

By: Williams

S.B. No. 1402

A BILL TO BE ENTITLED

AN ACT

relating to motor vehicles; providing penalties.

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

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

Sec. 501.002. DEFINITIONS. In this chapter:

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

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

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

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

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

(6) ~~[(4)]~~ "Distributor" has the meaning assigned by Section 2301.002, Occupations Code ~~[means a person engaged in the business of selling to a dealer motor vehicles purchased from a manufacturer]~~.

(7) "Electric bicycle" has the meaning assigned by Section 541.201.

1 (8) [~~(5)~~] "First sale" means:

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

7 (B) the registration or titling [~~licensing~~] of
8 that vehicle.

9 (9) [~~(6)~~] "House trailer" means a trailer designed for
10 human habitation. The term does not include manufactured housing.

11 (10) [~~(7)~~] "Importer" means a person, other than a
12 manufacturer, that brings a used motor vehicle into this state for
13 sale in this state.

14 (11) [~~(8)~~] "Importer's certificate" means a
15 certificate for a used motor vehicle brought into this state for
16 sale in this state.

17 (12) [~~(9)~~] "Lien" means:

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

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

26 (C) a child support lien under Chapter 157,
27 Family Code.

1 (13) [~~(10)~~] "Manufactured housing" has the meaning
2 assigned by Chapter 1201, Occupations Code.

3 (14) [~~(11)~~] "Manufacturer" has the meaning assigned
4 by Section 503.001 [~~means a person regularly engaged in the~~
5 ~~business of manufacturing or assembling new motor vehicles~~].

6 (15) [~~(12)~~] "Manufacturer's permanent vehicle
7 identification number" means the number affixed by the manufacturer
8 to a motor vehicle in a manner and place easily accessible for
9 physical examination and die-stamped or otherwise permanently
10 affixed on one or more removable parts of the vehicle.

11 (16) [~~(13)~~] "Motorcycle" has the meaning assigned by
12 Section 521.001 or 541.201, as applicable [~~means a motor vehicle,~~
13 ~~other than a tractor, designed to propel itself with not more than~~
14 ~~three wheels in contact with the ground~~].

15 (17) [~~(14)~~] "Motor vehicle" means:

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

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

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

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

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

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

3 (18) [(15)] "New motor vehicle" has the meaning
4 assigned by Section 2301.002, Occupations Code [~~means a motor~~
5 ~~vehicle that has not been the subject of a first sale].~~

6 (19) [(16)] "Owner" means [~~includes~~] a person, other
7 than a manufacturer, importer, distributor, or dealer, claiming
8 title to or having a right to operate under a lien a motor vehicle
9 that has been subject to a first sale.

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

12 (21) "Record of title" means an electronic record of
13 motor vehicle ownership in the department's motor vehicle database
14 that is created under Subchapter I.

15 (22) "Seller" means a person or entity that donates,
16 gives, sells, or otherwise transfers ownership of a motor vehicle.

17 (23) [(17)] "Semitrailer" means a vehicle that is
18 designed or used with a motor vehicle so that part of the weight of
19 the vehicle and its load rests on or is carried by another vehicle.

20 (24) [(18)] "Serial number" means a vehicle
21 identification number that is affixed to a part of a motor vehicle
22 and that is:

23 (A) the manufacturer's permanent vehicle
24 identification number;

25 (B) a derivative number of the manufacturer's
26 permanent vehicle identification number;

27 (C) the motor number; or

1 (D) the vehicle identification number assigned
2 by the department.

3 (25) [~~(19)~~] "Steal" has the meaning assigned by
4 Section 31.01, Penal Code.

5 (26) [~~(20)~~] "Subsequent sale" means:

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

11 (B) the registration of the vehicle if
12 registration is required under the laws of this state.

13 (27) "Title" means a certificate or record of title
14 that is issued under Section 501.021.

15 (28) [~~(21)~~] "Title receipt" means a document [~~an~~
16 ~~instrument~~] issued under Section 501.024.

17 (29) [~~(22)~~] "Trailer" means a vehicle that:

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

20 (B) is drawn or designed to be drawn by a motor
21 vehicle.

22 (30) "Travel trailer" means a house trailer-type
23 vehicle or a camper trailer:

24 (A) that is a recreational vehicle defined under
25 24 C.F.R. Section 3282.8(g); or

26 (B) that:

27 (i) is less than eight feet in width or 40

1 feet in length, exclusive of any hitch installed on the vehicle;

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

5 (iii) is not used as a permanent dwelling;
6 and

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

10 (31) [~~(23)~~] "Used motor vehicle" means a motor vehicle
11 that has been the subject of a first sale.

12 (32) "Vehicle identification number" means:

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

18 (B) a serial number affixed to a part of a motor
19 vehicle that is:

20 (i) a derivative number of the
21 manufacturer's permanent vehicle identification number;

22 (ii) the motor number; or

23 (iii) a vehicle identification number
24 assigned by the department.

25 SECTION 2. The heading to Section 501.003, Transportation
26 Code, is amended to read as follows:

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

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

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

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

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

12 (b) The department shall post forms on the Internet and~~[+~~
13 ~~[(1) in addition to the forms required by this~~
14 ~~chapter, prescribe forms for a title receipt, manufacturer's~~
15 ~~certificate, and importer's certificate, and other forms the~~
16 ~~department determines necessary, and~~

17 ~~[(2)]~~ provide each county assessor-collector with a
18 sufficient supply of any necessary ~~[the]~~ forms on request.

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

23 Sec. 501.006 ~~[501.159]~~. ALIAS ~~[CERTIFICATE OF]~~ TITLE. On
24 receipt of a verified ~~[written]~~ request approved by the executive
25 administrator of a law enforcement agency, the department may issue
26 a ~~[certificate of]~~ title in the form requested by the executive
27 administrator for a vehicle in an alias for the law enforcement

1 agency's use in a covert criminal investigation.

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

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

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

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

10 (2) the make of the motor vehicle;

11 (3) the body type of the vehicle;

12 (4) the manufacturer's permanent vehicle
13 identification number of the vehicle or the vehicle's motor number
14 if the vehicle was manufactured before the date that stamping a
15 permanent identification number on a motor vehicle was universally
16 adopted;

17 (5) the serial number for the vehicle;

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

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

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

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

25 (7) [~~(8) a space for the signature of the owner of the~~
26 ~~vehicle,~~

27 [~~(9)~~] a statement indicating rights of survivorship

1 under Section 501.031;

2 (8) [~~(10)~~] if the vehicle has an odometer, the
3 odometer reading at the time of [~~indicated by the~~] application for
4 the [~~certificate of~~] title; and

5 (9) [~~(11)~~] any other information required by the
6 department.

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

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

13 (c) A [~~certificate of~~] title for a motor vehicle that has
14 been the subject of an ordered repurchase or replacement under
15 Chapter 2301, Occupations Code, must contain on its face a notice
16 sufficient to inform a purchaser that the motor vehicle has been the
17 subject of an ordered repurchase or replacement.

18 SECTION 7. The heading to Section 501.022, Transportation
19 Code, is amended to read as follows:

20 Sec. 501.022. MOTOR VEHICLE [~~CERTIFICATE OF~~] TITLE
21 REQUIRED.

22 SECTION 8. Subsections (a), (b), and (c), Section 501.022,
23 Transportation Code, are amended to read as follows:

24 (a) The owner of a motor vehicle registered in this state:

25 (1) except as provided by Section 501.029, shall apply
26 for title to the vehicle; and

27 (2) may not operate or permit the operation of the

1 vehicle on a public highway until the owner obtains:

2 (A) [~~a certificate of~~] title and [~~for the vehicle~~
3 ~~or until the owner obtains~~] registration for the vehicle; or

4 (B) [~~if~~] a receipt evidencing title for
5 registration purposes only [~~to the vehicle is issued~~] under Section
6 501.029 [~~501.029(b)~~].

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

11 (c) The owner of a motor vehicle that is required to be
12 titled and registered in this state must obtain [~~apply for~~] a
13 [~~certificate of~~] title to [~~of~~] the vehicle before selling or
14 disposing of the vehicle.

15 SECTION 9. The heading to Section 501.023, Transportation
16 Code, is amended to read as follows:

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

18 SECTION 10. Section 501.023, Transportation Code, is
19 amended by amending Subsections (a), (b), and (c) and adding
20 Subsection (e) to read as follows:

21 (a) The owner of a motor vehicle must present identification
22 and apply for a [~~certificate of~~] title as prescribed by the
23 department, unless otherwise exempted by law. To obtain a title,
24 the owner must apply:

25 (1) to the county assessor-collector in the county in
26 which:

27 (A) the owner is domiciled; or

1 (B) the motor vehicle is purchased or encumbered;
2 or ~~[and]~~

3 (2) if the county in which the owner resides has been
4 declared by the governor as a disaster area, to the county
5 assessor-collector in one of the closest unaffected counties to a
6 county that asks for assistance and:

7 (A) continues to be declared by the governor as a
8 disaster area because the county has been rendered inoperable by
9 the disaster; and

10 (B) is inoperable for a protracted period of time
11 ~~[on a form prescribed by the department].~~

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

16 (c) The owner or a lessee of a commercial motor vehicle
17 operating under the International Registration Plan or other
18 agreement described by Section 502.091 ~~[502.054]~~ that is applying
19 for a ~~[certificate of]~~ title for purposes of registration only may
20 apply ~~[must be made]~~ directly to the department. Notwithstanding
21 Section 501.138(a), an applicant for registration under this
22 subsection shall pay ~~[the department]~~ the fee imposed by that
23 section. The ~~[department shall send the]~~ fee shall be distributed
24 to the appropriate county assessor-collector ~~[for distribution]~~ in
25 the manner provided by Section 501.138.

26 (e) Applications submitted to the department electronically
27 must request the purchaser's choice of county as stated in

1 Subsection (a) as the recipient of all taxes, fees, and other
2 revenue collected as a result of the transaction.

3 SECTION 11. Subsections (a), (b), (d), and (e), Section
4 501.0234, Transportation Code, are amended to read as follows:

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

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

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

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

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

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

21 (A) a salvage vehicle title or salvage record of
22 title issued under this chapter;

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

26 (C) [~~a certificate of authority issued under~~
27 ~~Subchapter D, Chapter 683; or~~

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

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

5 (4) purchased by a commercial fleet buyer who is a
6 full-service deputy under Section 520.008 [~~502.114~~] and who
7 utilizes the dealer title application process developed to provide
8 a method to submit title transactions to the county in which the
9 commercial fleet buyer is a full-service deputy.

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

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

22 SECTION 12. Subchapter B, Chapter 501, Transportation Code,
23 is amended by adding Section 501.0235 to read as follows:

24 Sec. 501.0235. PERSONAL IDENTIFICATION INFORMATION FOR
25 OBTAINING TITLE. (a) The department may require an applicant for
26 a title to provide current personal identification as determined by
27 department rule.

1 (b) Any identification number required by the department
2 under this section may be entered in the department's electronic
3 titling system but may not be printed on the title.

4 SECTION 13. Section 501.024, Transportation Code, is
5 amended to read as follows:

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

11 (1) the requirements of this chapter are met,
12 including the payment of the fees required under Section 501.138;
13 and

14 (2) the [~~issue a title receipt on which is noted~~]
15 information is entered into the department's titling system
16 [~~concerning the motor vehicle required for the certificate of title~~
17 ~~under Section 501.021, including a statement of the existence of~~
18 ~~each lien as disclosed on the application or a statement that no~~
19 ~~lien is disclosed~~].

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

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

27 [~~(1) mark one receipt "original" and mail or deliver~~

1 ~~it to the first lienholder disclosed on the application, and~~
2 ~~[(2) mark the second receipt "duplicate original" and~~
3 ~~mail or deliver it to the address of the applicant provided on the~~
4 ~~application].~~

5 (d) A title receipt with registration or permit authorizes
6 the operation of the motor vehicle on a public highway in this state
7 for 10 days or until the [~~certificate of~~] title is issued, whichever
8 period is shorter.

9 SECTION 14. Section 501.025, Transportation Code, is
10 amended to read as follows:

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

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

21 [~~(2) shows the transfer of the vehicle from its~~
22 ~~manufacturer to the purchaser, whether a distributor, dealer, or~~
23 ~~owner, and each subsequent transfer from distributor to dealer,~~
24 ~~dealer to dealer, and dealer to applicant].~~

25 SECTION 15. Section 501.027, Transportation Code, is
26 amended to read as follows:

27 Sec. 501.027. ISSUANCE OF [~~CERTIFICATE OF~~] TITLE. (a) On

1 the day that a county assessor-collector issues a title receipt, a
2 copy of the title receipt and all evidence of title [~~the~~
3 ~~assessor-collector~~] shall be submitted [~~mail~~] to the department in
4 the period specified in Section 501.023(b) [~~+~~

5 ~~(1) a copy of the receipt, and~~
6 ~~(2) the evidence of title delivered to the~~
7 ~~assessor-collector by the applicant].~~

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

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

14 (2) [r] the department shall notify [~~send the~~
15 ~~certificate by first class mail to~~] the applicant that the
16 department's titling system has established a record of title of
17 the motor vehicle in the applicant's name if a lien is not disclosed
18 [~~at the address provided on the application~~]. If a lien is
19 disclosed on the application, the department shall notify [~~send~~]
20 the [~~certificate by first class mail to the first~~] lienholder that
21 the lien has been recorded [~~as disclosed on the application~~].

22 SECTION 16. Section 501.0275, Transportation Code, is
23 amended to read as follows:

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

25 (a) The department shall issue a [~~certificate of~~] title for a
26 motor vehicle that complies with the other requirements [~~for~~
27 ~~issuance of a certificate of title~~] under this chapter unless

1 ~~[except that]~~:

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

4 (2) the applicant does not provide evidence of
5 financial responsibility that complies with Section 502.046
6 ~~[502.153]~~.

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

12 SECTION 17. Section 501.0276, Transportation Code, is
13 amended to read as follows:

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

23 SECTION 18. Section 501.029, Transportation Code, is
24 amended to read as follows:

25 Sec. 501.029. ACCEPTABLE PROOF OF OWNERSHIP ~~[USE OF~~
26 ~~REGISTRATION RECEIPT OR TITLE RECEIPT TO EVIDENCE TITLE]~~. ~~[(a) A~~
27 ~~person may use a registration receipt issued under Chapter 502 or a~~

1 ~~title receipt to evidence title to a motor vehicle and not to~~
2 ~~transfer an interest in or establish a lien on the vehicle.~~

3 ~~[(b)]~~ The board ~~[department]~~ by rule may provide a list of
4 the documents required for the issuance of a receipt that evidences
5 title to a motor vehicle for registration purposes only. The fee
6 for application for the receipt is the fee applicable to
7 application for a ~~[certificate of]~~ title. The title receipt may not
8 be used to transfer an interest in or establish a lien on the
9 vehicle.

10 SECTION 19. Subsections (b) and (d) through (g), Section
11 501.030, Transportation Code, are amended to read as follows:

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

15 (1) provide to the assessor-collector:

16 (A) a bond release letter, with all attachments,
17 issued by the United States Department of Transportation
18 acknowledging:

19 (i) receipt of a statement of compliance
20 submitted by the importer of the vehicle; and

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

23 (B) a bond release letter, with all attachments,
24 issued by the United States Environmental Protection Agency stating
25 that the vehicle has been tested and shown to conform to federal
26 emission requirements; and

27 (C) a receipt or certificate issued by the United

1 States Department of the Treasury showing that all gas guzzler
2 taxes due on the vehicle under 26 U.S.C. Section 4064(a) have been
3 paid; or

4 (2) provide to the assessor-collector proof,
5 satisfactory to the department, [~~assessor-collector~~] that the
6 vehicle was not brought into the United States from outside [~~of~~] the
7 country.

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

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

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

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

24 (e) Before a motor vehicle that is required to be registered
25 in this state and that is brought into this state by a person other
26 than a manufacturer or importer may be bargained, sold,
27 transferred, or delivered with an intent to pass an interest in the

1 vehicle or encumbered by a lien, the owner must apply for a
2 [~~certificate of~~] title in [~~on~~] a manner [~~form~~] prescribed by the
3 department to the county assessor-collector for the county in which
4 the transaction is to take place. The assessor-collector may not
5 issue a title receipt unless the applicant delivers to the
6 assessor-collector satisfactory evidence [~~of title~~] showing that
7 the applicant is the owner of the vehicle and that the vehicle is
8 free of any undisclosed liens.

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

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

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

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

20 SECTION 20. Section 501.031, Transportation Code, is
21 amended to read as follows:

22 Sec. 501.031. RIGHTS OF SURVIVORSHIP AGREEMENT. (a) The
23 department shall include on each [~~certificate of~~] title an optional
24 [~~a~~] rights of survivorship agreement that [~~form. The form must~~]:

25 (1) provides [~~provide~~] that if the agreement is
26 between [~~signed by~~] two or more eligible persons, the motor vehicle
27 is held jointly by those persons with the interest of a person who

1 dies to transfer [~~survive~~] to the surviving person or persons; and

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

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

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

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

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

15 (1) by all the persons acting jointly, if all the
16 persons are alive; and

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

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

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

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

5 (2) is unmarried and attests to that unmarried status
6 by affidavit; or

7 (3) is married and provides the department with an
8 affidavit from the ~~[signing]~~ person's spouse that attests that the
9 ~~[signing]~~ person's interest in the vehicle is the ~~[signing]~~
10 person's separate property.

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

19 ~~[(g) If an agreement, other than the agreement provided for~~
20 ~~in Subsection (a), providing for right of survivorship is signed by~~
21 ~~two or more persons, the department shall issue a new certificate of~~
22 ~~title to the surviving person or persons upon application~~
23 ~~accompanied by a copy of the death certificate of the deceased~~
24 ~~person. The department may develop for public use under this~~
25 ~~subsection an optional rights of survivorship agreement form].~~

26 SECTION 21. Section 501.032, Transportation Code, is
27 amended to read as follows:

1 Sec. 501.032. ASSIGNMENT OF VEHICLE IDENTIFICATION
2 ~~[SERIAL]~~ NUMBER BY DEPARTMENT. (a) On proper application, the
3 department shall assign a vehicle identification ~~[a serial]~~ number
4 to a travel ~~[house]~~ trailer, a trailer or semitrailer that has a
5 gross vehicle weight that exceeds 4,000 pounds, or an item of
6 equipment, including a tractor, farm implement, unit of special
7 mobile equipment, or unit of off-road construction equipment on
8 which:

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

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

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

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

24 SECTION 22. Subsections (a), (b), and (d), Section 501.033,
25 Transportation Code, are amended to read as follows:

26 (a) A person determined by law enforcement ~~[the department]~~
27 or a court to be the owner of a motor vehicle, a part of a motor

1 vehicle, or an item of equipment including a tractor, farm
2 implement, unit of special mobile equipment, or unit of off-road
3 construction equipment [~~that has had the serial number removed,~~
4 ~~altered, or obliterated~~] may apply to the department for an
5 assigned vehicle identification number that has been removed,
6 altered, or obliterated.

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

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

16 SECTION 23. Section 520.011, Transportation Code, is
17 transferred to Subchapter B, Chapter 501, Transportation Code,
18 redesignated as Section 501.0331, Transportation Code, and amended
19 to read as follows:

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

26 [~~(b) A person commits an offense if the person violates this~~
27 ~~section. An offense under this subsection is a misdemeanor~~

1 ~~punishable by a fine of not less than \$50 and not more than \$100.]~~

2 SECTION 24. Section 520.012, Transportation Code, is
3 transferred to Subchapter B, Chapter 501, Transportation Code,
4 redesignated as Section 501.0332, Transportation Code, and amended
5 to read as follows:

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

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

15 (1) the motor number assigned by the department;

16 (2) the name and address of the owner of the motor
17 vehicle; and

18 (3) the make, model, and year of manufacture of the
19 motor vehicle.

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

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

25 Sec. 501.034. ISSUANCE OF TITLE TO GOVERNMENT AGENCY. The
26 department may issue a [~~certificate of~~] title to a government
27 agency if a vehicle or part of a vehicle is:

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

6 SECTION 26. Section 501.035, Transportation Code, is

7 amended to read as follows:

8 Sec. 501.035. [~~CERTIFICATE OF~~] TITLE FOR FORMER MILITARY

9 VEHICLE. (a) Notwithstanding any other law, the department shall

10 issue a [~~certificate of~~] title for a former military vehicle [~~that~~

11 ~~is not registered under the laws of this state~~] if all [~~other~~]

12 requirements for issuance of a [~~certificate of~~] title are met.

