.

No equivalent provision.

No equivalent provision.

SECTION 38. Sections 1 through 14 of this Act take effect September 1, 2009. Sections 15 through 37 of this Act take effect September 1, 2011.

SECTION 15. Section 502.160, Transportation Code, is amended to read as follows:
Sec. 502.160. FEE: MOTORCYCLE OR MOPED.
The fee for a registration year for registration of a motorcycle or moped is \$30.

SECTION 16. The heading to Section 502.161, Transportation Code, is amended to read as follows:
Sec. 502.161. FEE: VEHICLES THAT WEIGH 6,000 POUNDS OR LESS [~~PASSENGER CAR, MUNICIPAL BUS, PRIVATE BUS~~].

SECTION 17. Subsection (a), Section 502.161, Transportation Code, is amended to read as follows:
(a) The fee for a registration year for registration of a vehicle with a gross weight of [~~passenger car, a municipal bus, or a private bus that weighs~~] 6,000 pounds or less is \$50.75, unless otherwise provided in this chapter[:

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~~[(1) \$40.50 for a vehicle the model year of which is more than six years before the year in which the registration year begins;~~
~~[(2) \$50.50 for a vehicle the model year of which is more than three years but is six years or less before the year in which the registration year begins; or~~
~~[(3) \$58.50 for a vehicle the model year of which is three years or less before the year in which the registration year begins].~~

No equivalent provision.

SECTION 18. The heading to Section 502.162, Transportation Code, is amended to read as follows:
Sec. 502.162. FEE: VEHICLES THAT WEIGH MORE THAN 6,000 POUNDS [~~COMMERCIAL MOTOR VEHICLE OR TRUCK TRACTOR~~].

No equivalent provision.

SECTION 19. Subsection (a), Section 502.162, Transportation Code, is amended to read as follows:
(a) The fee for a registration year for registration of a vehicle with a gross weight of more than 6,000 pounds is [~~commercial motor vehicle or truck tractor is \$25 plus an amount determined according to the vehicle's gross weight and tire equipment,~~] as follows unless otherwise provided in this chapter:
WeightFee
ClassificationSchedule
in pounds

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<u>6,001-10,000</u>	<u>\$54.00</u>	
<u>10,001-18,000</u>	<u>\$110.00</u>	
<u>18,001-25,999</u>	<u>\$205.00</u>	
<u>26,000-40,000</u>	<u>\$340.00</u>	
<u>40,001-54,999</u>	<u>\$535.00</u>	
<u>55,000-70,000</u>	<u>\$740.00</u>	
<u>70,001-80,000</u>	<u>\$840.00</u>	
[Gross weight [in pounds	[Fee for each 100 pounds or [fraction of 100 pounds	
	[Equipped with	[Equipped
with	[pneumatic tires	[solid tires
[1-6,000	[\$0.44	[\$0.55
[6,001-8,000	[-0.495	[0.66
[8,001-10,000	[-0.605	[0.77
[10,001-17,000	[-0.715	[0.88
[17,001-24,000	[-0.77	[0.99
[24,001-31,000	[-0.88	[1.10
[31,001 and over	[-0.99	[1.32]

No equivalent provision.

SECTION 20. Section 502.165, Transportation Code, is amended to read as follows:

Sec. 502.165. FEE: ROAD TRACTOR. The fee for a registration year for registration of a road tractor is the fee prescribed by [~~\$25 plus an amount determined according to the vehicle's~~] weight as certified by a public weigher or a license and weight inspector of the

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Department of Public Safety under Section 502.161 or 502.162, as applicable.~~[, as follows:~~

~~[Fee for each 100 pounds~~

[Gross weight in	[or
[pounds	[fraction of 100 pounds
[1-4,000	[\$0.275
[4,001-6,000	[0.55
[6,001-8,000	[0.66
[8,001-10,000	[0.825
[10,001 and over	[1.10]

No equivalent provision.

SECTION 21. The heading to Section 502.166, Transportation Code, is amended to read as follows:
Sec. 502.166. FEE: TRAILER, TRAVEL TRAILER, OR SEMITRAILER.

No equivalent provision.

SECTION 22. Section 502.166, Transportation Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:
(a) The fee for a registration year for registration of a trailer, travel trailer, or semitrailer with a ~~[is \$25 plus an amount determined according to the vehicle's]~~ gross weight of 6,000 pounds or less is \$45.00.
(a-1) The fee for a registration year for registration of a trailer, travel trailer, or semitrailer with a gross weight of more than 6,000 pounds is calculated by gross weight according to Section 502.162. ~~[and tire equipment, as~~

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follows:

[Gross weight [in pounds	[Fee for each 100 pounds or [fraction of 100 pounds
-----------------------------	--

with	[Equipped with [pneumatic tires	[Equipped [solid tires
[1-6,000	[\$0.33	[\$0.44
[6,001-8,000	[-0.44	[0.55
[8,001-10,000	[-0.55	[0.66
[10,001-17,000	[-0.66	[0.88
[17,001 and over	[-0.715	[0.99]

No equivalent provision.