13 (b) In this section, "former military vehicle" has the

14 meaning assigned by Section 504.502(i) [~~502.275(o)~~].

15 SECTION 27. Section 501.036, Transportation Code, is

16 amended to read as follows:

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

18 (a) Notwithstanding any other provision of this chapter, the

19 department may issue a [~~certificate of~~] title for a farm

20 semitrailer with a gross weight of more than 4,000 pounds if:

21 (1) the farm semitrailer is eligible for registration

22 under Section 502.146 [~~504.504~~]; and

23 (2) all other requirements for issuance of a

24 [~~certificate of~~] title are met.

25 (b) To obtain a [~~certificate of~~] title under this section,

26 the owner of the farm semitrailer must:

27 (1) apply for the [~~certificate of~~] title in the manner

1 required by Section 501.023; and

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

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

5 SECTION 28. Section 501.051, Transportation Code, is
6 amended to read as follows:

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

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

14 (2) the applicant failed to furnish required
15 information requested by the department;

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

18 (4) the department has reason to believe that the
19 motor vehicle is stolen;

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

23 (6) the registration for the motor vehicle is
24 suspended or revoked; or

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

26 (b) The department may rescind, cancel, or revoke an
27 application for a title if a notarized affidavit is presented

1 containing:

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

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

6 (3) a statement that the vehicle:

7 (A) was never in the possession of the title
8 applicant; or

9 (B) was in the possession of the title applicant;

10 and

11 (4) the signatures of the dealer, the applicant, and
12 any lienholder.

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

17 SECTION 29. The heading to Section 501.052, Transportation
18 Code, is amended to read as follows:

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

21 SECTION 30. Subsections (a), (d), and (e), Section 501.052,
22 Transportation Code, are amended to read as follows:

23 (a) An interested person aggrieved by a refusal,
24 rescission, cancellation, suspension, or revocation under Section
25 501.051 may apply for a hearing to the county assessor-collector
26 for the county in which the person is a resident [~~domiciled~~]. On
27 the day an assessor-collector receives the application, the

1 assessor-collector shall notify the department of the date of the
2 hearing.

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

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

16 SECTION 31. Section 501.053, Transportation Code, is
17 amended by amending Subsections (a), (b), and (d) and adding
18 Subsection (e) to read as follows:

19 (a) As an alternative to the procedure provided by Section
20 501.052, the person may file a bond with the department. On the
21 filing of the bond the person [~~department~~] may obtain a [~~issue the~~
22 ~~certificate of~~] title.

23 (b) The bond must be:

- 24 (1) in the manner [~~form~~] prescribed by the department;
- 25 (2) executed by the applicant;
- 26 (3) issued by a person authorized to conduct a surety
27 business in this state;

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

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

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

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

20 SECTION 32. Section 501.071, Transportation Code, is
21 amended to read as follows:

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

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

27 (b) The transfer of the [~~certificate of~~] title must be in

1 ~~[on]~~ a manner ~~[form]~~ prescribed by the department that ~~[includes a~~
2 ~~statement that]~~:

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

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

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

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

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

21 ~~[(2)]~~ a properly assigned ~~[certificate of]~~ title or
22 other evidence of title as required under this chapter ~~[Chapter~~
23 ~~501]~~.

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

27 SECTION 34. Subsections (a), (b), and (c), Section 501.074,

1 Transportation Code, are amended to read as follows:

2 (a) The department shall issue a new [~~certificate of~~] title
3 for a motor vehicle registered in this state for which the ownership
4 is transferred by operation of law[~~, including by inheritance,~~
5 ~~devise or bequest, bankruptcy, receivership, judicial sale,~~] or
6 other involuntary divestiture of ownership after receiving:

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

9 (2) letters testamentary or letters of
10 administration;

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

15 (4) a court order; or

16 (5) the bill of sale from an officer making a judicial
17 sale.

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

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

25 (1) the affidavit of the lienholder of the fact of the
26 creation of the lien and of the divestiture of title according to
27 law; and

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

3 SECTION 35. Subsection (c), Section 501.076,
4 Transportation Code, is amended to read as follows:

5 (c) The person named as the agent in the limited power of
6 attorney must meet the following requirements:

7 (1) the person may be a person who has been appointed
8 by the commissioners [~~commissioner's~~] court as a deputy to perform
9 vehicle registration functions under Section 520.0091 [~~502.112~~], a
10 licensed [~~license~~] vehicle auction company holding a wholesale
11 general distinguishing number under Section 503.022, a person who
12 has a permit similar to one of the foregoing that is issued by the
13 state in which the owner is located, or another person authorized by
14 law to execute title documents in the state in which the owner
15 executes the documents; and

16 (2) the person may not be the transferee or an employee
17 of the transferee. The person may not act as the agent of both the
18 transferor and transferee in the transaction. For the purposes of
19 this section, a person is not the agent of both the transferor and
20 transferee in a transaction unless the person has the authority to
21 sign the documents pertaining to the transfer of title on behalf of
22 both the transferor and the transferee.

23 SECTION 36. Section 501.091, Transportation Code, is
24 amended by amending Subdivisions (2), (3), (6), (7), (8), (9),
25 (10), (12), (14), (15), (16), (17), and (18) and adding
26 Subdivisions (10-a) and (16-a) to read as follows:

27 (2) "Casual sale" means the sale by a salvage vehicle

1 dealer or an insurance company of five or fewer [~~not more than five~~]
2 nonrepairable motor vehicles or salvage motor vehicles to the same
3 person during a calendar year, but [~~The term~~] does not include:

4 (A) a sale at auction to a salvage vehicle
5 dealer; [~~or~~]

6 (B) a sale to an insurance company, out-of-state
7 buyer, or governmental entity; or

8 (C) the sale of an export-only motor vehicle to a
9 person who is not a resident of the United States.

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

13 (A) gradual damage from any cause;

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

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

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

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

21 (A) the engine;

22 (B) the transmission;

23 (C) the frame;

24 (D) a fender;

25 (E) the hood;

26 (F) a door allowing entrance to or egress from
27 the passenger compartment of the motor vehicle;

- 1 (G) a bumper;
- 2 (H) a quarter panel;
- 3 (I) a deck lid, tailgate, or hatchback;
- 4 (J) the cargo box of a vehicle with a gross
5 vehicle weight of 10,000 pounds or less [~~one-ton or smaller truck~~],
6 including a pickup truck;
- 7 (K) the cab of a truck;
- 8 (L) the body of a passenger motor vehicle;
- 9 (M) the roof or floor pan of a passenger motor
10 vehicle, if separate from the body of the motor vehicle.

11 (7) "Metal recycler" means a person who:

12 (A) is [~~predominately~~] engaged in the business of
13 obtaining, converting, or selling ferrous or nonferrous metal [~~that~~
14 ~~has served its original economic purpose to convert the metal, or~~
15 ~~sell the metal~~] for conversion[~~r~~] into raw material products
16 consisting of prepared grades and having an existing or potential
17 economic value;

18 (B) has a facility to convert ferrous or
19 nonferrous metal into raw material products [~~consisting of prepared~~
20 ~~grades and having an existing or potential economic value,~~] by
21 method other than the exclusive use of hand tools, including the
22 processing, sorting, cutting, classifying, cleaning, baling,
23 wrapping, shredding, shearing, or changing the physical form or
24 chemical content of the metal; and

25 (C) sells or purchases the ferrous or nonferrous
26 metal solely for use as raw material in the production of new
27 products.

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

3 (9) "Nonrepairable motor vehicle" means a motor
4 vehicle that:

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

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

11 (10) "Nonrepairable vehicle title" means a printed
12 document issued by the department that evidences ownership of a
13 nonrepairable motor vehicle.

14 (10-a) "Nonrepairable record of title" means an
15 electronic record of ownership of a nonrepairable motor vehicle.

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

27 (14) "Rebuilder" means a person who acquires and

1 repairs, rebuilds, or reconstructs for operation on a public
2 highway, [~~three or~~] more than five salvage motor vehicles in a
3 calendar year.

4 (15) "Salvage motor vehicle" [+

5 [~~(A)~~] means a motor vehicle that:

6 (A) [~~(i)~~] has damage to or is missing a major
7 component part to the extent that the cost of repairs, including
8 parts and labor other than the cost of materials and labor for
9 repainting the motor vehicle and excluding sales tax on the total
10 cost of repairs, exceeds the actual cash value of the motor vehicle
11 immediately before the damage; or

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

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

21 [~~(i) the cost of repairing hail damage; or~~

22 [~~(ii) theft, unless the motor vehicle was~~
23 ~~damaged during the theft and before recovery to the extent~~
24 ~~described by Paragraph (A)(i)].~~

25 (16) "Salvage vehicle title" means a printed document
26 issued by the department that evidences ownership of a salvage
27 motor vehicle.

1 (16-a) "Salvage record of title" means an electronic
2 record of ownership of a salvage motor vehicle.

3 (17) "Salvage vehicle dealer" means a person engaged
4 in this state in the business of acquiring, selling, repairing,
5 rebuilding, reconstructing, or otherwise dealing in nonrepairable
6 motor vehicles, salvage motor vehicles, or, if incidental to a
7 salvage motor vehicle dealer's primary business, used automotive
8 parts regardless of whether the person holds a license issued by the
9 department to engage in that business. The term does not include an
10 unlicensed [a] person who:

11 (A) casually repairs, rebuilds, or reconstructs
12 not more [fewer] than five nonrepairable motor vehicles or salvage
13 motor vehicles in the same calendar year [or, except as provided by
14 Paragraph (C), a used automotive parts recycler. The term includes
15 a person engaged in the business of:

16 ~~[(A) a salvage vehicle dealer, regardless of~~
17 ~~whether the person holds a license issued by the department to~~
18 ~~engage in that business];~~

19 (B) buys not more than five [dealing in]
20 nonrepairable motor vehicles or salvage motor vehicles in the same
21 calendar year; or

22 (C) is a licensed used automotive parts recycler
23 if the sale of repaired, rebuilt, or reconstructed nonrepairable
24 motor vehicles or salvage motor vehicles is more than an incidental
25 part of the used automotive parts recycler's business.

26 (18) "Self-insured motor vehicle" means a motor
27 vehicle for which the ~~[evidence of ownership is a manufacturer's~~

1 ~~certificate of origin or for which the department or another state~~
2 ~~or jurisdiction has issued a regular certificate of title, is~~
3 ~~self-insured by the] owner[, and is owned by an individual, a~~
4 ~~business,]~~ or a governmental entity assumes full financial
5 responsibility for motor vehicle loss claims[7] without regard to
6 the number of motor vehicles they own or operate. The term does not
7 include a motor vehicle that is insured by an insurance company.

8 SECTION 37. Section 501.098, Transportation Code, is
9 redesignated as Section 501.09111, Transportation Code, and
10 amended to read as follows:

11 Sec. 501.09111 [~~501.098~~]. RIGHTS AND LIMITATIONS OF
12 [~~HOLDER OF~~] NONREPAIRABLE VEHICLE TITLE, NONREPAIRABLE RECORD OF
13 TITLE, [OR] SALVAGE VEHICLE TITLE, OR SALVAGE RECORD OF TITLE.

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

16 (1) is entitled to possess, transport, dismantle,
17 scrap, destroy, record a lien as provided for in Section
18 501.097(a)(3)(A), and sell, transfer, or release ownership of the
19 motor vehicle or a used part from the motor vehicle; and

20 (2) may not:

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

24 (B) repair, rebuild, or reconstruct the motor
25 vehicle; or

26 (C) register the motor vehicle.

27 (b) A person who holds a nonrepairable certificate of title

1 issued prior to September 1, 2003, ~~+~~

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

4 ~~[(A)]~~ repair, rebuild, or reconstruct the motor
5 vehicle ~~+~~

6 ~~[(B) possess, transport, dismantle, scrap, or~~
7 ~~destroy the motor vehicle; and~~

8 ~~[(C) sell, transfer, or release ownership of the~~
9 ~~vehicle or a used part from the motor vehicle; and~~

10 ~~[(2) may not:~~

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

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

15 (c) A person who owns ~~holds~~ a salvage ~~vehicle title for~~
16 ~~a~~] motor vehicle:

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

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

24 SECTION 38. Section 501.103, Transportation Code, is
25 redesignated as Section 501.09112, Transportation Code, and
26 amended to read as follows:

27 Sec. 501.09112 ~~[501.103]~~. APPEARANCE ~~[COLOR]~~ OF

1 NONREPAIRABLE VEHICLE TITLE OR SALVAGE VEHICLE TITLE. (a) The
2 department's printed [~~department shall print a~~] nonrepairable
3 vehicle title must[+]

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

6 [~~(2) so that it~~] clearly indicate [~~shows~~] that it is
7 the negotiable ownership document for a nonrepairable motor
8 vehicle.

9 (b) A nonrepairable vehicle title must clearly indicate
10 [~~state on its face~~] that the motor vehicle:

11 (1) may not be:

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

13 (B) registered in this state; or

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

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

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

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

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

23 (d) A salvage vehicle title or a salvage record of title for
24 a vehicle that is a salvage motor vehicle because of damage caused
25 exclusively by flood must bear a notation [~~on its face~~] that the
26 department considers appropriate. If the title for a motor vehicle
27 reflects the notation required by this subsection, the owner may

1 sell, transfer, or release the motor vehicle only as provided by
2 this subchapter.

3 (e) An electronic application for a nonrepairable vehicle
4 title, nonrepairable record of title, salvage vehicle title, or
5 salvage record of title must clearly advise the applicant of the
6 same provisions required on a printed title.

7 (f) A nonrepairable vehicle title, nonrepairable record of
8 title, salvage vehicle title, or salvage record of title in the
9 department's electronic database must include appropriate remarks
10 so that the vehicle record clearly shows the status of the vehicle
11 ~~[(e) The department may provide a stamp to a person who is a~~
12 ~~licensed salvage vehicle dealer under Chapter 2302, Occupations~~
13 ~~Code, to mark the face of a title under this subchapter. The~~
14 ~~department shall provide the stamp to the person for a fee in the~~
15 ~~amount determined by the department to be necessary for the~~
16 ~~department to recover the cost of providing the stamp].~~

17 SECTION 39. Section 501.101, Transportation Code, is
18 redesignated as Section 501.09113, Transportation Code, and
19 amended to read as follows:

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

- 26 (1) a "rebuilt," "salvage," or similar notation; or
27 (2) a "nonrepairable," "dismantle only," "parts

1 only," "junked," "scrapped," or similar notation.

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

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

7 [~~(1) the date of issuance,~~

8 [~~(2) the name and address of the owner,~~

9 [~~(3) any registration number assigned to the motor
10 vehicle; and~~

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

13 SECTION 40. The heading to Section 501.095, Transportation
14 Code, is amended to read as follows:

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

17 SECTION 41. Subsections (a) and (b), Section 501.095,
18 Transportation Code, are amended to read as follows:

19 (a) If the department has not issued a nonrepairable vehicle
20 title, nonrepairable record of title, [~~or~~] salvage vehicle title,
21 or salvage record of title for the motor vehicle and a comparable
22 [~~an~~] out-of-state ownership document for the motor vehicle has not
23 been issued by another state or jurisdiction, a business or
24 governmental entity described by Subdivisions (1)-(3) may sell,
25 transfer, or release a nonrepairable motor vehicle or salvage motor
26 vehicle only to a person who is:

27 (1) a licensed salvage vehicle dealer, a used

1 automotive parts recycler under Chapter 2309, Occupations Code, or
2 a metal recycler under Chapter 2302, Occupations Code;

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

5 (3) a governmental entity [~~+~~ ~~or~~

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

7 (b) An owner [~~A person~~], other than a salvage vehicle
8 dealer, a used automotive parts recycler, or an insurance company
9 licensed to do business in this state, who acquired ownership of a
10 nonrepairable or salvage motor vehicle that has not been issued a
11 nonrepairable vehicle title, nonrepairable record of title,
12 salvage vehicle title, salvage record of title, or a comparable
13 ownership document issued by another state or jurisdiction shall,
14 before selling the motor vehicle, surrender the properly assigned
15 [~~certificate of~~] title for the motor vehicle to the department and
16 apply to the department for the appropriate ownership document [~~+~~

17 [~~(1) a nonrepairable vehicle title if the vehicle is a~~
18 ~~nonrepairable motor vehicle, or~~

19 [~~(2) a salvage vehicle title if the vehicle is a~~
20 ~~salvage motor vehicle~~].

21 SECTION 42. Section 501.097, Transportation Code, is
22 amended by amending Subsections (a) and (c) and adding Subsection
23 (c-1) to read as follows:

24 (a) An application for a nonrepairable vehicle title,
25 nonrepairable record of title, [~~or~~] salvage vehicle title, or
26 salvage record of title must:

27 (1) be made in [~~on~~] a manner [~~form~~] prescribed by the

1 department and accompanied by a \$8 application fee;

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

4 (A) the name and current address of the owner;
5 and

6 (B) a description of the motor vehicle, including
7 the make, style of body, model year, and vehicle identification
8 number [~~and~~

9 [~~(C) a statement describing whether the motor
10 vehicle:~~

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

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

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

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

20 (3) include the name and address of:

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

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

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

27 (1) may not:

- 1 (A) be repaired, rebuilt, or reconstructed;
- 2 (B) be issued a [~~regular certificate of~~] title or
3 registered in this state;
- 4 (C) be operated on a public highway, in addition
5 to any other requirement of law; and
- 6 (2) may only be used as a source for used parts or
7 scrap metal.

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

11 SECTION 43. Subsections (a), (b), (c), and (f), Section
12 501.100, Transportation Code, are amended to read as follows:

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

- 21 (1) describes each major component part used to repair
22 the motor vehicle;
- 23 (2) states the name of each person from whom the parts
24 used in assembling the vehicle were obtained; and
- 25 (3) [~~2~~] shows the identification number required by
26 federal law to be affixed to or inscribed on the part.

27 (b) On receipt of a complete application under this section

1 accompanied by the [~~\$13~~] fee for the [~~certificate of~~] title, the
2 department shall issue the applicant a [~~regular certificate of~~]
3 title [~~for the motor vehicle~~].

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

6 [~~(1)~~] describe or disclose the motor vehicle's former
7 condition in a manner reasonably understandable to a potential
8 purchaser of the motor vehicle~~+, and~~

9 [~~(2)~~ bear on its face the words "REBUILT SALVAGE" in
10 capital letters that:

11 [~~(A)~~ are red,

12 [~~(B)~~ are centered on and occupy at least 15
13 percent of the face of the certificate of title, and

14 [~~(C)~~ do not prevent any other words on the title
15 from being read or copied].

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

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

20 (2) receipt issued under Section 501.1003(b)
21 [~~501.096(b)~~]; or

22 (3) certificate of authority.

23 SECTION 44. Section 501.092, Transportation Code, is
24 redesignated as Section 501.1001, Transportation Code, and amended
25 to read as follows:

26 Sec. 501.1001 [~~501.092~~]. [~~INSURANCE COMPANY TO SURRENDER~~
27 ~~CERTIFICATES OF TITLE TO CERTAIN~~] SALVAGE MOTOR VEHICLES OR

1 NONREPAIRABLE MOTOR VEHICLES FOR INSURANCE COMPANIES OR
2 SELF-INSURED PERSONS. (a) An insurance company that is licensed
3 to conduct business in this state and that acquires, through
4 payment of a claim, ownership or possession of a salvage motor
5 vehicle or nonrepairable motor vehicle covered by a [~~certificate~~
6 ~~of~~] title issued by this state or a manufacturer's certificate of
7 origin shall surrender a properly assigned title or manufacturer's
8 certificate of origin to the department, in [~~on~~] a manner [~~form~~]
9 prescribed by the department, except that not earlier than the 31st
10 [~~46th~~] day after the date of payment of the claim the insurance
11 company may surrender a [~~certificate of~~] title, in [~~on~~] a manner
12 [~~form~~] prescribed by the department, and receive a salvage vehicle
13 [~~certificate of~~] title or a nonrepairable vehicle [~~certificate of~~]
14 title without obtaining a properly assigned [~~certificate of~~] title
15 if the insurance company:

16 (1) has obtained the release of all liens on the motor
17 vehicle;

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

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

22 (A) by registered or certified mail, return
23 receipt requested; or

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

27 (b) For a salvage motor vehicle, the insurance company shall

1 apply for a salvage vehicle title or salvage record of title. For a
2 nonrepairable motor vehicle, the insurance company shall apply for
3 a nonrepairable vehicle title or nonrepairable record of title.

4 ~~(c) [An insurance company may not sell a motor vehicle to~~
5 ~~which this section applies unless the department has issued a~~
6 ~~salvage vehicle title or a nonrepairable vehicle title for the~~
7 ~~motor vehicle or a comparable ownership document has been issued by~~
8 ~~another state or jurisdiction for the motor vehicle.~~

9 ~~[(d) An insurance company may sell a motor vehicle to which~~
10 ~~this section applies, or assign a salvage vehicle title or a~~
11 ~~nonrepairable vehicle title for the motor vehicle, only to a~~
12 ~~salvage vehicle dealer, an out-of-state buyer, a buyer in a casual~~
13 ~~sale at auction, a metal recycler, or a used automotive parts~~
14 ~~recycler. If the motor vehicle is not a salvage motor vehicle or a~~
15 ~~nonrepairable motor vehicle, the insurance company is not required~~
16 ~~to surrender the regular certificate of title for the vehicle or to~~
17 ~~be issued a salvage vehicle title or a nonrepairable vehicle title~~
18 ~~for the motor vehicle.~~

19 ~~[(e)]~~ An insurance company or other person who acquires
20 ownership of a motor vehicle other than a nonrepairable or salvage
21 motor vehicle may voluntarily and on proper application obtain a
22 salvage vehicle title, salvage record of title, ~~[or a]~~
23 nonrepairable vehicle title, or nonrepairable record of title for
24 the vehicle.

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

- 27 (1) a self-insured motor vehicle; and

1 (2) damaged to the extent it becomes a nonrepairable
2 or salvage motor vehicle.

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

8 (f) When the owner submits a statement under Subsection (e),
9 the owner shall surrender the ownership document and apply for a
10 nonrepairable vehicle title, nonrepairable record of title,
11 salvage vehicle title, or salvage record of title.

12 SECTION 45. Section 501.093, Transportation Code, is
13 redesignated as Section 501.1002, Transportation Code, and amended
14 to read as follows:

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

20 (1) apply on behalf of the owner for a nonrepairable
21 vehicle title, nonrepairable record of title, salvage vehicle
22 title, or salvage record of title; or

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

24 (A) Subsection (b); or

25 (B) Section 501.09111; and

26 (3) submit to the department, before the 31st day
27 after the date of the payment of the claim, in a manner [~~on the form~~]

1 prescribed by the department, a report stating that the insurance
2 company:

3 (A) [~~(1)~~] has paid a claim on the motor vehicle;
4 and

5 (B) [~~(2)~~] has not acquired ownership of the motor
6 vehicle.

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

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

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

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

20 SECTION 46. Section 501.096, Transportation Code, is
21 redesignated as Section 501.1003, Transportation Code, and amended
22 to read as follows:

23 Sec. 501.1003 [~~501.096~~]. [~~NONREPAIRABLE MOTOR VEHICLE OR~~
24 ~~SALVAGE DEALER RESPONSIBILITIES~~ [~~MOTOR VEHICLE DISMANTLED,~~
25 ~~SCRAPPED, OR DESTROYED~~]. (a) If a salvage vehicle dealer acquires
26 ownership of a nonrepairable motor vehicle or salvage motor vehicle
27 for the purpose of dismantling, scrapping, or destroying the motor

1 vehicle, the dealer shall, before the 31st day after the date the
2 dealer acquires the motor vehicle, submit to the department a
3 report stating that the motor vehicle will be dismantled, scrapped,
4 or destroyed. The dealer shall:

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

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

11 (b) After receiving the report and title or document, the
12 department shall issue the salvage vehicle dealer a receipt for the
13 manufacturer's certificate of origin, regular certificate of
14 title, nonrepairable vehicle title, salvage vehicle title, or
15 comparable out-of-state ownership document.

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

19 ~~[(1) keep on the business premises of the dealer,~~
20 ~~until the third anniversary of the date the report on the motor~~
21 ~~vehicle is submitted to the department, a record of the vehicle, its~~
22 ~~ownership, and its condition as dismantled, scrapped, or destroyed,~~
23 ~~and~~

24 ~~[(2) present to the department, on the form prescribed~~
25 ~~by the department, evidence that the motor vehicle was dismantled,~~
26 ~~scrapped, or destroyed before the 61st day after the date the dealer~~
27 ~~completed the dismantling, scrapping, or destruction of the motor~~

1 ~~vehicle~~].

2 SECTION 47. Section 501.104, Transportation Code, is
3 amended to read as follows:

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

6 [~~(1) a rebuilder licensed as a salvage vehicle dealer,~~
7 [~~(2)~~] a person engaged in repairing, rebuilding, or
8 reconstructing more than five motor vehicles [~~the business of a~~
9 ~~rebuilder~~], regardless of whether the person is licensed to engage
10 in that business[~~, or~~

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

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

15 (1) an acceptable [~~a regular certificate of title,~~
16 ~~nonrepairable vehicle title, salvage vehicle title, or comparable~~
17 ~~out-of-state~~] ownership document or proof of ownership for any
18 motor vehicle that is:

- 19 (A) owned by the person;
- 20 (B) in the person's inventory; and
- 21 (C) being offered for resale; or

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

- 25 (A) owned by another person;
- 26 (B) on the person's business or casual premises;

27 and

1 (C) being repaired, rebuilt, or reconstructed
2 for the other person.

3 SECTION 48. Section 501.105, Transportation Code, is
4 redesignated as Section 501.108, Transportation Code, and amended
5 to read as follows:

6 Sec. 501.108 [~~501.105~~]. RECORD RETENTION [~~OF RECORDS~~
7 ~~RELATING TO CERTAIN CASUAL SALES~~]. (a) Each licensed salvage
8 vehicle dealer, used automotive parts recycler, or insurance
9 company that sells a nonrepairable motor vehicle or a salvage motor
10 vehicle at a casual sale shall keep on the business premises of the
11 dealer or the insurance company a list of all casual sales made
12 during the preceding 36-month period that contains:

- 13 (1) the date of the sale;
14 (2) the name of the purchaser;
15 (3) the name of the jurisdiction that issued the
16 identification document provided by the purchaser, as shown on the
17 document; and
18 (4) the vehicle identification number.

19 (b) A salvage vehicle dealer or used automotive parts
20 recycler shall keep on the business premises of the dealer or
21 recycler, until the third anniversary of the date the report on the
22 motor vehicle is submitted to the department, a record of the
23 vehicle, its ownership, and its condition as dismantled, scrapped,
24 or destroyed as required by Section 501.1003.

25 SECTION 49. Section 501.102, Transportation Code, is
26 redesignated as Section 501.109, Transportation Code, and amended
27 to read as follows:

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

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

5 (2) knows or reasonably should know that:

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

8 (B) the vehicle identification number assigned
9 to the motor vehicle belongs to a nonrepairable motor vehicle that
10 has been repaired, rebuilt, or reconstructed;

11 (C) the title issued to the motor vehicle belongs
12 to a nonrepairable motor vehicle that has been repaired, rebuilt,
13 or reconstructed;

14 (D) the vehicle identification number assigned
15 to the motor vehicle belongs to an export-only motor vehicle;

16 (E) the motor vehicle is an export-only motor
17 vehicle; or

18 (F) the motor vehicle is a nonrepairable motor
19 vehicle or salvage motor vehicle for which a nonrepairable vehicle
20 title, salvage vehicle title, or comparable ownership document
21 issued by another state or jurisdiction has not been issued.

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

25 (c) A person commits an offense if the person knowingly
26 fails or refuses to surrender a regular certificate of title after
27 the person:

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

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

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

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

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

11 (2) two or more offenses under this section, the
12 offense is a state jail felony.

13 SECTION 50. Section 501.106, Transportation Code, is
14 redesignated as Section 501.110, Transportation Code, and amended
15 to read as follows:

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

17 (a) This subchapter shall be enforced by the department and any
18 other governmental or law enforcement entity, including the
19 Department of Public Safety, and the personnel of the entity as
20 provided by this subchapter.

21 (b) The department, an agent, officer, or employee of the
22 department, or another person enforcing this subchapter is not
23 liable to a person damaged or injured by an act or omission relating
24 to the issuance or revocation of a [~~regular certificate of~~] title,
25 nonrepairable vehicle title, nonrepairable record of title, [~~or~~]
26 salvage vehicle title, or salvage record of title under this
27 subchapter.

1 SECTION 51. Subsection (a), Section 501.111,
2 Transportation Code, is amended to read as follows:

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

7 SECTION 52. Section 501.113, Transportation Code, is
8 amended to read as follows:

9 Sec. 501.113. RECORDATION OF SECURITY INTEREST.

10 (a) Recordation of a lien under this chapter is considered to
11 occur when:

12 (1) the department's titling system is updated; or

13 (2) the county assessor-collector [+

14 [~~(1) is presented with an application for a~~
15 ~~certificate of title that discloses the lien with tender of the~~
16 ~~filing fee; or~~

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

19 (b) For purposes of Chapter 9, Business & Commerce Code, the
20 time of recording a lien under this chapter is considered to be the
21 time of filing the security interest, and on such recordation, the
22 recorded lienholder and assignees under Section 501.114 obtain
23 priority over the rights of a lien creditor, as defined by Section
24 9.102, Business & Commerce Code, for so long as the lien is recorded
25 on the [~~certificate of~~] title.

26 SECTION 53. Subsections (b) and (d) through (g), Section
27 501.114, Transportation Code, are amended to read as follows:

1 (b) An assignee or assignor may, but need not to retain the
2 validity, perfection, and priority of the lien assigned, as
3 evidence of the assignment of a lien recorded under Section
4 501.113:

5 (1) apply to the county assessor-collector for the
6 assignee to be named as lienholder on the [~~certificate of~~] title;
7 and

8 (2) notify the debtor of the assignment.

9 (d) An application under Subsection (b) must be
10 acknowledged[-

11 [~~(1) signed~~] by the assignee[, and

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

13 [~~(A) the applicable fee,~~

14 [~~(B) a copy of the assignment agreement executed~~
15 ~~by the parties, and~~

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

18 (e) On receipt of the completed application and fee, the
19 department may:

20 (1) [~~may~~] amend the department's records to substitute
21 the assignee for the recorded lienholder; and

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

24 (f) The issuance of a [~~certificate of~~] title under
25 Subsection (e) is recordation of the assignment.

26 (g) Regardless of whether application is made for the
27 assignee to be named as lienholder on the [~~certificate of~~] title,

1 the time of the recordation of a lien assigned under this section is
2 considered to be the time the lien was initially recorded under
3 Section 501.113.

4 SECTION 54. Section 501.115, Transportation Code, is
5 amended to read as follows:

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

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

16 SECTION 55. Section 501.116, Transportation Code, is
17 amended to read as follows:

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

- 22 (1) does not exist; or
23 (2) cannot be located for the owner to obtain a release
24 of the lien.

25 SECTION 56. Subsections (a) through (d) and (g), Section
26 501.134, Transportation Code, are amended to read as follows:

27 (a) If a printed ~~[certificate of]~~ title is lost or

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

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

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

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

26 (g) The department may issue a certified copy of a
27 [~~certificate of~~] title [~~before the fourth business day after the~~

1 ~~date application is made~~] only if the applicant:

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

5 (2) submits personal identification as required by
6 department rule~~[, including a photograph, issued by an agency of~~
7 ~~this state or the United States]~~.

8 SECTION 57. Subsection (a), Section 501.135,
9 Transportation Code, is amended to read as follows:

10 (a) The department shall:

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

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

16 SECTION 58. Subsections (a), (b), and (b-1), Section
17 501.138, Transportation Code, are amended to read as follows:

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

21 (1) \$33 if the applicant's residence is a county
22 located within a nonattainment area as defined under Section 107(d)
23 of the federal Clean Air Act (42 U.S.C. Section 7407), as amended,
24 or is an affected county, as defined by Section 386.001, Health and
25 Safety Code; or

26 (2) \$28 if the applicant's residence is any other
27 county.

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

3 (1) \$5 of the fee to the county treasurer for deposit
4 in the officers' salary fund;

5 (2) \$8 of the fee to the department:

6 (A) together with the application within the time
7 prescribed by Section 501.023; or

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

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

15 (A) \$20 of the fee if the applicant's residence
16 is a county located within a nonattainment area as defined under
17 Section 107(d) of the federal Clean Air Act (42 U.S.C. Section
18 7407), as amended, or is an affected county, as defined by Section
19 386.001, Health and Safety Code; or

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

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

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

26 [~~(2) on or after September 1, 2008,~~] to the credit of
27 the Texas Mobility Fund, except that \$5 of each fee imposed under

1 Subsection (a)(1) and deposited on or after September 1, 2008, and
2 before September 1, 2015, shall be deposited to the credit of the
3 Texas emissions reduction plan fund.

4 SECTION 59. Section 520.031, Transportation Code, as
5 amended by Chapters 836 (H.B. 1743) and 1423 (H.B. 2409), Acts of
6 the 76th Legislature, Regular Session, 1999, is transferred to
7 Subchapter H, Chapter 501, Transportation Code, redesignated as
8 Section 501.145, Transportation Code, and reenacted and amended to
9 read as follows:

10 Sec. 501.145 [~~520.031~~]. FILING BY PURCHASER [~~TRANSFeree~~];
11 APPLICATION FOR TRANSFER OF TITLE [~~AND REGISTRATION~~]. (a) Not
12 later than the later of the 30th [~~20th working~~] day after the date
13 of assignment on [~~receiving~~] the documents or the date provided by
14 Section 152.069, Tax Code [~~under Section 520.022 or 520.0225~~], the
15 purchaser [~~transferee~~] of the used motor vehicle shall file with
16 the county assessor-collector:

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

19 (2) if appropriate, a document described by Section
20 502.457 [~~520.0225(b)(1) or (2)~~] and the [~~certificate of~~] title or
21 other evidence of ownership [~~title~~].

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

26 (c) [~~In this section, "working day" means any day other than~~
27 ~~a Saturday, a Sunday, or a holiday on which county offices are~~

1 ~~closed.~~

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

12 SECTION 60. Section 520.032, Transportation Code, is
13 transferred to Subchapter H, Chapter 501, Transportation Code,
14 redesignated as Section 501.146, Transportation Code, and amended
15 to read as follows:

16 Sec. 501.146 ~~[520.032]~~. TITLE TRANSFER ~~[FEE]~~; LATE FEE.

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

21 ~~[(b)]~~ If the ~~[transferee does not file the]~~ application for
22 the transfer of title is not filed during the period provided by
23 Section 501.145, the ~~[520.031, the transferee is liable for a]~~ late
24 fee is to be paid to the county assessor-collector when the
25 application is filed. If the seller ~~[transferee]~~ holds a general
26 distinguishing number issued under Chapter 503 of this code or
27 Chapter 2301, Occupations Code, the seller is liable for the late

1 fee in the amount of [~~the late fee is~~] \$10. If the seller
2 [~~transferee~~] does not hold a general distinguishing number, subject
3 to Subsection (b) [~~(b-1)~~] the applicant's [~~amount of the~~] late fee
4 is \$25.

5 (b) [~~(b-1)~~] If the application is filed after the 60th [~~31st~~
6 ~~working~~] day after the date the purchaser was assigned ownership of
7 [~~transferee received~~] the documents under Section 501.0721
8 [~~520.022~~], the late fee imposed under Subsection (a) [~~(b)~~] accrues
9 an additional penalty in the amount of \$25 for each subsequent
10 30-day period, or portion of a 30-day period, in which the
11 application is not filed.

12 (c) [~~The county assessor-collector and the surety on the~~
13 ~~county assessor-collector's bond are liable for the late fee if the~~
14 ~~county assessor-collector does not collect the late fee.~~

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

17 (1) classic vehicle license plates under Section
18 504.501; or

19 (2) antique vehicle license plates under Section
20 504.502.

21 SECTION 61. Section 520.023, Transportation Code, is
22 transferred to Subchapter H, Chapter 501, Transportation Code,
23 redesignated as Section 501.147, Transportation Code, and amended
24 to read as follows:

25 Sec. 501.147 [~~520.023~~]. [~~POWERS AND DUTIES OF DEPARTMENT ON~~
26 ~~TRANSFER OF USED~~] VEHICLE TRANSFER NOTIFICATION. (a) On receipt
27 of a written notice of transfer from the seller [~~transferor~~] of a

1 motor vehicle, the department shall indicate the transfer on the
2 motor vehicle records maintained by the department. As an
3 alternative to a written notice of transfer, the department shall
4 establish procedures that permit the seller [~~transferor~~] of a motor
5 vehicle to electronically submit a notice of transfer to the
6 department through the department's Internet website. A notice of
7 transfer provided through the department's Internet website is not
8 required to bear the signature of the seller [~~transferor~~] or
9 include the date of signing.

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

14 (1) a complete description of the vehicle as
15 prescribed by the department [~~identification number of the~~
16 ~~vehicle~~];

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

19 [~~(3)~~] the full name and address of the seller
20 [~~transferor~~];

21 (3) [~~(4)~~] the full name and address of the purchaser
22 [~~transferee~~];

23 (4) [~~(5)~~] the date the seller [~~transferor~~] delivered
24 possession of the vehicle to the purchaser [~~transferee~~];

25 (5) [~~(6)~~] the signature of the seller [~~transferor~~];

26 and

27 (6) [~~(7)~~] the date the seller [~~transferor~~] signed the

1 form.

2 (c) This subsection applies only if the department receives
3 notice under Subsection (a) before the 30th day after the date the
4 seller [~~transferor~~] delivered possession of the vehicle to the
5 purchaser or in accordance with Section 152.069, Tax Code
6 [~~transferee~~]. After the date of the transfer of the vehicle shown
7 on the records of the department, the purchaser [~~transferee~~] of the
8 vehicle shown on the records is rebuttably presumed to be:

9 (1) the owner of the vehicle; and

10 (2) subject to civil and criminal liability arising
11 out of the use, operation, or abandonment of the vehicle, to the
12 extent that ownership of the vehicle subjects the owner of the
13 vehicle to criminal or civil liability under another provision of
14 law.

15 (d) The department may adopt[+]

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

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

20 (e) This section does not impose or establish civil or
21 criminal liability on the owner of a motor vehicle who transfers
22 ownership of the vehicle but does not disclose the transfer to the
23 department.

24 (f) [~~This section does not require the department to issue a~~
25 ~~certificate of title to a person shown on a notice of transfer as~~
26 ~~the transferee of a motor vehicle.] The department may not issue a
27 [~~certificate of~~] title or register [~~for~~] the vehicle until the~~

1 purchaser [~~transferee~~] applies for a title to the county
2 assessor-collector as provided by this chapter [~~Chapter 501~~].

3 (g) A transferor who files the appropriate form with the
4 department as provided by, and in accordance with, this section,
5 whether that form is a part of a [~~certificate of~~] title or a form
6 otherwise promulgated by the department to comply with the terms of
7 this section, has no vicarious civil or criminal liability arising
8 out of the use, operation, or abandonment of the vehicle by another
9 person. Proof by the transferor that the transferor filed a form
10 under this section is a complete defense to an action brought
11 against the transferor for an act or omission, civil or criminal,
12 arising out of the use, operation, or abandonment of the vehicle by
13 another person after the transferor filed the form. A copy of the
14 form filed under this section is proof of the filing of the form.

15 SECTION 62. Section 520.033, Transportation Code, is
16 transferred to Subchapter H, Chapter 501, Transportation Code,
17 redesignated as Section 501.148, Transportation Code, and amended
18 to read as follows:

19 Sec. 501.148 [~~520.033~~]. ALLOCATION OF FEES. (a) The
20 county assessor-collector may retain as commission for services
21 provided under this subchapter [~~half of each transfer fee~~
22 ~~collected,~~] half of each late fee[, ~~and half of each additional~~
23 ~~penalty collected under Section 520.032~~].

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

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

6 SECTION 63. Subsection (b), Section 501.152,
7 Transportation Code, is amended to read as follows:

8 (b) It is not a violation of this section for the beneficial
9 owner of a vehicle to sell or offer to sell a vehicle without having
10 possession of the ~~[certificate of]~~ title to the vehicle if the sole
11 reason he or she does not have possession of the ~~[certificate of]~~
12 title is that the title is in the possession of a lienholder who has
13 not complied with the terms of Section 501.115(a) ~~[of this code]~~.