SECTION 23. Subsections (a), (b), and (c), Section 502.167, Transportation Code, are amended to read as follows:

(a) This section applies only to a truck-tractor or commercial motor vehicle with a gross weight [~~manufacturer's rated carrying capacity~~] of more than 10,000 pounds [~~one ton~~] that is used or is to be used in combination with a semitrailer that has a gross weight of more than 6,000 pounds.

(b) The [~~Notwithstanding Section 502.162, the~~] fee for a registration year for registration of a truck-tractor or commercial motor vehicle is calculated by gross weight according to Section 502.162. [~~\$40 plus an amount determined according to the combined gross weight of the vehicles, as follows:~~

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~~[Fee for each 100 pounds
[Combined gross weight [or
[in pounds [fraction of 100 pounds
[18,000-36,000 [\$0.60
[36,001-42,000 [0.75
[42,001-62,000 [0.90
[62,001 and over [1.00]~~

(c) ~~The [Notwithstanding Section 502.166, the]~~ fee for a registration year for registration of a semitrailer used in the manner described by Subsection (a), regardless of the date the semitrailer is registered, is:

- (1) \$30, for a semitrailer being propelled by a power unit for which a permit under Section 623.011 has been issued; or
- (2) \$15, for a semitrailer being propelled by a power unit for which a permit under Section 623.011 has not been issued.

No equivalent provision.

SECTION 24. Section 502.168, Transportation Code, is amended to read as follows:

Sec. 502.168. FEE: MOTOR BUS. The fee for a registration year for registration of a motor bus is the fee prescribed by Section 502.161 or 502.162, as applicable. ~~[\$25 plus an amount determined according to the vehicle's gross weight, as follows:~~

~~[Fee for each 100 pounds
[Gross weight [or
[in pounds [fraction of 100 pounds~~

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[1-6,000 [\$0.44
[6,001-8,000 [0.495
[8,001-10,000 [0.605
[10,001-17,000 [0.715
[17,001-24,000 [0.77
[24,001-31,000 [0.88
[31,001 and over [0.99]

No equivalent provision.

SECTION 25. Subsection (b), Section 502.1705, Transportation Code, is amended to read as follows:

(b) The department may use money collected under this section to provide for or enhance ~~perform one or more of the following~~:

(1) ~~enhancing the department's automated registration and title system;~~

~~[(2) providing for the automated on-site production of registration insignia; or~~

~~[(3) providing for] automated on-premises and off-premises [self-service] registration; and~~

(2) services related to the titling of vehicles.

No equivalent provision.

SECTION 26. The heading to Section 502.184, Transportation Code, is amended to read as follows:

Sec. 502.184. ~~REPLACEMENT OF [LOST, STOLEN, OR MUTILATED LICENSE PLATE OR]~~ REGISTRATION INSIGNIA.

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No equivalent provision.

SECTION 27. Subsections (a), (b), (e), and (f), Section 502.184, Transportation Code, are amended to read as follows:

(a) The owner of a registered motor vehicle may obtain ~~[from the department through the county assessor-collector replacement license plates or]~~ a replacement registration insignia by:

(1) certifying ~~[filing with the assessor collector a statement:~~

~~[(A) showing that one or both of the license plates or the registration insignia to be replaced has been lost, stolen, or mutilated; and~~

~~[(B) stating]~~ that the replacement ~~[no license plate or]~~ registration insignia ~~[to be replaced]~~ will not be used on any other vehicle owned or operated by the person making the statement;

(2) paying a fee of \$6 ~~[\$5]~~ plus the fees required by Section ~~[Sections 502.170(a) and]~~ 502.1705(a) for ~~[each set of replacement license plates or]~~ each replacement registration insignia, except as provided by other law ~~[Subsection (b), (c), or (i)]~~; and

(3) returning ~~[to the assessor collector]~~ each replaced ~~[plate or]~~ registration insignia in the owner's possession.

(b) No fee is required under this section if the replacement fee for a license plate has been paid under Section 502.1841 ~~[for the replacement of lost, stolen, or mutilated specialized license plates issued under Sections 504.308 and 504.315(e) and (f)].~~ ~~[The fee for replacement of certain specialized license plates is:~~

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~~[License plates issued under: [Fee:
[Section 504.411 [\$2
[Section 504.409 [\$9]~~

~~(e) A county assessor-collector may not issue
[replacement license plates or] a replacement registration
insignia without complying with this section.~~

~~(f) A county assessor-collector shall retain \$2.50 of each
fee collected under this section and shall report and send
the remainder to the department [as provided by Sections
502.102 and 502.105].~~

No equivalent provision.