14 SECTION 64. Section 501.153, Transportation Code, is
15 amended to read as follows:

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

20 SECTION 65. Section 501.154, Transportation Code, is
21 amended to read as follows:

22 Sec. 501.154. ALTERATION OF CERTIFICATE OR RECEIPT. A
23 person commits an offense if the person alters a manufacturer's ~~[or~~
24 ~~importer's]~~ certificate, a title receipt, or a ~~[certificate of]~~
25 title.

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

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

4 (1) an application for a [~~certificate of~~] title;

5 (2) an application for a certified copy of an original
6 [~~certificate of~~] title;

7 (3) an assignment of title for a motor vehicle;

8 (4) a discharge of a lien on a title for a motor
9 vehicle; or

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

12 SECTION 67. The heading to Section 501.158, Transportation
13 Code, is amended to read as follows:

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

16 SECTION 68. Section 520.035, Transportation Code, is
17 transferred to Subchapter H, Chapter 501, Transportation Code,
18 redesignated as Section 501.161, Transportation Code, and amended
19 to read as follows:

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

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

27 (1) accepts a document described by Subsection (a)

1 that does not contain all of the required information; or

2 (2) alters or mutilates such a document.

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

5 SECTION 69. Subchapter H, Chapter 501, Transportation Code,
6 is amended by adding Sections 501.162 and 501.163 to read as
7 follows:

8 Sec. 501.162. MOTOR NUMBER REQUIRED FOR REGISTRATION;
9 PENALTY. A person commits an offense if the person violates Section
10 501.0331. An offense under this section is a misdemeanor
11 punishable by a fine of not less than \$50 and not more than \$100.

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

16 SECTION 70. Chapter 501, Transportation Code, is amended by
17 adding Subchapter I to read as follows:

18 SUBCHAPTER I. ELECTRONIC TITLING SYSTEM

19 Sec. 501.171. APPLICATION OF SUBCHAPTER. This subchapter
20 applies only if the department implements a titling system under
21 Section 501.173.

22 Sec. 501.172. DEFINITIONS. In this subchapter:

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

26 (2) "Electronic" means relating to technology having
27 electrical, digital, magnetic, wireless, optical, electromagnetic,

1 or similar capabilities.

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

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

8 (5) "Paper document" means a document that is in
9 printed form.

10 Sec. 501.173. ELECTRONIC TITLING SYSTEM. (a) The board by
11 rule may implement an electronic titling system.

12 (b) A record of title maintained electronically by the
13 department in the titling system is the official record of vehicle
14 ownership unless the owner requests that the department issue a
15 printed title.

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

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

22 (c) A requirement that a document or a signature associated
23 with a document be notarized, acknowledged, verified, witnessed, or
24 made under oath is satisfied if the electronic signature of the
25 person authorized to perform that act, and all other information
26 required to be included, is attached to or logically associated
27 with the document or signature. A physical or electronic image of a

1 stamp, impression, or seal is not required to accompany an
2 electronic signature.

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

5 (1) receive, index, store, archive, and transmit
6 electronic documents;

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

9 (3) convert into electronic form:

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

12 (B) information recorded and documents that were
13 accepted for the titling of a motor vehicle before the titling
14 system was implemented.

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

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

22 (b) The department may collect a fee for processing a title
23 or registration payment by electronic funds transfer, credit card,
24 or debit card. The amount of the fee must not exceed the charges
25 incurred by the state because of the use of the electronic funds
26 transfer, credit card, or debit card.

27 (c) For online transactions the department may collect from

1 a person making payment by electronic funds transfer, credit card,
2 or debit card an amount equal to any fee charged in accordance with
3 Section 2054.2591, Government Code.

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

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

17 Sec. 501.179. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL
18 AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and
19 supersedes the federal Electronic Signatures in Global and National
20 Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify,
21 limit, or supersede Section 101(c) of that Act (15 U.S.C. Section
22 7001(c)) or authorize electronic delivery of any of the notices
23 described in Section 103(b) of that Act (15 U.S.C. Section
24 7003(b)).

25 SECTION 71. Section 502.001, Transportation Code, is
26 amended to read as follows:

27 Sec. 502.001. DEFINITIONS. In this chapter:

1 (1) "All-terrain vehicle" means a motor vehicle that
2 is:

3 (A) equipped with a saddle for the use of:
4 (i) the rider; and
5 (ii) a passenger, if the motor vehicle is
6 designed by the manufacturer to transport a passenger;

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

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

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

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

17 (3) [~~1-a~~] "Board" means the board of the Texas
18 Department of Motor Vehicles.

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

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

1 registration year.

2 (6) [~~1-a~~] "Commercial fleet" means a group of at
3 least 25 nonapportioned motor vehicles, semitrailers, or trailers
4 owned, operated, or leased by a corporation, limited or general
5 partnership, limited liability company, or other business entity
6 and used for the business purposes of that entity.

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

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

14 (A) is used for construction;

15 (B) is built from the ground up;

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

18 (D) was originally and permanently designed as
19 machinery;

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

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

23 (9) "Credit card" has the meaning assigned by Section
24 501.002.

25 (10) "Debit card" has the meaning assigned by Section
26 501.002.

27 (11) [~~3~~] "Department" means the Texas Department of

1 Motor Vehicles.

2 (12) "Electric bicycle" has the meaning assigned by
3 Section 541.201.

4 (13) "Electric personal assistive mobility device"
5 has the meaning assigned by Section 551.201.

6 (14) "Empty weight" means the unladen weight of a
7 truck-tractor or commercial motor vehicle and semitrailer
8 combination fully equipped, as certified by a public weigher or
9 license and weight inspector of the Department of Public Safety.

10 (15) [(4)] "Farm semitrailer" or "farm trailer" means
11 a vehicle [semitrailer] designed and used primarily as a farm
12 vehicle.

13 (16) [(5)] "Farm tractor" has the meaning assigned by
14 Section 541.201 [means a motor vehicle designed and used primarily
15 as a farm implement for drawing other implements of husbandry].

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

23 (18) [(7)] "Golf cart" means a motor vehicle designed
24 by the manufacturer primarily for use [transporting persons] on a
25 golf course.

26 (19) "Gross vehicle weight" has the meaning assigned
27 by Section 541.401.

1 (20) [~~(8)~~] "Implements of husbandry" has the meaning
2 assigned by Section 541.201 [~~means farm implements, machinery, and~~
3 ~~tools as used in tilling the soil, including self-propelled~~
4 ~~machinery specifically designed or adapted for applying plant food~~
5 ~~materials or agricultural chemicals but not specifically designed~~
6 ~~or adapted for the sole purpose of transporting the materials or~~
7 ~~chemicals. The term does not include a passenger car or truck].~~

8 (21) [~~(9)~~] "Light truck" has the meaning assigned by
9 Section 541.201 [~~means a commercial motor vehicle that has a~~
10 ~~manufacturer's rated carrying capacity of one ton or less].~~

11 (22) [~~(10)~~] "Moped" has the meaning assigned by
12 Section 541.201.

13 (23) [~~(11)~~] "Motor bus" includes every vehicle used to
14 transport persons on the public highways for compensation, other
15 than:

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

17 (B) a municipal bus.

18 (24) [~~(12)~~] "Motorcycle" has the meaning assigned by
19 Section 521.001 or 541.201, as applicable [~~means a motor vehicle~~
20 ~~designed to propel itself with not more than three wheels in contact~~
21 ~~with the ground. The term does not include a tractor].~~

22 (25) [~~(13)~~] "Motor vehicle" means a vehicle that is
23 self-propelled.

24 (26) "Motorized mobility device" has the meaning
25 assigned by Section 542.009.

26 (27) [~~(14)~~] "Municipal bus" includes every vehicle,
27 other than a passenger car, used to transport persons for

1 compensation exclusively within the limits of a municipality or a
2 suburban addition to the municipality.

3 (28) "Net carrying capacity" means the heaviest net
4 load that is able to be carried on a vehicle, but not less than the
5 manufacturer's rated carrying capacity.

6 (29) "Oil well servicing, cleanout, or drilling
7 machinery":

8 (A) has the meaning assigned by Section 623.149;

9 or

10 (B) means a mobile crane:

11 (i) that is an unladen, self-propelled
12 vehicle constructed as a machine and used solely to raise, shift, or
13 lower heavy weights by means of a projecting, swinging mast with an
14 engine for power on a chassis permanently constructed or assembled
15 for that purpose; and

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

18 (30) [~~15~~] "Operate temporarily on the highways"
19 means to travel between:

20 (A) different farms;

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

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

24 (31) [~~16~~] "Owner" means a person who:

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

26 (B) has the legal right of possession of a
27 vehicle; or

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

2 (32) [~~17~~] "Passenger car" has the meaning assigned
3 by Section 541.201 [~~means a motor vehicle, other than a motorcycle,~~
4 ~~golf cart, light truck, or bus, designed or used primarily for the~~
5 ~~transportation of persons~~].

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

13 (34) "Private bus" means a bus that:

14 (A) is not operated for hire; and

15 (B) is not a municipal bus or a motor bus.

16 (35) [~~18~~] "Public highway" includes a road, street,
17 way, thoroughfare, or bridge:

18 (A) that is in this state;

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

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

21 and

22 (D) over which the state has legislative
23 jurisdiction under its police power.

24 (36) [~~19~~] "Public property" means property owned or
25 leased by this state or a political subdivision of this state.

26 (37) [~~19-a~~] "Recreational off-highway vehicle"
27 means a motor vehicle that is:

1 (A) equipped with a non-straddle seat for the use
2 of:

- 3 (i) the rider; and
4 (ii) a passenger, if the vehicle is
5 designed by the manufacturer to transport a passenger;

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

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

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

12 (38) [~~(20)~~] "Road tractor" means a vehicle designed
13 for the purpose of mowing the right-of-way of a public highway or a
14 motor vehicle designed or used for drawing another vehicle or a load
15 and not constructed to carry:

- 16 (A) an independent load; or
17 (B) a part of the weight of the vehicle and load
18 to be drawn.

19 (39) [~~(21)~~] "Semitrailer" means a vehicle designed or
20 used with a motor vehicle so that part of the weight of the vehicle
21 and its load rests on or is carried by another vehicle.

22 (40) "Token trailer" means a semitrailer that:

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

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

- 27 (i) an apportioned license plate;

1 (ii) a combination license plate; or

2 (iii) a forestry vehicle license plate.

3 (41) "Tow truck" means a motor vehicle adapted or used
4 to tow, winch, or otherwise move another motor vehicle.

5 (42) [~~22~~] "Trailer" means a vehicle that:

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

8 (B) is drawn or designed to be drawn by a motor
9 vehicle.

10 (43) "Travel trailer" has the meaning assigned by
11 Section 501.002.

12 (44) [~~23~~] "Truck-tractor" means a motor vehicle:

13 (A) designed and used primarily for drawing
14 another vehicle; and

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

17 (45) [~~24~~] "Vehicle" means a device in or by which a
18 person or property is or may be transported or drawn on a public
19 highway, other than a device used exclusively on stationary rails
20 or tracks.

21 SECTION 72. Section 502.0021, Transportation Code, is
22 amended to read as follows:

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

25 (b) The department shall post forms on the Internet and [+

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

1 ~~[(2)]~~ provide each county assessor-collector with a
2 sufficient ~~[an adequate]~~ supply of any ~~[each form]~~ necessary forms
3 on request ~~[for the performance of a duty under this chapter by the~~
4 ~~assessor-collector]~~.

5 SECTION 73. Section 502.052, Transportation Code, is
6 transferred to Subchapter A, Chapter 502, Transportation Code,
7 redesignated as Section 502.00211, Transportation Code, and
8 amended to read as follows:

9 Sec. 502.00211 ~~[502.052]~~. DESIGN OF ~~[LICENSE PLATES AND]~~
10 REGISTRATION INSIGNIA~~;~~ ~~REFLECTORIZED MATERIAL~~. ~~[(a)]~~ The
11 department shall prepare the designs and specifications ~~[of license~~
12 ~~plates and devices selected by the board]~~ to be used as the
13 registration insignia.

14 ~~[(b) The department shall design each license plate to~~
15 ~~include a design at least one-half inch wide that represents in~~
16 ~~silhouette the shape of Texas and that appears between letters and~~
17 ~~numerals. The department may omit the silhouette of Texas from~~
18 ~~specially designed license plates.~~

19 ~~[(c) To promote highway safety, each license plate shall be~~
20 ~~made with a reflectORIZED material that provides effective and~~
21 ~~dependable brightness for the period for which the plate is~~
22 ~~issued. The purchase of reflectORIZED material shall be submitted~~
23 ~~to the comptroller for approval.]~~

24 SECTION 74. The heading to Section 502.0023, Transportation
25 Code, is amended to read as follows:

26 Sec. 502.0023. EXTENDED REGISTRATION OF COMMERCIAL FLEET
27 ~~[MOTOR]~~ VEHICLES.

1 SECTION 75. Section 502.0023, Transportation Code, is
2 amended by amending Subsections (a) and (c) and adding Subsection
3 (i) to read as follows:

4 (a) Notwithstanding Section 502.044(c) [~~502.158(c)~~], the
5 department shall develop and implement a system of registration to
6 allow an owner of a commercial fleet to register the motor vehicles,
7 semitrailers, and trailers in the commercial fleet for an extended
8 registration period of not less than one year or more than eight
9 years. The owner may select the number of years for registration
10 under this section within that range and register the commercial
11 fleet for that period. Payment for all registration fees for the
12 entire registration period selected is due at the time of
13 registration.

14 (c) In addition to the registration fees prescribed by this
15 chapter [~~Subchapter D~~], an owner registering a commercial fleet
16 under this section shall pay:

17 (1) an annual commercial fleet registration fee of \$10
18 per motor vehicle, semitrailer, or trailer in the fleet; and

19 (2) except as provided by Subsection (e), a one-time
20 license plate manufacturing fee of \$1.50 for each fleet motor
21 vehicle, semitrailer, or trailer license plate.

22 (i) The department may provide for credits for fleet
23 registration.

24 SECTION 76. Section 502.185, Transportation Code, is
25 transferred to Subchapter A, Chapter 502, Transportation Code,
26 redesignated as Section 502.010, Transportation Code, and amended
27 to read as follows:

1 Sec. 502.010 [~~502.185~~]. COUNTY SCOFFLAW [~~REFUSAL TO~~
2 ~~REGISTER VEHICLE IN CERTAIN COUNTIES~~]. (a) A county
3 assessor-collector or the department may refuse to register a motor
4 vehicle if the assessor-collector or the department receives
5 information that the owner of the vehicle owes the county money for
6 a fine, fee, or tax that is past due.

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

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

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

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

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

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

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

1 to reimburse the department or the county for its expenses for
2 providing services under the contract.

3 (g) In this section:

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

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

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

12 SECTION 77. The heading to Subchapter B, Chapter 502,
13 Transportation Code, is amended to read as follows:

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

15 SECTION 78. Section 502.002, Transportation Code, is
16 transferred to Subchapter B, Chapter 502, Transportation Code,
17 redesignated as Section 502.040, Transportation Code, and amended
18 to read as follows:

19 Sec. 502.040 [~~502.002~~]. REGISTRATION REQUIRED; GENERAL
20 RULE. (a) Not more than 30 days after purchasing a vehicle or
21 becoming a resident of this state, the [~~The~~] owner of a motor
22 vehicle, trailer, or semitrailer shall apply for the registration
23 of the vehicle for:

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

26 (2) if the vehicle is unregistered for a registration
27 year that has begun and that applies to the vehicle and if the

1 vehicle is used or to be used on a public highway, the remaining
2 portion of that registration year.

3 (b) The application must be accompanied by personal
4 identification as determined by department rule and made in a
5 manner prescribed by [to] the department:

6 (1) through the county assessor-collector of the
7 county in which the owner resides; or

8 (2) if the county in which the owner resides has been
9 declared by the governor as a disaster area, through the county
10 assessor-collector of a county that is one of the closest
11 unaffected counties to a county that asks for assistance and:

12 (A) continues to be declared by the governor as a
13 disaster area because the county has been rendered inoperable by
14 the disaster; and

15 (B) is inoperable for a protracted period of
16 time.

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

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

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

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

26 SECTION 79. Section 502.157, Transportation Code, is
27 transferred to Subchapter B, Chapter 502, Transportation Code,

1 redesignated as Section 502.041, Transportation Code, and amended
2 to read as follows:

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

4 (a) Notwithstanding Section 502.040 [~~502.002~~], [~~when a motor~~
5 ~~vehicle must be registered before an application for a certificate~~
6 ~~of title will be accepted,~~] the owner of a a [~~the~~] vehicle may
7 concurrently apply for a [~~certificate of~~] title and for
8 registration through the county assessor-collector of the county in
9 which:

10 (1) the owner resides; or

11 (2) the vehicle is purchased or encumbered.

12 (b) The first time an owner applies for registration of a
13 vehicle, the owner may demonstrate compliance with Section
14 502.046(a) [~~502.153(a)~~] as to the vehicle by showing proof of
15 financial responsibility in any manner specified in Section
16 502.046(c) [~~502.153(c)~~] as to:

17 (1) any vehicle of the owner; or

18 (2) any vehicle used as part of the consideration for
19 the purchase of the vehicle the owner applies to register.

20 SECTION 80. Section 502.152, Transportation Code, is
21 transferred to Subchapter B, Chapter 502, Transportation Code,
22 redesignated as Section 502.042, Transportation Code, and amended
23 to read as follows:

24 Sec. 502.042 [~~502.152~~]. [~~CERTIFICATE OF~~] TITLE REQUIRED

25 FOR REGISTRATION. [~~(a)~~] The department may not register or renew
26 the registration of a motor vehicle for which a [~~certificate of~~]
27 title is required under Chapter 501 unless the owner:

1 (1) obtains a [~~certificate of~~] title for the vehicle;
2 or

3 (2) presents satisfactory evidence that a
4 [~~certificate of~~] title was previously issued to the owner by the
5 department or another jurisdiction.

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

8 SECTION 81. Section 502.151, Transportation Code, is
9 transferred to Subchapter B, Chapter 502, Transportation Code,
10 redesignated as Section 502.043, Transportation Code, and amended
11 to read as follows:

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

13 (a) An application for vehicle registration must:

14 (1) be made in a manner prescribed and include the
15 information required [~~on a form furnished~~] by the department by
16 rule; and

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

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

20 [~~(4) contain any other information required by the~~
21 ~~department; and~~

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

23 (b) The department shall deny the [~~For a new motor vehicle,~~
24 ~~the description of the vehicle must include the vehicle's:~~

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

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

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

1 ~~[(4) weight, if the vehicle is a passenger car,~~
2 ~~[(5) net carrying capacity and gross weight, if the~~
3 ~~vehicle is a commercial motor vehicle,~~
4 ~~[(6) vehicle identification number, and~~
5 ~~[(7) date of sale by the manufacturer or dealer to the~~
6 ~~applicant.~~

7 ~~[(c) An applicant for]~~ registration of a commercial motor
8 vehicle, truck-tractor, trailer, or semitrailer if the applicant:

9 (1) has a business operated, managed, or otherwise
10 controlled or affiliated with a person who is ineligible for
11 registration or whose privilege to operate has been suspended,
12 including the applicant entity, a relative, family member,
13 corporate officer, or shareholder;

14 (2) has a vehicle that has been prohibited from
15 operating by the Federal Motor Carrier Safety Administration for
16 safety-related reasons;

17 (3) is a carrier whose business is operated, managed,
18 or otherwise controlled or affiliated with a person who is
19 ineligible for registration, including the owner, a relative, a
20 family member, a corporate officer, or a shareholder; or

21 (4) fails to ~~[must]~~ deliver to the county
22 assessor-collector proof of ~~[an affidavit showing]~~ the weight of
23 the vehicle, the maximum load to be carried on the vehicle, and the
24 gross weight for which the vehicle is to be registered. ~~[The~~
25 ~~assessor-collector shall keep the affidavit on file.]~~

26 (c) ~~[(d)]~~ In lieu of filing an application during a year as
27 provided by Subsection (a), the owner of a vehicle registered in any

1 state for that year or the preceding year may present the
2 registration receipt and transfer receipt, if any. The county
3 assessor-collector shall accept the receipt as an application for
4 renewal of the registration if the receipt indicates the applicant
5 owns the vehicle. This section allows issuance for registration
6 purposes only but does not authorize the department to issue a
7 title.

8 (d) The department may require an applicant for
9 registration to provide current personal identification as
10 determined by department rule. Any identification number required
11 by the department under this subsection may be entered into the
12 department's electronic titling system but may not be printed on
13 the title

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

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

23 SECTION 82. Section 502.158, Transportation Code, is
24 transferred to Subchapter B, Chapter 502, Transportation Code,
25 redesignated as Section 502.044, Transportation Code, and amended
26 to read as follows:

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

1 (a) The department shall designate a vehicle registration year of
2 12 consecutive months to begin on the first day of a calendar month
3 and end on the last day of the 12th calendar month.

4 (b) The department shall designate vehicle registration
5 years so as to distribute the work of the department and the county
6 assessor-collectors as uniformly as possible throughout the year.
7 The department may establish separate registration years for any
8 vehicle or classification of vehicle and may adopt rules to
9 administer the year-round registration system.

10 (c) The department may designate a registration period of
11 less than 12 months to be ~~]. The registration fee for a registration~~
12 ~~period of less than 12 months is]~~ computed at a rate of one-twelfth
13 the annual registration fee multiplied by the number of months in
14 the registration period. The board by rule may allow payment of
15 ~~[department may not designate a registration period of more than 12~~
16 ~~months, but:~~

17 ~~[(1) with the consent of the department, an owner may~~
18 ~~pay]~~ registration fees for a designated period not to exceed the
19 amount of time determined by department rule ~~[of more than 12~~
20 ~~months, and~~

21 ~~[(2) an owner of a vehicle may pay registration fees~~
22 ~~for a designated period of 12, 24, or 36 months.~~

23 ~~[(d) An application for registration shall be made during~~
24 ~~the two months preceding the date on which the registration~~
25 ~~expires.~~

26 ~~[(e) The fee to be paid for renewing a registration is the~~
27 ~~fee that will be in effect on the first day of the vehicle~~

1 ~~registration year~~].

2 (d) [~~(g)~~] The department shall issue [~~the applicant for~~
3 ~~registration who pays registration fees for a designated period of~~
4 ~~24 or 36 months~~] a registration receipt and registration insignia
5 that are valid until the expiration of the designated period.

6 SECTION 83. Section 502.176, Transportation Code, is
7 transferred to Subchapter B, Chapter 502, Transportation Code,
8 redesignated as Section 502.045, Transportation Code, and amended
9 to read as follows:

10 Sec. 502.045 [~~502.176~~]. DELINQUENT REGISTRATION. (a) A
11 registration fee [~~prescribed by this chapter~~] for a vehicle becomes
12 delinquent immediately if the vehicle is used on a public highway
13 without the fee having been paid in accordance with this chapter.

14 (b) An [~~A county assessor-collector that determines that~~
15 ~~an~~] applicant for registration who provides [~~for which payment of~~
16 ~~the registration fee is delinquent has provided~~] evidence
17 [~~acceptable to the assessor-collector sufficient~~] to establish
18 good reason for delinquent registration and who [~~that the~~
19 ~~application~~] complies with the other requirements for registration
20 under this chapter may [~~shall~~] register the vehicle for a 12-month
21 period that ends on the last day of the 11th month after the month in
22 which the registration occurs under this subsection. [~~The~~
23 ~~registration period for vehicles registered in accordance with~~
24 ~~Sections 502.164, 502.167, 502.203, 502.255, 502.267, 502.277,~~
25 ~~502.278, 502.293, as added by Chapter 1222, Acts of the 75th~~
26 ~~Legislature, Regular Session, 1997, and 502.295, as added by~~
27 ~~Chapter 625, Acts of the 75th Legislature, Regular Session, 1997,~~

1 ~~will end on the annual registration date, and the registration fees~~
2 ~~will be prorated.]~~

3 (c) An ~~[A county assessor-collector that determines that~~
4 ~~an]~~ applicant for registration who ~~[that]~~ is delinquent and has not
5 provided evidence acceptable ~~[to the assessor-collector~~
6 ~~sufficient]~~ to establish good reason for delinquent registration
7 but who ~~[that the application]~~ complies with the other requirements
8 for registration under this chapter shall register the vehicle for
9 a 12-month period without changing the initial month of
10 registration.

11 (d) A person who has been arrested or received a citation
12 for a violation of Section 502.472 ~~[502.402]~~ may register the
13 vehicle being operated at the time of the offense ~~[with the county~~
14 ~~assessor-collector]~~ for a 12-month period without change to the
15 initial month of registration only if the person:

16 (1) meets the other requirements for registration
17 under this chapter; and

18 (2) pays an additional charge equal to 20 percent of
19 the prescribed fee.

20 (e) The board by rule ~~[county assessor-collector]~~ shall
21 adopt a list of evidentiary items sufficient to establish good
22 reason for delinquent registration under Subsection (b) and provide
23 for the ~~[forms of]~~ evidence that may be used to establish good
24 reason under that subsection. ~~[The list of evidentiary items~~
25 ~~adopted under this section must allow for delinquent registration~~
26 ~~under Subsection (b) because of:~~

27 ~~[(1) extensive repairs on the vehicle,~~

1 ~~[(2) the absence of the owner of the vehicle from this~~
2 ~~country;~~
3 ~~[(3) seasonal use of the vehicle; or~~
4 ~~[(4) any other reason determined by the~~
5 ~~assessor-collector to be a valid explanation for the delinquent~~
6 ~~registration.]~~

7 (f) The board ~~[department]~~ by rule shall adopt procedures to
8 implement this section in connection with the delinquent
9 registration of a vehicle registered directly with the department
10 or through other means.

11 SECTION 84. Section 502.153, Transportation Code, is
12 transferred to Subchapter B, Chapter 502, Transportation Code,
13 redesignated as Section 502.046, Transportation Code, and amended
14 to read as follows:

15 Sec. 502.046 ~~[502.153]~~. EVIDENCE OF FINANCIAL
16 RESPONSIBILITY. (a) Evidence ~~[Except as provided by Subsection~~
17 ~~(j), the owner of a motor vehicle, other than a trailer or~~
18 ~~semitrailer, for which evidence]~~ of financial responsibility as
19 ~~[is]~~ required by Section 601.051 other than for a trailer or
20 semitrailer ~~[or a person who represents the owner for purposes of~~
21 ~~registering a motor vehicle]~~ shall be submitted ~~[submit evidence of~~
22 ~~financial responsibility]~~ with the application for registration
23 under Section 502.043 ~~[502.151]~~. A county assessor-collector may
24 not register the motor vehicle unless the owner or the owner's
25 representative submits the evidence of financial responsibility.

26 (b) The county assessor-collector shall examine the
27 evidence of financial responsibility to determine whether it

1 complies with Subsection (c). After examination, [~~examining~~]
2 evidence[~~, the assessor-collector~~] shall be returned [~~return the~~
3 ~~evidence~~] unless it is in the form of a photocopy or an electronic
4 submission.

5 (c) In this section, evidence of financial responsibility
6 may be:

7 (1) a document listed under Section 601.053(a) or
8 verified in compliance with Section 601.452;

9 (2) a liability self-insurance or pool coverage
10 document issued by a political subdivision or governmental pool
11 under the authority of Chapter 791, Government Code, Chapter 119,
12 Local Government Code, or other applicable law in at least the
13 minimum amounts required by Chapter 601;

14 (3) a photocopy of a document described by Subdivision
15 (1) or (2); or

16 (4) an electronic submission of a document or the
17 information contained in a document described by Subdivision (1) or
18 (2).

19 (d) A personal automobile policy used as evidence of
20 financial responsibility under this section must comply with
21 Section 1952.052 et seq. and Sections 2301.051 through 2301.055
22 [~~Article 5.06 or 5.145~~], Insurance Code.

23 (e) At the time of registration, the county
24 assessor-collector shall provide to a person registering a motor
25 vehicle a [~~separate~~] statement that the motor vehicle [~~being~~
26 ~~registered~~] may not be operated in this state unless:

27 (1) liability insurance coverage for the motor vehicle

1 in at least the minimum amounts required by law remains in effect to
2 insure against potential losses; or

3 (2) the motor vehicle is exempt from the insurance
4 requirement because the person has established financial
5 responsibility in a manner described by Sections [~~Section~~]
6 601.051(2)-(5) or is exempt under Section 601.052.

7 (f) A county assessor-collector is not liable to any person
8 for refusing to register a motor vehicle to which this section
9 applies because of the person's failure to submit evidence of
10 financial responsibility that complies with Subsection (c).

11 (g) A county, a county assessor-collector, a deputy county
12 assessor-collector, a person acting for or on behalf of a county or
13 a county assessor-collector, or a person acting on behalf of an
14 owner for purposes of registering a motor vehicle is not liable to
15 any person for registering a motor vehicle under this section.

16 (h) This section does not prevent a person from registering
17 a motor vehicle by mail or through an electronic submission.

18 (i) To be valid under this section, an electronic submission
19 must be in a format that is:

20 (1) submitted by electronic means, including a
21 telephone, facsimile machine, or computer;

22 (2) approved by the department; and

23 (3) authorized by the commissioners court for use in
24 the county.

25 (j) This section does not apply to a vehicle registered
26 pursuant to Section 501.0234.

27 SECTION 85. Section 502.009, Transportation Code, is

1 transferred to Subchapter B, Chapter 502, Transportation Code,
2 redesignated as Section 502.047, Transportation Code, and amended
3 to read as follows:

4 Sec. 502.047 [~~502.009~~]. MOTOR VEHICLE EMISSIONS INSPECTION
5 AND MAINTENANCE REQUIREMENTS. (a) The Department of Public Safety
6 shall ensure compliance with the motor vehicle emissions inspection
7 and maintenance program through a vehicle inspection sticker-based
8 enforcement system except as provided by this section or Section
9 548.3011. Subsections (b)-(e) apply only if the United States
10 Environmental Protection Agency determines that the state has not
11 demonstrated, as required by 40 C.F.R. Section 51.361, that
12 sticker-based enforcement of the program is more effective than
13 registration-based enforcement and gives the Texas [~~Natural~~
14 ~~Resource Conservation~~] Commission on Environmental Quality or the
15 governor written notification that the reregistration-based
16 enforcement of the program, as described by those subsections, will
17 be required. If Subsections (b)-(e) are made applicable as
18 provided by this subsection, the department shall terminate
19 reregistration-based enforcement of the program under those
20 subsections on the date the United States Environmental Protection
21 Agency gives the Texas [~~Natural Resource Conservation~~] Commission
22 on Environmental Quality or a person the commission designates
23 written notification that reregistration-based enforcement is not
24 required for the state implementation plan.

25 (b) A [~~The department may not register a~~] motor vehicle may
26 not be registered if the department receives from the Texas
27 [~~Natural Resource Conservation~~] Commission on Environmental

1 Quality or the Department of Public Safety notification that the
2 registered owner of the vehicle has not complied with Subchapter F,
3 Chapter 548.

4 (c) A motor vehicle [~~The county tax assessor-collector~~] may
5 not be registered if the [~~register a~~] vehicle was denied
6 registration under Subsection (b) unless [~~the tax~~
7 ~~assessor-collector has~~] verification is received that the
8 registered vehicle owner is in compliance with Subchapter F,
9 Chapter 548.

10 (d) The department, the Texas [~~Natural Resource~~
11 ~~Conservation~~] Commission on Environmental Quality, and the
12 Department of Public Safety shall enter an agreement regarding the
13 responsibilities for costs associated with implementing this
14 section.

15 (e) A county tax assessor-collector is not liable to any
16 person for refusing to register a motor vehicle because of the
17 person's failure to provide verification of the person's compliance
18 with Subchapter F, Chapter 548.

19 SECTION 86. Section 502.005, Transportation Code, is
20 transferred to Subchapter B, Chapter 502, Transportation Code,
21 redesignated as Section 502.048, Transportation Code, and amended
22 to read as follows:

23 Sec. 502.048 [~~502.005~~]. REFUSAL TO REGISTER UNSAFE
24 VEHICLE. [~~(a)~~] The department may refuse to register a motor
25 vehicle and may cancel, suspend, or revoke a registration if the
26 department determines that a motor vehicle is unsafe, improperly
27 equipped, or otherwise unfit to be operated on a public highway.

1 ~~[(b) The department may refuse to register a motorcycle and~~
2 ~~may suspend or revoke the registration of a motorcycle if the~~
3 ~~department determines that the motorcycle's braking system does not~~
4 ~~comply with Section 547.408.]~~

5 SECTION 87. Subsection (b), Section 502.055,
6 Transportation Code, is amended to read as follows:

7 (b) The department may require an applicant for
8 registration under this chapter to provide the department with
9 evidence of:

10 (1) the manufacturer's rated carrying capacity for the
11 vehicle; or

12 ~~(2) [the nominal tonnage rating of the vehicle,~~
13 ~~(3)] the gross vehicle weight rating [of the vehicle,~~
14 ~~or~~

15 ~~(4) any combination of information described in~~
16 ~~Subdivisions (1)-(3)].~~

17 SECTION 88. Section 502.178, Transportation Code, is
18 transferred to Subchapter B, Chapter 502, Transportation Code,
19 redesignated as Section 502.057, Transportation Code, and amended
20 to read as follows:

21 Sec. 502.057 [~~502.178~~]. REGISTRATION RECEIPT. [~~(a)~~] The
22 department shall issue or require to be issued to the owner of a
23 vehicle registered under this chapter a registration receipt
24 showing the information required by rule [+

25 ~~(1) the date of issuance,~~

26 ~~(2) the license number assigned to the vehicle,~~

27 ~~(3) the name and address of the owner, and~~

1 ~~[(4) other information as determined by the~~
2 ~~department.~~

3 ~~[(b) The registration receipt issued for a commercial motor~~
4 ~~vehicle, truck-tractor, trailer, or semitrailer must show the gross~~
5 ~~weight for which the vehicle is registered].~~

6 SECTION 89. Section 502.179, Transportation Code, is
7 transferred to Subchapter B, Chapter 502, Transportation Code,
8 redesignated as Section 502.058, Transportation Code, and amended
9 to read as follows:

10 Sec. 502.058 ~~[502.179]~~. DUPLICATE REGISTRATION RECEIPT.

11 (a) The owner of a vehicle for which the registration receipt has
12 been lost or destroyed may obtain a duplicate receipt from the
13 department or the county assessor-collector who issued the original
14 receipt by paying a fee of \$2.

15 (b) The office issuing a duplicate receipt shall retain the
16 fee received ~~[as a fee of office]~~.

17 SECTION 90. Section 502.180, Transportation Code, is
18 transferred to Subchapter B, Chapter 502, Transportation Code,
19 redesignated as Section 502.059, Transportation Code, and amended
20 to read as follows:

21 Sec. 502.059 ~~[502.180]~~. ISSUANCE OF ~~[LICENSE PLATE OR]~~

22 REGISTRATION INSIGNIA. (a) On payment of the prescribed fee~~[, the~~
23 ~~department shall issue to]~~ an applicant for motor vehicle
24 registration shall be issued a ~~[license plate or set of plates or a~~
25 ~~device that, when attached to the vehicle as prescribed by the~~
26 ~~department, is the]~~ registration insignia ~~[for the period for which~~
27 ~~it was issued]~~.

1 (b) [~~Subject to Subchapter I, the department shall issue~~
2 ~~only one license plate or set of plates for a vehicle during a~~
3 ~~five-year period.~~

4 [(c)] On application and payment of the prescribed fee for a
5 renewal of the registration of a vehicle through the period set by
6 rule [~~for the first, second, third, or fourth registration year~~
7 ~~after the issuance of a license plate or set of plates for the~~
8 ~~vehicle~~], the department shall issue a registration insignia for
9 the validation of the license plate or plates to be attached as
10 provided by Subsection (c) [(d)].

11 (c) [(d)] Except as provided by Subsection (f) [(h)], the
12 registration insignia for validation of a license plate shall be
13 attached to the inside of the vehicle's windshield, if the vehicle
14 has a windshield, within six inches of the place where the motor
15 vehicle inspection sticker is required to be placed. If the vehicle
16 does not have a windshield, the owner, when applying for
17 registration or renewal of registration, shall notify the
18 department, and the department shall issue a distinctive device for
19 attachment to the rear license plate of the vehicle.

20 (d) Department [(e) ~~The department shall adopt rules for~~
21 ~~the issuance and use of license plates and registration insignia~~
22 ~~issued under this chapter. The] rules may provide for the use of an
23 automated registration process, including:~~

24 (1) the automated on-site production of registration
25 insignia; and

26 (2) automated on-premises and off-premises
27 self-service registration.

1 (e) Subsection (c) does [~~(f) Subsections (b)-(d) do~~] not
2 apply to:

3 (1) the issuance of specialized license plates as
4 designated by the department, including state official license
5 plates, exempt plates for governmental entities, and temporary
6 registration plates; or

7 (2) the issuance or validation of replacement license
8 plates, except as provided by Chapter 504 [~~Section 502.184~~].

9 (f) [~~(g) The department shall provide a separate and
10 distinctive tab to be affixed to the license plate of an automobile,
11 pickup, or recreational vehicle that is offered for rent, as a
12 business, to any part of the public.~~]

13 [~~(h)~~] The registration insignia [~~for validation of a
14 license plate~~] shall be attached to the rear license plate of the
15 vehicle, if the vehicle is:

16 (1) a motorcycle;

17 (2) machinery used exclusively to drill water wells or
18 construction machinery for which a distinguishing license plate has
19 been issued under Section 502.146 [~~504.504~~]; or

20 (3) oil well servicing, oil clean out, or oil well
21 drilling machinery or equipment for which a distinguishing license
22 plate has been issued under Subchapter G, Chapter 623.

23 SECTION 91. Section 502.184, Transportation Code, as
24 effective September 1, 2011, is transferred to Subchapter B,
25 Chapter 502, Transportation Code, redesignated as Section 502.060,
26 Transportation Code, and amended to read as follows:

27 Sec. 502.060 [~~502.184~~]. REPLACEMENT OF REGISTRATION

1 INSIGNIA. (a) The owner of a registered motor vehicle may obtain a
2 replacement registration insignia by:

3 (1) certifying that the replacement registration
4 insignia will not be used on any other vehicle owned or operated by
5 the person making the statement;

6 (2) paying a fee of \$6 plus the fees required by
7 Section 502.356(a) [~~502.1705(a)~~] for each replacement registration
8 insignia, except as provided by other law; and

9 (3) returning each replaced registration insignia in
10 the owner's possession.

11 (b) No fee is required under this section if the replacement
12 fee for a license plate has been paid under Section 504.007
13 [~~502.1841~~].

14 (c) [~~The fee for replacement of license plates issued under~~
15 ~~Section 504.507 is the amount prescribed by the department as~~
16 ~~necessary to recover the cost of providing the replacement plates.~~

17 [~~(d) If license plates approved under Section 504.501(b) or~~
18 ~~504.502(c) are lost, stolen, or mutilated, the owner of the vehicle~~
19 ~~may obtain approval of another set of license plates as provided by~~
20 ~~Section 504.501 or 504.502, respectively. The fee for approval of~~
21 ~~replacement license plates is \$5.~~

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

25 (d) [(~~f~~)] A county assessor-collector shall retain \$2.50 of
26 each fee collected under this section and shall report and send the
27 remainder to the department.

1 ~~[(g) Replacement license plates may be used in the~~
2 ~~registration year in which the plates are issued and during each~~
3 ~~succeeding year of the five-year period as prescribed by Section~~
4 ~~502.180(b) if the registration insignia is properly attached.~~

5 ~~[(h) Subsection (g) does not apply to the issuance of~~
6 ~~specialized license plates as designated by the department,~~
7 ~~including state official license plates, exempt plates for~~
8 ~~governmental entities, and temporary registration plates.~~

9 ~~[(i) The owner of a vehicle listed in Section 502.180(h) may~~
10 ~~obtain replacement plates and a replacement registration insignia~~
11 ~~by paying a fee of \$5 plus the fees required by Sections 502.170(a)~~
12 ~~and 502.1705(a).]~~

13 SECTION 92. The heading to Subchapter C, Chapter 502,
14 Transportation Code, is amended to read as follows:

15 SUBCHAPTER C. SPECIAL REGISTRATIONS [~~COUNTY ADMINISTRATION~~]

16 SECTION 93. Section 502.0025, Transportation Code, is
17 transferred to Subchapter C, Chapter 502, Transportation Code,
18 redesignated as Section 502.090, Transportation Code, and amended
19 to read as follows:

20 Sec. 502.090 [~~502.0025~~]. EFFECT OF CERTAIN MILITARY
21 SERVICE ON REGISTRATION REQUIREMENT. (a) This section applies
22 only to a motor vehicle that is owned by a person who:

- 23 (1) is a resident of this state;
- 24 (2) is on active duty in the armed forces of the United
25 States;
- 26 (3) is stationed in or has been assigned to another
27 nation under military orders; and

1 (4) has registered the vehicle or been issued a
2 license for the vehicle under the applicable status of forces
3 agreement by:

4 (A) the appropriate branch of the armed forces of
5 the United States; or

6 (B) the nation in which the person is stationed
7 or to which the person has been assigned.