SECTION 28. Subchapter D, Chapter 502,
Transportation Code, is amended by adding Section
502.1841 to read as follows:

Sec. 502.1841. REPLACEMENT LICENSE PLATES.

(a) The owner of a registered motor vehicle may obtain
replacement license plates for the vehicle by:

(1) certifying that the replacement plates will not be
used on any other vehicle owned or operated by the
person making the statement;

(2) paying a fee of \$6 plus the fee required by Section
502.1705(a) for each set of replacement license plates,
unless otherwise specified by law; and

(3) returning to the department each license plate in the
owner's possession for which a replacement license plate
is obtained.

(b) Replacement license plates may not be issued except
as provided by this section.

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(c) A county assessor-collector shall retain \$2.50 of each fee collected under this section and forward the remainder of the fee to the department.

(d) The fee required by this section applies to the issuance of license plates for a transferred used vehicle for which the registration and license plates were not transferred under Subchapter I.

No equivalent provision.

SECTION 29. Subsection (d), Section 504.101, Transportation Code, is amended to read as follows:

(d) The department may not issue a replacement set of personalized license plates to the same person before the sixth anniversary of the date of issuance unless the applicant for issuance of replacement plates pays the ~~an~~ additional fee required by Section 502.1841 ~~[of \$30]~~.

No equivalent provision.

SECTION 30. Section 504.501, Transportation Code, is amended to read as follows:

Sec. 504.501. CLASSIC MOTOR VEHICLES AND TRAVEL TRAILERS. (a) The department shall issue specialty license plates for a motor vehicle that is at least 25 years old. The license plates must include the word "Classic" ~~[words "Classic Auto," "Classic Motorcycle," or "Classic Truck"]~~ or a similar designation, as appropriate.

(b) A person eligible for the license plates may instead use license plates that were issued by this state in the

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same year as the model year of the vehicle and are approved by the department if the plates are approved for the vehicle before January 1, 2011. The department may require the attachment of a registration insignia to the license plate in a manner that does not affect the display of information originally on the license plate.

(c) There is no [~~The~~] fee for issuance or approval of license plates under this section [~~is \$15~~].

No equivalent provision.

SECTION 31. Subsection (c), Section 504.505, Transportation Code, is amended to read as follows:

(c) There is no [~~The initial~~] fee for issuance of the license plates [~~is \$8~~]. The license plates may be renewed without payment of a fee.

No equivalent provision.

SECTION 32. Subsection (b), Section 504.507, Transportation Code, is amended to read as follows:

(b) There is no [~~The~~] fee for issuance of the license plates [~~is \$8~~]. The department shall:

(1) [~~also~~] collect any [~~additional~~] fee that a county imposes under this chapter for registration of a forestry vehicle; and

(2) send the fee to the appropriate county for disposition.

No equivalent provision.

SECTION 33. Subsection (b), Section 504.508, Transportation Code, is amended to read as follows:

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(b) There is no ~~[The]~~ fee for issuance of the license plates ~~[is \$15]~~.

No equivalent provision.

SECTION 34. Section 504.509, Transportation Code, is amended to read as follows:

Sec. 504.509. VEHICLES CARRYING MOBILE AMATEUR RADIO EQUIPMENT. ~~[(a)]~~ The department shall issue specialty license plates for a person who holds an amateur radio station license issued by the Federal Communications Commission and who operates receiving and transmitting mobile amateur radio equipment. The license plates shall include the person's amateur call letters as assigned by the Federal Communications Commission. A person may register more than one vehicle equipped with mobile amateur radio equipment under this section, and the department shall issue license plates that include the same amateur call letters for each vehicle.

~~[(b) The fee for issuance of the license plates is \$2 for the first year and \$1 for each subsequent year.]~~

No equivalent provision.

SECTION 35. Subsection (b), Section 504.510, Transportation Code, is amended to read as follows:

(b) The fee for issuance of the license plates is \$6 ~~[\$10]~~.

No equivalent provision.

SECTION 36. Subsection (a), Section 504.801,

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Transportation Code, is amended to read as follows:

(a) The department may create new specialty license plates on its own initiative or on receipt of an application from a potential sponsor. A new specialty license plate created under this section must comply with each requirement of Section 504.702 unless the license is created by the department on its own initiative. The department may permit a specialty license plate created under this section to be personalized. The redesign of an existing specialty license plate at the request of a sponsor shall be treated like the issuance of a new specialty license plate, except that the department may require a nonrefundable design fee [~~lower deposit amount to reflect the actual costs of redesigning the license plate~~].

No equivalent provision.