8 (b) Unless the registration or license issued for a vehicle
9 described by Subsection (a) is suspended, canceled, or revoked by
10 this state as provided by law:

11 (1) Section 502.040(a) [~~502.002(a)~~] does not apply;
12 and

13 (2) the registration or license issued by the armed
14 forces or host nation remains valid and the motor vehicle may be
15 operated in this state under that registration or license for a
16 period of not more than 90 days after the date on which the vehicle
17 returns to this state.

18 SECTION 94. Section 502.054, Transportation Code, is
19 transferred to Subchapter C, Chapter 502, Transportation Code,
20 redesignated as Section 502.091, Transportation Code, and amended
21 to read as follows:

22 Sec. 502.091 [~~502.054~~]. INTERNATIONAL REGISTRATION PLAN
23 [~~AGREEMENTS WITH OTHER JURISDICTIONS; OFFENSE~~]. (a) The
24 department, through its director, may enter into an agreement with
25 an authorized officer of another jurisdiction, including another
26 state of the United States, a foreign country or a state, province,
27 territory, or possession of a foreign country, to provide for:

1 (1) the registration of vehicles by residents of this
2 state and nonresidents on an allocation or mileage apportionment
3 plan, as under the International Registration Plan; and

4 (2) the exemption from payment of registration fees by
5 nonresidents if residents of this state are granted reciprocal
6 exemptions.

7 (b) The department may adopt and enforce rules to carry out
8 the International Registration Plan or other agreement under this
9 section.

10 (c) To carry out the International Registration Plan or
11 other agreement under this section, the department shall direct
12 that fees collected for other jurisdictions under the agreement be
13 deposited to the credit of the proportional registration
14 distributive fund in the state treasury and distributed to the
15 appropriate jurisdiction through that fund. The department is not
16 required to refund any amount less than \$10 unless required by the
17 plan.

18 (d) This section prevails to the extent of conflict with
19 another law relating to the subject of this section.

20 (e) A person commits an offense if the person owns or
21 operates a vehicle not registered in this state in violation of:

22 (1) an agreement under this section; or

23 (2) the applicable registration laws of this state, in
24 the absence of an agreement under this section.

25 (f) An offense under Subsection (e) is a misdemeanor
26 punishable by a fine not to exceed \$200.

27 SECTION 95. Section 502.355, Transportation Code, is

1 transferred to Subchapter C, Chapter 502, Transportation Code,
2 redesignated as Section 502.092, Transportation Code, and amended
3 to read as follows:

4 Sec. 502.092 [~~502.355~~]. NONRESIDENT-OWNED VEHICLES USED TO
5 TRANSPORT FARM PRODUCTS [~~, OFFENSE~~]. (a) The department may issue
6 to a nonresident owner a permit for a truck, truck-tractor,
7 trailer, or semitrailer that:

8 (1) is registered in the owner's home state or country;
9 and

10 (2) will be used to transport:

11 (A) farm products produced in this state from the
12 place of production to a place of market or storage or a railhead
13 that is not more than 75 miles from the place of production;

14 (B) machinery used to harvest farm products
15 produced in this state; or

16 (C) farm products produced outside this state
17 from the point of entry into this state to a place of market,
18 storage, or processing or a railhead or seaport that is not more
19 than 80 miles from the point of entry.

20 (b) The department shall issue a distinguishing insignia
21 for a vehicle issued a permit under this section. The insignia must
22 be attached to the vehicle in lieu of regular license plates and
23 must show the permit expiration date. A permit issued under this
24 section is valid until the earlier of:

25 (1) the date the vehicle's registration in the owner's
26 home state or country expires; or

27 (2) the 30th day after the date the permit is issued.

1 (c) A person may obtain a permit under this section by:

2 (1) applying to the department in a manner [~~on a form~~]
3 prescribed by the department;

4 (2) paying a fee equal to 1/12 the registration fee
5 prescribed by this chapter for the vehicle;

6 (3) furnishing satisfactory evidence that the motor
7 vehicle is insured under an insurance policy that complies with
8 Section 601.072 and that is written by:

9 (A) an insurance company or surety company
10 authorized to write motor vehicle liability insurance in this
11 state; or

12 (B) with the department's approval, a surplus
13 lines insurer that meets the requirements of Chapter 981, Insurance
14 Code, and rules adopted by the commissioner of insurance under that
15 chapter, if the applicant is unable to obtain insurance from an
16 insurer described by Paragraph (A); and

17 (4) furnishing evidence that the vehicle has been
18 inspected as required under Chapter 548.

19 (d) A nonresident owner may not obtain more than three
20 permits under this section during a registration year.

21 (e) A vehicle for which a permit is issued under this
22 section may not be operated in this state after the permit expires
23 unless the owner:

24 (1) obtains another temporary permit; or

25 (2) registers the vehicle under Section 502.253,
26 502.254, 502.255 [~~502.162,~~ ~~502.165,~~ ~~502.166~~], or 502.256
27 [~~502.167~~], as appropriate, for the remainder of the registration

1 year.

2 (f) A vehicle for which a permit is issued under this
3 section may not be registered under Section 502.433 [~~502.163~~].

4 (g) A mileage referred to in this section is a state highway
5 mileage.

6 [~~(h) A person operating a vehicle under a permit issued
7 under this section commits an offense if the person:~~

8 [~~(1) transports farm products to a place of market,
9 storage, or processing or a railhead or seaport that is farther from
10 the place of production or point of entry, as appropriate, than the
11 distance provided for in the permit; or~~

12 [~~(2) follows a route other than that prescribed by the
13 board.~~

14 [~~(i) An offense under Subsection (h) is a misdemeanor
15 punishable by a fine of not less than \$25 or more than \$200.~~]

16 SECTION 96. Section 502.353, Transportation Code, is
17 transferred to Subchapter C, Chapter 502, Transportation Code,
18 redesignated as Section 502.093, Transportation Code, and amended
19 to read as follows:

20 Sec. 502.093 [~~502.353~~]. [~~FOREIGN COMMERCIAL VEHICLES,~~
21 ANNUAL PERMITS [~~, OFFENSE~~]. (a) The department may issue an annual
22 permit in lieu of registration to a foreign commercial motor
23 vehicle, trailer, or semitrailer that[~~+~~

24 [~~(1)~~] is subject to registration in this state[~~+~~] and

25 [~~(2)~~] is not authorized to travel on a public highway
26 because of the lack of registration in this state or the lack of
27 reciprocity with the state or country in which the vehicle is

1 registered.

2 (b) A permit issued under this section[+
3 [~~(1)~~ is in lieu of registration; and
4 [~~(2)~~] is valid for a vehicle registration year to
5 begin on the first day of a calendar month designated by the
6 department and end on the last day of the last calendar month of the
7 registration year.

8 (c) A permit may not be issued under this section for the
9 importation of citrus fruit into this state from a foreign country
10 except for foreign export or processing for foreign export.

11 (d) A person may obtain a permit under this section by:

12 (1) applying in the manner prescribed by [~~to~~] the
13 department;

14 (2) paying a fee in the amount required by Subsection
15 (e) in the manner prescribed by the department, including a service
16 charge for a credit card payment or escrow account [~~cash or by~~
17 ~~postal money order or certified check~~]; and

18 (3) furnishing evidence of financial responsibility
19 for the motor vehicle that complies with Sections 502.046(c)
20 [~~502.153(c)~~] and 601.168(a), the policies to be written by an
21 insurance company or surety company authorized to write motor
22 vehicle liability insurance in this state.

23 (e) The fee for a permit under this section is the fee that
24 would be required for registering the vehicle under Section 502.253
25 [~~502.162~~] or 502.255 [~~502.167~~], except as provided by Subsection
26 (f).

27 (f) A vehicle registered under this section is exempt from

1 the token fee and is not required to display the associated
2 distinguishing license plate if the vehicle:

3 (1) is a semitrailer that has a gross weight of more
4 than 6,000 pounds; and

5 (2) is used or intended to be used in combination with
6 a truck tractor or commercial motor vehicle with a gross vehicle
7 weight [~~manufacturer's rated carrying capacity~~] of more than 10,000
8 pounds [~~one ton~~].

9 (g) A vehicle registered under this section is not subject
10 to the fee required by Section 502.401 [~~502.172~~] or 502.403
11 [~~502.173~~].

12 [~~(h) The department may:~~

13 [~~(1) adopt rules to administer this section; and~~

14 [~~(2) prescribe an application for a permit and other~~
15 ~~forms under this section.~~

16 [~~(i) A person who violates this section commits an offense.~~
17 ~~An offense under this section is a misdemeanor punishable by a fine~~
18 ~~not to exceed \$200.]~~

19 SECTION 97. Section 502.352, Transportation Code, is
20 transferred to Subchapter C, Chapter 502, Transportation Code,
21 redesignated as Section 502.094, Transportation Code, and amended
22 to read as follows:

23 Sec. 502.094 [~~502.352~~]. 72-HOUR OR 144-HOUR PERMITS
24 [~~FOREIGN COMMERCIAL VEHICLES~~]. (a) The department may issue a

25 temporary registration permit in lieu of registration for a
26 commercial motor vehicle, trailer, semitrailer, or motor bus that:

27 (1) is owned by a resident of the United States,

1 Canada, or the United Mexican States;

2 (2) is subject to registration in this state; and

3 (3) is not authorized to travel on a public highway
4 because of the lack of registration in this state or the lack of
5 reciprocity with the state or province in which the vehicle is
6 registered.

7 (b) A permit issued under this section~~+~~

8 [~~(1) is in lieu of registration, and~~

9 [~~(2)~~] is valid for the period stated on the permit,
10 effective from the date and time shown on the receipt issued as
11 evidence of registration under this section.

12 (c) A person may obtain a permit under this section by:

13 (1) applying to the county assessor-collector, the
14 department, or the department's wire service agent, if the
15 department has a wire service agent;

16 (2) paying a fee of \$25 for a 72-hour permit or \$50 for
17 a 144-hour permit in the manner prescribed by the department that
18 may include a service charge for a credit card payment or escrow
19 account~~+~~

20 [~~(A) in cash,~~

21 [~~(B) by postal money order,~~

22 [~~(C) by certified check,~~

23 [~~(D) by wire transfer through the department's~~
24 ~~wire service agent, if any,~~

25 [~~(E) by an escrow account, or~~

26 [~~(F) where the service is provided, by a credit~~
27 ~~card issued by:~~

1 ~~[(i) a financial institution chartered by a~~
2 ~~state or the United States; or~~

3 ~~[(ii) a nationally recognized credit~~
4 ~~organization approved by the board;~~

5 ~~[(3) paying a discount or service charge for a credit~~
6 ~~card payment or escrow account, in addition to the fee];~~

7 (3) ~~[(4)]~~ furnishing to the county
8 assessor-collector, the department, or the department's wire
9 service agent, evidence of financial responsibility for the vehicle
10 that complies with Sections 502.046(c) ~~[502.153(c)]~~ and 601.168(a)
11 ~~[and is written by an insurance company or surety company~~
12 ~~authorized to write motor vehicle liability insurance in this~~
13 ~~state]; and~~

14 (4) ~~[(5)]~~ submitting a copy of the applicable federal
15 declaration form required by the Federal Motor Carrier Safety
16 Administration or its successor in connection with the importation
17 of a motor vehicle or motor vehicle equipment subject to the federal
18 motor vehicle safety, bumper, and theft prevention standards.

19 (d) A county assessor-collector shall report and send a fee
20 collected under this section in the manner provided by Section
21 502.198 ~~[Sections 502.102 and 502.105]~~. Each week, a wire service
22 agent shall send to the department a report of all permits issued by
23 the agent during the previous week. The board ~~[department]~~ by rule
24 shall prescribe the format ~~[form]~~ and content of a report required
25 by this subsection.

26 (e) ~~[The department may:~~

27 ~~[(1) adopt rules to administer this section; and~~

1 ~~[(2)] prescribe an application for a permit and other~~
2 ~~forms under this section.~~

3 ~~[(f)]~~ A vehicle issued a permit under this section is
4 subject to Subchapters B and F, Chapter 548, unless the vehicle:

5 (1) is registered in another state of the United
6 States, in a province of Canada, or in a state of the United Mexican
7 States; or

8 (2) is mobile drilling or servicing equipment used in
9 the production of gas, crude petroleum, or oil, including a mobile
10 crane or hoisting equipment, mobile lift equipment, forklift, or
11 tug.

12 (f) ~~[(g)]~~ A commercial motor vehicle, trailer, semitrailer,
13 or motor bus apprehended for violating a registration law of this
14 state:

15 (1) may not be issued a permit under this section; and

16 (2) is immediately subject to registration in this
17 state.

18 (g) ~~[(h)]~~ A person who operates a commercial motor vehicle,
19 trailer, or semitrailer with an expired permit issued under this
20 section is considered to be operating an unregistered vehicle
21 subject to each penalty prescribed by law.

22 (h) ~~[(i)]~~ The department may establish one or more escrow
23 accounts in the state highway fund for the prepayment of a 72-hour
24 permit or a 144-hour permit. Any fee established by the department
25 for the administration of this subsection shall be administered as
26 required by an agreement entered into by the department.

27 SECTION 98. Section 502.354, Transportation Code, is

1 transferred to Subchapter C, Chapter 502, Transportation Code,
2 redesignated as Section 502.095, Transportation Code, and amended
3 to read as follows:

4 Sec. 502.095 [~~502.354~~]. ONE-TRIP [~~SINGLE~~] OR 30-DAY TRIP
5 PERMITS[~~, OFFENSE~~]. (a) The department may issue a temporary
6 permit in lieu of registration for a vehicle [~~that~~+

7 [~~(1) is~~] subject to registration in this state that[+
8 ~~and~~

9 [~~(2)~~] is not authorized to travel on a public highway
10 because of the lack of registration in this state or the lack of
11 reciprocity with the state or country in which the vehicle is
12 registered.

13 (b) A permit issued under this section[+

14 [~~(1) is in lieu of registration, and~~

15 [~~(2)~~] is valid for:

16 (1) [~~(A)~~] one trip, as provided by Subsection (c); or

17 (2) [~~(B)~~] 30 days, as provided by Subsection (d).

18 (c) A one-trip permit is valid for one trip between the
19 points of origin and destination and those intermediate points
20 specified in the application and registration receipt. Unless the
21 vehicle is a bus operating under charter that is not covered by a
22 reciprocity agreement with the state or country in which the bus is
23 registered, a one-trip permit is for the transit of the vehicle
24 only, and the vehicle may not be used for the transportation of any
25 passenger or property. A one-trip permit may not be valid for
26 longer than 15 days from the effective date of registration.

27 (d) A 30-day permit may be issued only to a passenger

1 vehicle, a private bus, a trailer or semitrailer with a gross weight
2 of not more than 10,000 pounds, a light truck, or a light commercial
3 vehicle with a gross vehicle weight [~~manufacturer's rated carrying~~
4 ~~capacity~~] of more than 10,000 pounds [~~one ton~~] that will operate
5 unladen. A person may obtain multiple 30-day permits. The
6 department may issue a single registration receipt to apply to all
7 of the periods for which the vehicle is registered.

8 (e) A person may obtain a permit under this section by:

9 (1) applying as [~~on a form~~] provided by the department
10 to:

11 (A) the county assessor-collector of the county
12 in which the vehicle will first be operated on a public highway; or

13 (B) the department in Austin or at one of the
14 department's vehicle title and registration regional offices;

15 (2) paying a fee, in the manner prescribed by the
16 department including a registration service charge for a credit
17 card payment or escrow account [~~cash or by postal money order or~~
18 ~~certified check,~~] of:

19 (A) \$5 for a one-trip permit; or

20 (B) \$25 for each 30-day period; and

21 (3) furnishing evidence of financial responsibility
22 for the vehicle in a form listed under Section 502.046(c)
23 [~~502.153(c)~~].

24 (f) A registration receipt [~~and temporary tag~~] shall be
25 carried in the vehicle at all times during the period in which it is
26 valid [~~issued on forms provided by the department~~]. The temporary
27 tag must contain all pertinent information required by this section

1 and must be displayed in the rear window of the vehicle so that the
2 tag is clearly visible and legible when viewed from the rear of the
3 vehicle. If the vehicle does not have a rear window, the temporary
4 tag must be attached on or carried in the vehicle to allow ready
5 inspection. The registration receipt must be carried in the
6 vehicle at all times during the period in which it is valid.

7 (g) The department may refuse and may instruct a county
8 assessor-collector to refuse to issue a temporary registration for
9 any vehicle if, in the department's opinion, the vehicle or the
10 owner of the vehicle has been involved in operations that
11 constitute an abuse of the privilege granted by this section. A
12 registration issued after notice to a county assessor-collector
13 under this subsection is void.

14 ~~[(h) A person issued a temporary registration under this~~
15 ~~section who operates a vehicle in violation of Subsection (f)~~
16 ~~commits an offense. An offense under this subsection is a Class C~~
17 ~~misdemeanor.~~

18 ~~[(i) The department may:~~
19 ~~(1) adopt rules to administer this section, and~~
20 ~~(2) prescribe an application for a permit and other~~
21 ~~forms under this section.]~~

22 SECTION 99. The heading to Subchapter D, Chapter 502,
23 Transportation Code, is amended to read as follows:

24 SUBCHAPTER D. VEHICLES NOT ISSUED REGISTRATION [~~PROCEDURES AND~~
25 ~~FEES~~]

26 SECTION 100. Section 502.006, Transportation Code, is
27 transferred to Subchapter D, Chapter 502, Transportation Code,

1 redesignated as Section 502.140, Transportation Code, and amended
2 to read as follows:

3 Sec. 502.140 [~~502.006~~]. CERTAIN OFF-HIGHWAY VEHICLES.

4 (a) Except as provided by Subsection (b), a person may not
5 register an all-terrain vehicle or a recreational off-highway
6 vehicle, with or without design alterations, for operation on a
7 public highway.

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

12 (c) A recreational off-highway vehicle registered as
13 provided by Subsection (b) may be operated on a public or private
14 beach in the same manner as a golf cart may be operated on a public
15 or private beach under Section 551.403 [~~502.0071~~]. The operator
16 must hold and have in the operator's possession a driver's license
17 issued under Chapter 521 or a commercial driver's license issued
18 under Chapter 522.

19 (d) Section 504.401 [~~502.172~~] does not apply to an
20 all-terrain vehicle or a recreational off-highway vehicle.

21 (e) Operation of an all-terrain vehicle or recreational
22 off-highway vehicle in compliance with Section 663.037 does not
23 require registration under Subsection (b).

24 SECTION 101. Section 502.0072, Transportation Code, is
25 transferred to Subchapter D, Chapter 502, Transportation Code, and
26 redesignated as Section 502.142, Transportation Code, to read as
27 follows:

1 HIGHWAY SEPARATING REAL PROPERTY UNDER VEHICLE OWNER'S CONTROL.
2 Where a public highway separates real property under the control of
3 the owner of a motor vehicle, the operation of the motor vehicle by
4 the owner or the owner's agent or employee across the highway is not
5 a use of the motor vehicle on the public highway.

6 SECTION 104. Section 502.0079, Transportation Code, is
7 transferred to Subchapter D, Chapter 502, Transportation Code,
8 redesignated as Section 502.145, Transportation Code, and amended
9 to read as follows:

10 Sec. 502.145 [~~502.0079~~]. VEHICLES OPERATED BY CERTAIN
11 NONRESIDENTS. (a) [~~A nonresident owner of a motor vehicle,~~
12 ~~trailer, or semitrailer that is registered in the state or country~~
13 ~~in which the person resides may operate the vehicle to transport~~
14 ~~persons or property for compensation without being registered in~~
15 ~~this state, if the person does not exceed two trips in a calendar~~
16 ~~month and each trip does not exceed four days.~~

17 [~~(b) A nonresident owner of a privately owned vehicle that~~
18 ~~is not registered in this state may not make more than five~~
19 ~~occasional trips in any calendar month into this state using the~~
20 ~~vehicle. Each occasional trip into this state may not exceed five~~
21 ~~days.~~

22 [~~(c)~~] A nonresident owner of a privately owned passenger car
23 that is registered in the state or country in which the person
24 resides and that is not operated for compensation may operate the
25 car in this state for the period in which the car's license plates
26 are valid. In this subsection, "nonresident" means a resident of a
27 state or country other than this state whose presence in this state

1 is as a visitor and who does not engage in gainful employment or
2 enter into business or an occupation, except as may otherwise be
3 provided by any reciprocal agreement with another state or country.

4 (b) [~~(a)~~] This section does not prevent:

5 (1) a nonresident owner of a motor vehicle from
6 operating the vehicle in this state for the sole purpose of
7 marketing farm products raised exclusively by the person; or

8 (2) a resident of an adjoining state or country from
9 operating in this state a privately owned and registered vehicle to
10 go to and from the person's place of regular employment and to make
11 trips to purchase merchandise, if the vehicle is not operated for
12 compensation.

13 (c) [~~(e)~~] The privileges provided by this section may be
14 allowed only if, under the laws of the appropriate state or country,
15 similar privileges are granted to vehicles registered under the
16 laws of this state and owned by residents of this state.

17 (d) [~~(f)~~] This section does not affect the right or status
18 of a vehicle owner under any reciprocal agreement between this
19 state and another state or country.

20 SECTION 105. Section 504.504, Transportation Code, is
21 transferred to Subchapter D, Chapter 502, Transportation Code,
22 redesignated as Section 502.146, Transportation Code, and amended
23 to read as follows:

24 Sec. 502.146 [~~504.504~~]. CERTAIN FARM VEHICLES AND DRILLING
25 AND CONSTRUCTION EQUIPMENT. (a) The department shall issue
26 specialty license plates to a vehicle described by Subsection (b)
27 or (c). The fee for the license plates is \$5.

1 (b) An owner is not required to register a vehicle that is
2 used only temporarily on the highways if the vehicle is:

3 (1) a farm trailer or farm semitrailer with a gross
4 weight of more than 4,000 pounds but not more than 34,000 pounds
5 that is used exclusively to transport:

6 (A) seasonally harvested agricultural products
7 or livestock from the place of production to the place of
8 processing, market, or storage; or

9 (B) farm supplies from the place of loading to
10 the farm;

11 (2) machinery used exclusively for the purpose of
12 drilling water wells; ~~or~~

13 (3) oil well servicing or drilling machinery and if at
14 the time of obtaining the license plates, the applicant submits
15 proof that the applicant has a permit under Section 623.142; or

16 (4) construction machinery ~~[that is not designed to~~
17 ~~transport persons or property on a public highway].~~

18 (c) An owner is not required to register a vehicle that is:

19 (1) a farm trailer or farm semitrailer owned by a
20 cotton gin and used exclusively to transport agricultural products
21 without charge from the place of production to the place of
22 processing, market, or storage;

23 (2) a trailer used exclusively to transport fertilizer
24 without charge from a place of supply or storage to a farm; or

25 (3) a trailer used exclusively to transport cottonseed
26 without charge from a place of supply or storage to a farm or place
27 of processing.

1 (d) A vehicle described by Subsection (b) is exempt from the
2 inspection requirements of Subchapters B and F, Chapter 548.

3 (e) This section does not apply to a farm trailer or farm
4 semitrailer that:

5 (1) is used for hire;

6 (2) has metal tires operating in contact with the
7 highway;

8 (3) is not equipped with an adequate hitch pinned or
9 locked so that it will remain securely engaged to the towing vehicle
10 while in motion; or

11 (4) is not operated and equipped in compliance with
12 all other law.

13 (f) A vehicle to which this section applies that is operated
14 on a public highway in violation of this section is considered to be
15 operated while unregistered and is immediately subject to the
16 applicable registration fees and penalties prescribed by this
17 chapter [~~Chapter 502~~].

18 (g) In this section, the gross weight of a trailer or
19 semitrailer is the combined weight of the vehicle and the load
20 carried on the highway.

21 SECTION 106. The heading to Subchapter E, Chapter 502,
22 Transportation Code, is amended to read as follows:

23 SUBCHAPTER E. ADMINISTRATION OF FEES [~~SPECIALLY DESIGNATED~~
24 ~~LICENSE PLATES, EXEMPTIONS FOR GOVERNMENTAL AND QUASI-GOVERNMENTAL~~
25 ~~VEHICLES~~]

26 SECTION 107. Section 502.159, Transportation Code, is
27 transferred to Subchapter E, Chapter 502, Transportation Code,

1 redesignated as Section 502.190, Transportation Code, and amended
2 to read as follows:

3 Sec. 502.190 [~~502.159~~]. SCHEDULE OF REGISTRATION FEES. The
4 department shall post [~~compile and furnish to each county~~
5 ~~assessor-collector~~] a complete schedule of registration fees on the
6 Internet [~~to be collected on the various makes, models, and types of~~
7 ~~vehicles~~].

8 SECTION 108. Section 502.004, Transportation Code, is
9 transferred to Subchapter E, Chapter 502, Transportation Code,
10 redesignated as Section 502.191, Transportation Code, and amended
11 to read as follows:

12 Sec. 502.191 [~~502.004~~]. COLLECTION OF FEES. (a) A person
13 may not collect a registration fee under this chapter unless the
14 person is:

- 15 (1) an officer or employee of the department; or
16 (2) a county assessor-collector or a deputy county
17 assessor-collector.

18 (b) The department may accept electronic payment by
19 electronic funds transfer, credit card, or debit card of any fee
20 that the department is authorized to collect under this chapter.

21 (c) The department may collect a fee for processing a
22 payment by electronic funds transfer, credit card, or debit card.
23 The amount of the fee must not exceed the charges incurred by the
24 state because of the use of the electronic funds transfer, credit
25 card, or debit card.

26 (d) For online transactions the department may collect from
27 a person making payment by electronic funds transfer, credit card,

1 or debit card an amount equal to the amount of any fee charged in
2 accordance with Section 2054.2591, Government Code.

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

12 SECTION 109. Subchapter E, Chapter 502, Transportation
13 Code, is amended by adding Section 502.192 to read as follows:

14 Sec. 502.192. TRANSFER FEE. The purchaser of a used motor
15 vehicle shall pay, in addition to any fee required under Chapter 501
16 for the transfer of title, a transfer fee of \$2.50 for the transfer
17 of the registration of the motor vehicle. The county
18 assessor-collector may retain as commission for services provided
19 under this subchapter half of each transfer fee collected.

20 SECTION 110. Section 502.181, Transportation Code, is
21 transferred to Subchapter E, Chapter 502, Transportation Code,
22 redesignated as Section 502.193, Transportation Code, and amended
23 to read as follows:

24 Sec. 502.193 [502.181]. PAYMENT [OF REGISTRATION FEE] BY
25 CHECK DRAWN AGAINST INSUFFICIENT FUNDS. (a) A county
26 assessor-collector who receives from any person a check or draft
27 for [drawn on a bank or trust company in] payment of a registration

1 fee for a registration year that has not ended [~~on a motor vehicle,~~
2 ~~trailer, or motorcycle sidecar~~] that is returned unpaid because of
3 insufficient funds or no funds in the bank or trust company to the
4 credit of the drawer of the check or draft shall certify the fact to
5 the sheriff or a constable or highway patrol officer in the county
6 after attempts to contact the person fail to result in the
7 collection of payment. The certification must be made before the
8 30th day after the date the check or draft is returned unpaid and:

9 (1) be under the assessor-collector's official seal;

10 (2) include the name and address of the person who gave
11 the [~~assessor-collector the~~] check or draft;

12 (3) include the license plate number and make of the
13 vehicle;

14 (4) be accompanied by the check or draft; and

15 (5) be accompanied by documentation of any attempt to
16 contact the person and collect payment.

17 (b) On receiving a complaint under Subsection (a) from the
18 county assessor-collector, the sheriff, constable, or highway
19 patrol officer shall find the person who gave the
20 [~~assessor-collector the~~] check or draft, if the person is in the
21 county, and demand immediate redemption of the check or draft from
22 the person. If the person fails or refuses to redeem the check or
23 draft, the sheriff, constable, or highway patrol officer shall:

24 (1) seize and remove the license plates and
25 registration insignia from the vehicle; and

26 (2) return the license plates and registration
27 insignia to the county assessor-collector.

1 SECTION 111. Section 502.182, Transportation Code, is
2 transferred to Subchapter E, Chapter 502, Transportation Code,
3 redesignated as Section 502.194, Transportation Code, and amended
4 to read as follows:

5 Sec. 502.194 [~~502.182~~]. CREDIT FOR REGISTRATION FEE PAID ON
6 MOTOR VEHICLE SUBSEQUENTLY DESTROYED. (a) The owner of a motor
7 vehicle that is destroyed to the extent that it cannot afterwards be
8 operated on a public highway is entitled to a registration fee
9 credit if the prorated portion of the registration fee for the
10 remainder of the registration year is more than \$15. The owner must
11 claim the credit by[+]

12 [~~(1)~~] sending the registration fee receipt [~~and the~~
13 ~~license plates~~] for the vehicle to the department[+, and

14 [~~(2)~~ ~~executing a statement on a form provided by the~~
15 ~~department showing that the license plates have been surrendered to~~
16 ~~the department~~].

17 (b) The department, on satisfactory proof that the vehicle
18 is destroyed, shall issue a registration fee credit slip to the
19 owner in an amount equal to the prorated portion of the registration
20 fee for the remainder of the registration year. The owner, during
21 the same or the next registration year, may use the registration fee
22 credit slip as payment or part payment for the registration of
23 another vehicle to the extent of the credit.

24 [~~(c)~~ ~~A statement executed under Subsection (a)(2) shall be~~
25 ~~delivered to a purchaser of the destroyed vehicle. The purchaser~~
26 ~~may surrender the statement to the department in lieu of the vehicle~~
27 ~~license plates.~~

1 ~~[(d) The department shall adopt rules to administer this~~
2 ~~section.]~~

3 SECTION 112. Section 502.183, Transportation Code, is
4 transferred to Subchapter E, Chapter 502, Transportation Code,
5 redesignated as Section 502.195, Transportation Code, and amended
6 to read as follows:

7 Sec. 502.195 [~~502.183~~]. REFUND OF OVERCHARGED REGISTRATION
8 FEE. (a) The owner of a motor vehicle [~~that is required to be~~
9 ~~registered~~] who pays an annual registration fee in excess of the
10 statutory amount is entitled to a refund of the overcharge.

11 (b) The county assessor-collector who collects the
12 excessive fee shall refund an overcharge on presentation to the
13 assessor-collector of satisfactory evidence of the overcharge[~~-~~
14 ~~The owner must make a claim for a refund of an overcharge~~] not later
15 than the first [~~fifth~~] anniversary of the date the excessive
16 registration fee was paid.

17 (c) A refund shall be paid from the fund in which the
18 county's share of registration fees is deposited.

19 SECTION 113. Section 502.051, Transportation Code, is
20 transferred to Subchapter E, Chapter 502, Transportation Code, and
21 redesignated as Section 502.196, Transportation Code, to read as
22 follows:

23 Sec. 502.196 [~~502.051~~]. DEPOSIT OF REGISTRATION FEES IN
24 STATE HIGHWAY FUND. Except as otherwise provided by this chapter,
25 the board and the department shall deposit all money received from
26 registration fees in the state treasury to the credit of the state
27 highway fund.

1 SECTION 114. Section 502.101, Transportation Code, is
2 transferred to Subchapter E, Chapter 502, Transportation Code, and
3 redesignated as Section 502.197, Transportation Code, to read as
4 follows:

5 Sec. 502.197 [~~502.101~~]. REGISTRATION BY MAIL OR ELECTRONIC
6 MEANS; SERVICE CHARGE. (a) A county assessor-collector may
7 collect a service charge of \$1 from each applicant registering a
8 vehicle by mail. The service charge shall be used to pay the costs
9 of handling and postage to mail the registration receipt and
10 insignia to the applicant.

11 (b) With the approval of the commissioners court of a
12 county, a county assessor-collector may contract with a private
13 entity to enable an applicant for registration to use an electronic
14 off-premises location. A private entity may charge an applicant
15 not more than \$1 for the service provided.

16 (c) The department may adopt rules to cover the timely
17 application for and issuance of registration receipts and insignia
18 by mail or through an electronic off-premises location.

19 SECTION 115. Section 502.102, Transportation Code, is
20 transferred to Subchapter E, Chapter 502, Transportation Code,
21 redesignated as Section 502.198, Transportation Code, and amended
22 to read as follows:

23 Sec. 502.198 [~~502.102~~]. DISPOSITION OF FEES GENERALLY.
24 (a) Except as provided by Sections 502.1982 [~~502.103~~] and 502.357
25 [~~502.104~~], this section applies to all fees collected by a county
26 assessor-collector under this chapter.

27 (b) Each Monday, a county assessor-collector shall credit

1 to the county road and bridge fund an amount equal to the net
2 collections made during the preceding week until the amount so
3 credited for the calendar year equals the total of:

4 (1) \$60,000;

5 (2) \$350 for each mile of county road maintained by the
6 county, according to the most recent information available from the
7 department, not to exceed 500 miles; and

8 (3) an additional amount of fees equal to the amount
9 calculated under Section 502.1981 [~~502.1025~~].

10 (c) After the credits to the county road and bridge fund
11 equal the total computed under Subsection (b), each Monday the
12 county assessor-collector shall:

13 (1) credit to the county road and bridge fund an amount
14 equal to 50 percent of the net collections made during the preceding
15 week, until the amount so credited for the calendar year equals
16 \$125,000; and

17 (2) send to the department an amount equal to 50
18 percent of those collections.

19 (d) After the credits to the county road and bridge fund
20 equal the total amounts computed under Subsections (b) and (c)(1),
21 each Monday the county assessor-collector shall send to the
22 department all collections made during the preceding week.

23 [~~(e) Each Monday the county assessor-collector shall send~~
24 ~~to the department a copy of each receipt issued the previous week~~
25 ~~for a registration fee under this chapter.~~]

26 SECTION 116. Section 502.1025, Transportation Code, is
27 transferred to Subchapter E, Chapter 502, Transportation Code,

1 redesignated as Section 502.1981, Transportation Code, and amended
2 to read as follows:

3 Sec. 502.1981 [~~502.1025~~]. CALCULATION OF ADDITIONAL FEE
4 AMOUNTS RETAINED BY A COUNTY. (a) The county tax
5 assessor-collector each calendar year shall calculate five percent
6 of the tax and penalties collected by the county tax
7 assessor-collector under Chapter 152, Tax Code, in the preceding
8 calendar year. In addition, the county tax assessor-collector
9 shall calculate each calendar year an amount equal to five percent
10 of the tax and penalties that the comptroller:

11 (1) collected under Section 152.047, Tax Code, in the
12 preceding calendar year; and

13 (2) determines are attributable to sales in the
14 county.

15 (b) A county tax assessor-collector shall retain under
16 Section 502.198(b) [~~502.102(b)~~] fees based on the following
17 percentage of the amounts calculated under Subsection [~~subsection~~]

18 (a) during each of the following fiscal years:

- 19 (1) [~~in fiscal year 2006, 90 percent,~~
- 20 [~~(2) in fiscal year 2007, 80 percent,~~
- 21 [~~(3) in fiscal year 2008, 70 percent,~~
- 22 [~~(4) in fiscal year 2009, 60 percent,~~
- 23 [~~(5) in fiscal year 2010, 50 percent,~~
- 24 [~~(6) in fiscal year 2011, 40 percent,~~
- 25 [~~(7)~~] in fiscal year 2012, 30 percent;
- 26 (2) [~~(8)~~] in fiscal year 2013, 20 percent;
- 27 (3) [~~(9)~~] in fiscal year 2014, 10 percent;

1 (4) [~~10~~] in fiscal year 2015 and succeeding years, 0
2 percent.

3 (c) The county shall credit the amounts retained under
4 Subsection (b) to the county road and bridge fund. Money credited
5 to the fund under this section may only be used for:

6 (1) county road construction, maintenance, and
7 repair;

8 (2) bridge construction, maintenance, and repair;

9 (3) the purchase of right-of-way for road or highway
10 purposes; or

11 (4) the relocation of utilities for road or highway
12 purposes.

13 SECTION 117. Section 502.103, Transportation Code, is
14 transferred to Subchapter E, Chapter 502, Transportation Code,
15 redesignated as Section 502.1982, Transportation Code, and amended
16 to read as follows:

17 Sec. 502.1982 [~~502.103~~]. DISPOSITION OF OPTIONAL COUNTY
18 ROAD AND BRIDGE FEE. Each Monday a county assessor-collector shall
19 apportion the collections for the preceding week for a fee imposed
20 under Section 502.401 [~~502.172~~] by:

21 (1) crediting an amount equal to 97 percent of the
22 collections to the county road and bridge fund; and

23 (2) sending to the department an amount equal to three
24 percent of the collections to defray the department's costs of
25 administering Section 502.401 [~~502.172~~].

26 SECTION 118. Section 502.106, Transportation Code, is
27 transferred to Subchapter E, Chapter 502, Transportation Code,

1 redesignated as Section 502.1983, Transportation Code, and amended
2 to read as follows:

3 Sec. 502.1983 [~~502.106~~]. DEPOSIT OF FEES IN
4 INTEREST-BEARING ACCOUNT. (a) Except as provided by Sections
5 502.1982 [~~502.103~~] and 502.357 [~~502.104~~], a county
6 assessor-collector may:

7 (1) deposit the fees in an interest-bearing account or
8 certificate in the county depository; and

9 (2) send the fees to the department not later than the
10 34th day after the date the fees are due under Section 502.357
11 [~~502.104~~].

12 (b) The county owns all interest earned on fees deposited
13 under this section. The county treasurer shall credit the interest
14 to the county general fund.

15 SECTION 119. Section 502.107, Transportation Code, is
16 transferred to Subchapter E, Chapter 502, Transportation Code, and
17 redesignated as Section 502.1984, Transportation Code, to read as
18 follows:

19 Sec. 502.1984 [~~502.107~~]. INTEREST ON FEES. (a) A fee
20 required to be sent to the department under this chapter bears
21 interest for the benefit of the state highway fund at an annual rate
22 of 10 percent beginning on the 60th day after the date the county
23 assessor-collector collects the fee.

24 (b) The department shall audit the registration and
25 transfer fees collected and disbursed by each county
26 assessor-collector and shall determine the exact amount of interest
27 due on any fee not sent to the department.

1 (c) The state has a claim against a county
2 assessor-collector and the sureties on the assessor-collector's
3 official bond for the amount of interest due on a fee.

4 SECTION 120. Section 502.108, Transportation Code, is
5 transferred to Subchapter E, Chapter 502, Transportation Code,
6 redesignated as Section 502.1985, Transportation Code, and amended
7 to read as follows:

8 Sec. 502.1985 [~~502.108~~]. USE OF REGISTRATION FEES RETAINED
9 BY COUNTY. (a) Money credited to the county road and bridge fund
10 under Section 502.198 [~~502.102~~] or 502.1982 [~~502.103~~] may not be
11 used to pay the compensation of the county judge or a county
12 commissioner. The money may be used only for the construction and
13 maintenance of lateral roads in the county, under the supervision
14 of the county engineer.

15 (b) If there is not a county engineer, the commissioners
16 court of the county may require the services of the department's
17 district engineer or resident engineer to supervise the
18 construction and surveying of lateral roads in the county.

19 (c) A county may use money allocated to it under this
20 chapter to:

21 (1) pay obligations issued in the construction or
22 improvement of any roads, including state highways in the county;

23 (2) improve the roads in the county road system; or

24 (3) construct new roads.

25 (d) To the maximum extent possible, contracts for roads
26 constructed by a county using funds provided under this chapter
27 should be awarded by competitive bids.

1 SECTION 121. Section 502.110, Transportation Code, is
2 transferred to Subchapter E, Chapter 502, Transportation Code, and
3 redesignated as Section 502.1986, Transportation Code, to read as
4 follows:

5 Sec. 502.1986 [~~502.110~~]. CONTINGENT PROVISION FOR
6 DISTRIBUTION OF FEES BETWEEN STATE AND COUNTIES. If the method of
7 distributing vehicle registration fees collected under this
8 chapter between the state and counties is declared invalid because
9 of inequality of collection or distribution of those fees, 60
10 percent of each fee shall be distributed to the county collecting
11 the fee and 40 percent shall be sent to the state in the manner
12 provided by this chapter.