SECTION 37. The following provisions of the Transportation Code are repealed:

- (1) Section 502.007;
- (2) Subsection (b), Section 502.161;
- (3) Section 502.170;
- (4) Subsection (c), Section 502.1705;
- (5) Section 502.187;
- (6) Subsection (c), Section 502.201;
- (7) Section 502.453;
- (8) Subsection (b), Section 504.409; and
- (9) Section 504.5011.

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No equivalent provision.

No equivalent provision.

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SECTION __. The heading to Section 29.011, Parks and Wildlife Code, is amended to read as follows:

Sec. 29.011. SAFETY APPAREL REQUIRED; SEAT BELTS.

SECTION __. Section 29.011, Parks and Wildlife Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A person may not operate, ride, or be carried on an off-highway vehicle on public property unless the person wears:

- (1) a safety helmet that complies with United States Department of Transportation standards; ~~and~~
- (2) eye protection; and
- (3) seat belts, if the vehicle is equipped with seat belts.

(c) This section does not apply to a motor vehicle that:

- (1) has at least four wheels and is registered by the Texas Department of Transportation for use on a public highway, unless the vehicle is an all-terrain vehicle as defined by Section 502.001, Transportation Code;
- (2) has four wheels and is equipped with bench or bucket seats and includes a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover; or
- (3) is in the process of being loaded into or unloaded from a trailer or another vehicle used to transport the motor vehicle.

CONFERENCE

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No equivalent provision.

SECTION __. The change in law made by this Act to Section 29.011, Parks and Wildlife Code, applies to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

The following row was presented as substantially similar to the engrossed version Senate Bill 294, relating to optional fees on the registration of a vehicle imposed by a county.

No equivalent provision.

SECTION __. (a) Section 502.1725, Transportation Code, is amended by amending Subsections (d), (e), (f), and (g) and adding Subsections (e-1), (f-1), (i), and (j) to read as follows:

(d) A fee imposed under this section may take effect only on January 1 of a year. The county must adopt the order and notify the department not later than September 1 of the year preceding the year in which the fee takes effect. A fee imposed under this section is not required to be annually reauthorized and remains in effect until removed as provided by Subsection (e).

(e) Subject to Subsection (e-1), a [~~A~~] fee imposed under

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this section may be removed. The removal may take effect only on January 1 of a year. A county may remove the fee only by:

- (1) rescinding the order imposing the fee; and
- (2) notifying the department not later than September 1 of the year preceding the year in which the removal takes effect.

(e-1) If the revenue from a fee imposed under this section is pledged or assigned to secure the payment of obligations as provided by Subsection (f-1), the fee may not be removed until the obligations secured by the pledge or assignment have been paid or discharged.

(f) The county assessor-collector of a county imposing a fee under this section shall collect the additional fee for a vehicle when other fees imposed under this chapter are collected. The county shall deposit ~~send~~ the fee revenue in a special account in the county general fund. Money in the account may be used only for a purpose authorized under Section (7-a), Article VIII, Texas Constitution, and only to contract with:

- (1) ~~to~~ the regional mobility authority of the county to promote and maintain a public purpose of the county that involves funding ~~fund~~ long-term transportation projects in the county;
- (2) a transportation governmental entity designated under Subsection (j) to promote and maintain a public purpose of the county that involves funding long-term transportation projects in the county; or
- (3) a public or private entity developing a long-term

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transportation project in the county under an agreement with the county, the regional mobility authority of the county, or a transportation governmental entity designated under Subsection (j) to promote and maintain a public purpose of the county.

(f-1) Revenue from a fee imposed under this section may be pledged or assigned by the county, the regional mobility authority of the county with which the county contracts under Subsection (f), or a transportation governmental entity with which the county contracts under Subsection (f) to secure the payment of obligations associated with the development of long-term transportation projects in the county as provided by Subsection (f).

(g) The department shall collect the additional fee on a vehicle that is owned by a resident of a county imposing a fee under this section and that, under this chapter, must be registered directly with the department. The department shall send all fees collected for a county under this subsection to the county for deposit and use as provided by Subsection (f) or (f-1) [~~regional mobility authority of the county to fund long term transportation projects in the county~~].

(i) Notwithstanding Subsection (b), the fee imposed under this section by the commissioners court of a county to which this subsection applies may not exceed \$50. This subsection applies only to a county that:

- (1) borders the United Mexican States;
- (2) has a population of at least 500,000; and

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(3) does not contain a municipality with a population of more than 500,000; and

(3) a county:

(A) that has a population of less than 300,000;

(B) that has a municipality with a population of more than 150,000; and

(3) that borders the United Mexican States.

(j) The department shall designate the governmental entities that serve primarily a transportation function and with which counties may contract under Subsection (f).

(b) This Section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Section takes effect September 1, 2009.