13 SECTION 122. The heading to Subchapter F, Chapter 502,
14 Transportation Code, is amended to read as follows:

15 SUBCHAPTER F. REGULAR REGISTRATION FEES [~~SPECIALIZED LICENSE~~
16 ~~PLATES, EXEMPTIONS FOR PRIVATELY OWNED VEHICLES~~]

17 SECTION 123. Section 502.160, Transportation Code, as
18 effective September 1, 2011, is transferred to Subchapter F,
19 Chapter 502, Transportation Code, and redesignated as Section
20 502.251, Transportation Code, to read as follows:

21 Sec. 502.251 [~~502.160~~]. FEE: MOTORCYCLE OR MOPED. The
22 fee for a registration year for registration of a motorcycle or
23 moped is \$30.

24 SECTION 124. Section 502.161, Transportation Code, as
25 effective September 1, 2011, is transferred to Subchapter F,
26 Chapter 502, Transportation Code, redesignated as Section 502.252,
27 Transportation Code, and amended to read as follows:

1 Sec. 502.252 [~~502.161~~]. FEE: VEHICLES THAT WEIGH 6,000
2 POUNDS OR LESS. (a) The fee for a registration year for
3 registration of a vehicle with a gross weight of 6,000 pounds or
4 less is \$50.75, unless otherwise provided in this chapter.

5 **(b)** [~~(c)~~] For registration purposes, the weight of a
6 passenger car, a municipal bus, or a private bus is the weight
7 generally accepted as its correct shipping weight plus 100 pounds.

8 ~~[(d) In this section, "private bus" has the meaning assigned~~
9 ~~by Section 502.294.]~~

10 SECTION 125. Section 502.162, Transportation Code, as
11 effective September 1, 2011, is transferred to Subchapter F,
12 Chapter 502, Transportation Code, redesignated as Section 502.253,
13 Transportation Code, and amended to read as follows:

14 Sec. 502.253 [~~502.162~~]. FEE: VEHICLES THAT WEIGH MORE THAN
15 6,000 POUNDS. [~~(a)~~] The fee for a registration year for
16 registration of a vehicle with a gross weight of more than 6,000
17 pounds is as follows unless otherwise provided in this chapter:

18 Weight Classification	Fee Schedule
19 in pounds	
20 6,001-10,000	\$54.00
21 10,001-18,000	\$110.00
22 18,001-25,999	\$205.00
23 26,000-40,000	\$340.00
24 40,001-54,999	\$535.00
25 55,000-70,000	\$740.00
26 70,001-80,000	\$840.00

27 ~~[(b) The gross weight of a vehicle is the actual weight of~~

1 ~~the vehicle, fully equipped with a body and other equipment, as~~
2 ~~certified by a public weigher or a license and weight inspector of~~
3 ~~the Department of Public Safety, plus its net carrying capacity.~~

4 ~~[(c) The net carrying capacity of a vehicle other than a bus~~
5 ~~is the heaviest net load to be carried on the vehicle, but not less~~
6 ~~than the manufacturer's rated carrying capacity.~~

7 ~~[(d) The net carrying capacity of a bus is computed by~~
8 ~~multiplying its seating capacity by 150 pounds. The seating~~
9 ~~capacity of a bus is:~~

10 ~~[(1) the manufacturer's rated seating capacity,~~
11 ~~excluding the operator's seat; or~~

12 ~~[(2) if the manufacturer has not rated the vehicle for~~
13 ~~seating capacity, a number computed by allowing one passenger for~~
14 ~~each 16 inches of seating on the bus, excluding the operator's~~
15 ~~seat.]~~

16 SECTION 126. Section 502.166, Transportation Code, as
17 effective September 1, 2011, is transferred to Subchapter F,
18 Chapter 502, Transportation Code, redesignated as Section 502.254,
19 Transportation Code, and amended to read as follows:

20 Sec. 502.254 [~~502.166~~]. FEE: TRAILER, TRAVEL TRAILER, OR
21 SEMITRAILER. (a) The fee for a registration year for registration
22 of a trailer, travel trailer, or semitrailer with a gross weight of
23 6,000 pounds or less is \$45.00.

24 (b) [~~(a-1)~~] The fee for a registration year for
25 registration of a trailer, travel trailer, or semitrailer with a
26 gross weight of more than 6,000 pounds is calculated by gross weight
27 according to Section 502.253 [~~502.162~~].

1 ~~[(b) The gross weight of a trailer or semitrailer is the~~
2 ~~actual weight of the vehicle, as certified by a public weigher or a~~
3 ~~license and weight inspector of the Department of Public Safety,~~
4 ~~plus its net carrying capacity.~~

5 ~~[(c) The net carrying capacity of a vehicle is the heaviest~~
6 ~~net load to be carried on the vehicle, but not less than the~~
7 ~~manufacturer's rated carrying capacity.~~

8 ~~[(d) The department may issue specially designed license~~
9 ~~plates for rental trailers and travel trailers that include, as~~
10 ~~appropriate, the words "rental trailer" or "travel trailer."~~

11 ~~[(e) In this section:~~

12 ~~[(1) "Rental fleet" means five or more vehicles that~~
13 ~~are:~~

14 ~~[(A) owned by the same owner,~~

15 ~~[(B) offered for rent or rented without drivers,~~

16 ~~and~~

17 ~~[(C) designated by the owner in the manner~~
18 ~~prescribed by the department as a rental fleet.~~

19 ~~[(2) "Rental trailer" means a utility trailer that:~~

20 ~~[(A) has a gross weight of 4,000 pounds or less,~~

21 ~~and~~

22 ~~[(B) is part of a rental fleet.~~

23 ~~[(3) "Travel trailer" means a house trailer-type~~
24 ~~vehicle or a camper trailer that is:~~

25 ~~[(A) less than eight feet in width or 40 feet in~~
26 ~~length, exclusive of any hitch installed on the vehicle, and~~

27 ~~[(B) designed primarily for use as temporary~~

1 ~~living quarters in connection with recreational, camping, travel,~~
2 ~~or seasonal use and not as a permanent dwelling; provided that~~
3 ~~"travel trailer" shall not include a utility trailer, enclosed~~
4 ~~trailer, or other trailer not having human habitation as its~~
5 ~~primary purpose.]~~

6 SECTION 127. Section 502.167, Transportation Code, as
7 effective September 1, 2011, is transferred to Subchapter F,
8 Chapter 502, Transportation Code, redesignated as Section 502.255,
9 Transportation Code, and amended to read as follows:

10 Sec. 502.255 [~~502.167~~]. TRUCK-TRACTOR OR COMMERCIAL MOTOR
11 VEHICLE COMBINATION FEE; SEMITRAILER TOKEN FEE. (a) This section
12 applies only to a truck-tractor or commercial motor vehicle with a
13 gross weight of more than 10,000 pounds that is used or is to be used
14 in combination with a semitrailer that has a gross weight of more
15 than 6,000 pounds.

16 (b) The fee for a registration year for registration of a
17 truck-tractor or commercial motor vehicle is calculated by gross
18 weight according to Section 502.253 [~~502.162~~].

19 (c) The fee for a registration year for registration of a
20 semitrailer used in the manner described by Subsection (a),
21 regardless of the date the semitrailer is registered, is:

22 (1) \$30, for a semitrailer being propelled by a power
23 unit for which a permit under Section 623.011 has been issued; or

24 (2) \$15, for a semitrailer being propelled by a power
25 unit for which a permit under Section 623.011 has not been issued.

26 (d) A registration made under Subsection (c) is valid only
27 when the semitrailer is used in the manner described by Subsection

1 (a).

2 (e) For registration purposes, a semitrailer converted to a
3 trailer by means of an auxiliary axle assembly retains its status as
4 a semitrailer.

5 (f) A combination of vehicles may not be registered under
6 this section for a combined gross weight of less than 18,000 pounds.

7 (g) This section does not apply to:

8 (1) a combination of vehicles that includes a vehicle
9 that has a distinguishing license plate under Section 502.146
10 [~~504.504~~];

11 (2) a truck-tractor or commercial motor vehicle
12 registered or to be registered with \$5 distinguishing license
13 plates for which the vehicle is eligible under this chapter;

14 (3) a truck-tractor or commercial motor vehicle used
15 exclusively in combination with a semitrailer of the travel trailer
16 [~~housetrailer~~] type; or

17 (4) a vehicle registered or to be registered:

18 (A) with a temporary registration permit;

19 (B) under Section 502.433 [~~502.163~~]; or

20 (C) under Section 502.435 [~~502.188~~].

21 (h) The department may adopt rules to administer this
22 section.

23 (i) The department may issue specially designed license
24 plates for token trailers.

25 (j) A person may register a semitrailer under this section
26 [~~for a registration period of five consecutive years~~] if the
27 person:

1 (1) applies to the department for [~~the five-year~~]
2 registration;

3 (2) provides proof of the person's eligibility to
4 register the vehicle under this subsection as required by the
5 department; and

6 (3) pays a fee of \$15, plus any applicable fee under
7 Section 502.401 [~~502.172~~], for each year included in the
8 registration period.

9 ~~[(k) If during the five-year registration period for a
10 vehicle registered under Subsection (j) the amount of a fee imposed
11 under that subsection is increased, the owner of the vehicle is
12 liable to the department for the amount of the increase. If the
13 amount of a fee is decreased, the owner of the vehicle is not
14 entitled to a refund.~~

15 ~~[(1) In this section:~~

16 ~~[(1) "Combined gross weight" means the empty weight of
17 the truck-tractor or commercial motor vehicle combined with the
18 empty weight of the heaviest semitrailer used or to be used in
19 combination with the truck-tractor or commercial motor vehicle plus
20 the heaviest net load to be carried on the combination during the
21 registration year.~~

22 ~~[(2) "Empty weight" means the unladen weight of the
23 truck-tractor or commercial motor vehicle and semitrailer
24 combination fully equipped, as certified by a public weigher or
25 license and weight inspector of the Department of Public Safety.~~

26 ~~[(3) "Token trailer" means a semitrailer that:~~

27 ~~[(A) has a gross weight of more than 6,000~~

1 ~~pounds, and~~

2 ~~[(B) is operated in combination with a truck or a~~
3 ~~truck-tractor that has been issued:~~

4 ~~[(i) an apportioned license plate,~~

5 ~~[(ii) a combination license plate, or~~

6 ~~[(iii) a forestry vehicle license plate.~~

7 ~~[(4) "Apportioned license plate" means a license plate~~
8 ~~issued in lieu of truck license plates or combination license~~
9 ~~plates to a motor carrier in this state who proportionally~~
10 ~~registers a vehicle owned by the carrier in one or more other~~
11 ~~states.~~

12 ~~[(5) "Combination license plate" means a license plate~~
13 ~~issued for a truck or truck-tractor that:~~

14 ~~[(A) has a manufacturer's rated carrying~~
15 ~~capacity of more than one ton, and~~

16 ~~[(B) is used or intended to be used in~~
17 ~~combination with a semitrailer that has a gross weight of more than~~
18 ~~6,000 pounds.]~~

19 SECTION 128. Section 502.165, Transportation Code, as
20 effective September 1, 2011, is transferred to Subchapter F,
21 Chapter 502, Transportation Code, redesignated as Section 502.256,
22 Transportation Code, and amended to read as follows:

23 Sec. 502.256 [~~502.165~~]. FEE: ROAD TRACTOR. The fee for a
24 registration year for registration of a road tractor is the fee
25 prescribed by weight as certified by a public weigher or a license
26 and weight inspector of the Department of Public Safety under
27 Section 502.252 [~~502.161~~] or 502.253 [~~502.162~~], as applicable.

1 SECTION 129. The heading to Subchapter G, Chapter 502,
2 Transportation Code, is amended to read as follows:

3 SUBCHAPTER G. ADDITIONAL FEES [~~TEMPORARY REGISTRATION~~]

4 SECTION 130. Section 502.1705, Transportation Code, as
5 effective September 1, 2011, is transferred to Subchapter G,
6 Chapter 502, Transportation Code, redesignated as Section 502.356,
7 Transportation Code, and amended to read as follows:

8 Sec. 502.356 [~~502.1705~~]. [~~ADDITIONAL FEE FOR~~] AUTOMATED
9 REGISTRATION AND TITLING [~~TITLE~~] SYSTEM. (a) In addition to other
10 registration fees for a license plate or set of license plates or
11 other device used as the registration insignia, a fee of \$1 shall be
12 collected.

13 (b) The department may use money collected under this
14 section to provide for or enhance:

15 (1) automated on-premises and off-premises
16 registration; and

17 (2) services related to the titling of vehicles.

18 SECTION 131. Section 502.1715, Transportation Code, as
19 amended by Chapters 892 (S.B. 1670) and 1108 (H.B. 2337), Acts of
20 the 79th Legislature, Regular Session, 2005, is transferred to
21 Subchapter G, Chapter 502, Transportation Code, redesignated as
22 Section 502.357, Transportation Code, and reenacted and amended to
23 read as follows:

24 Sec. 502.357 [~~502.1715~~]. FINANCIAL RESPONSIBILITY
25 [~~ADDITIONAL FEE FOR CERTAIN DEPARTMENT~~] PROGRAMS. (a) In addition
26 to other fees imposed for registration of a motor vehicle, at the
27 time of application for registration or renewal of registration of

1 a motor vehicle for which the owner is required to submit evidence
2 of financial responsibility under Section 502.046 [~~502.153~~], the
3 applicant shall pay a fee of \$1. In addition to other fees imposed
4 for registration of a motor vehicle, at the time of application for
5 registration of a motor vehicle that is subject to Section
6 501.0234, the applicant shall pay a fee of \$1. Fees collected under
7 this section shall be remitted weekly to the department.

8 (b) Fees collected under this section shall be deposited to
9 the credit of the state highway fund. Subject to appropriations,
10 the money shall be used by the Department of Public Safety to:

11 (1) support the Department of Public Safety's
12 reengineering of the driver's license system to provide for the
13 issuance by the Department of Public Safety of a driver's license or
14 personal identification certificate, to include use of image
15 comparison technology;

16 (2) establish and maintain a system to support the
17 driver responsibility program under Chapter 708; and

18 (3) make lease payments to the master lease purchase
19 program for the financing of the driver's license reengineering
20 project.

21 (c) Fees collected under this section shall be deposited to
22 the credit of the state highway fund. Subject to appropriation, the
23 money may be used by the Department of Public Safety, the Texas
24 Department of Insurance, the Department of Information Resources,
25 and the department to carry out Subchapter N, Chapter 601.

26 (d) The Department of Public Safety, the Texas Department of
27 Insurance, the Department of Information Resources, and the

1 department shall jointly adopt rules and develop forms necessary to
2 administer this section.

3 SECTION 132. Section 502.1675, Transportation Code, is
4 transferred to Subchapter G, Chapter 502, Transportation Code,
5 redesignated as Section 502.358, Transportation Code, and amended
6 to read as follows:

7 Sec. 502.358 [~~502.1675~~]. TEXAS EMISSIONS REDUCTION PLAN
8 SURCHARGE. (a) In addition to the registration fees charged under
9 Section 502.255 [~~502.167~~], a surcharge is imposed on the
10 registration of a truck-tractor or commercial motor vehicle under
11 that section in an amount equal to 10 percent of the total fees due
12 for the registration of the truck-tractor or commercial motor
13 vehicle under that section.

14 (b) The county tax assessor-collector shall remit the
15 surcharge collected under this section to the comptroller at the
16 time and in the manner prescribed by the comptroller for deposit in
17 the Texas emissions reduction plan fund.

18 (c) This section expires August 31, 2019.

19 SECTION 133. Section 502.171, Transportation Code, is
20 transferred to Subchapter G, Chapter 502, Transportation Code,
21 redesignated as Section 502.359, Transportation Code, and amended
22 to read as follows:

23 Sec. 502.359 [~~502.171~~]. ADDITIONAL FEE FOR CERTAIN
24 VEHICLES USING DIESEL MOTOR. (a) The registration fee under this
25 chapter for a motor vehicle other than a passenger car, a truck with
26 a gross vehicle weight [~~manufacturer's rated carrying capacity~~] of
27 18,000 pounds [~~two tons~~] or less, or a vehicle registered in

1 combination under Section 502.255 [~~502.167~~] is increased by 11
2 percent if the vehicle has a diesel motor.

3 (b) The [~~A county assessor-collector shall show on the~~]
4 registration receipt for a motor vehicle, other than a passenger
5 car or a truck with a gross vehicle weight [~~manufacturer's rated~~
6 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less, must show
7 that the vehicle has a diesel motor.

8 (c) The department may adopt rules to administer this
9 section.

10 SECTION 134. The heading to Subchapter H, Chapter 502,
11 Transportation Code, is amended to read as follows:

12 SUBCHAPTER H. OPTIONAL FEES [~~OFFENSES AND PENALTIES~~]

13 SECTION 135. Section 502.172, Transportation Code, is
14 transferred to Subchapter H, Chapter 502, Transportation Code,
15 redesignated as Section 502.401, Transportation Code, and amended
16 to read as follows:

17 Sec. 502.401 [~~502.172~~]. OPTIONAL COUNTY FEE FOR ROAD AND
18 BRIDGE FUND. (a) The commissioners court of a county by order may
19 impose an additional fee, not to exceed \$10, for registering a
20 vehicle in the county.

21 (b) A vehicle that may be registered under this chapter
22 without payment of a registration fee may be registered in a county
23 imposing a fee under this section without payment of the additional
24 fee.

25 (c) A fee imposed under this section may take effect only on
26 January 1 of a year. The county must adopt the order and notify the
27 department not later than September 1 of the year preceding the year

1 in which the fee takes effect.

2 (d) A fee imposed under this section may be removed. The
3 removal may take effect only on January 1 of a year. A county may
4 remove the fee only by:

5 (1) rescinding the order imposing the fee; and

6 (2) notifying the department not later than September
7 1 of the year preceding the year in which the removal takes effect.

8 (e) The county assessor-collector of a county imposing a fee
9 under this section shall collect the additional fee for a vehicle
10 when other fees imposed under this chapter are collected.

11 (f) The department shall collect the additional fee on a
12 vehicle that is owned by a resident of a county imposing a fee under
13 this section [~~and~~] that [~~under this chapter,~~] must be registered
14 directly with the department. The department shall send all fees
15 collected for a county under this subsection to the county
16 treasurer to be credited to the county road and bridge fund.

17 (g) The department shall adopt rules [~~and develop forms~~]
18 necessary to administer registration [~~by mail~~] for a vehicle being
19 registered in a county imposing a fee under this section.

20 SECTION 136. Section 502.1725, Transportation Code, is
21 transferred to Subchapter H, Chapter 502, Transportation Code,
22 redesignated as Section 502.402, Transportation Code, and amended
23 to read as follows:

24 Sec. 502.402 [~~502.1725~~]. OPTIONAL COUNTY FEE FOR
25 TRANSPORTATION PROJECTS. (a) This section applies only to a
26 county:

27 (1) that borders the United Mexican States;

1 (2) that has a population of more than 300,000; and
2 (3) in which the largest municipality has a population
3 of less than 300,000.

4 (b) The commissioners court of a county by order may impose
5 an additional fee, not to exceed \$10, for [~~registering~~] a vehicle
6 registered in the county.

7 (c) A vehicle that may be registered under this chapter
8 without payment of a registration fee may be registered [~~in a county~~
9 ~~imposing a fee~~] under this section without payment of the
10 additional fee.

11 (d) A fee imposed under this section may take effect [~~only~~
12 ~~on January 1 of a year. The county must adopt the order~~] and
13 [~~notify the department not later than September 1 of the year~~
14 ~~preceding the year in which the fee takes effect.~~

15 [~~(c) A fee imposed under this section may~~] be removed in
16 accordance with the requirements of Section 502.401[~~. The removal~~
17 ~~may take effect only on January 1 of a year. A county may remove the~~
18 ~~fee only by:~~

19 [~~(1) rescinding the order imposing the fee; and~~
20 [~~(2) notifying the department not later than September~~
21 ~~1 of the year preceding the year in which the removal takes effect~~].

22 (e) [~~(f)~~] The [~~county assessor-collector of a county~~
23 ~~imposing a fee under this section shall collect the~~] additional fee
24 shall be collected for a vehicle when other fees imposed under this
25 chapter are collected. The [~~county shall send the~~] fee revenue
26 collected shall be sent to the regional mobility authority of the
27 county to fund long-term transportation projects in the county.

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

8 ~~[(h)]~~ The department shall adopt rules [~~and develop forms~~]
9 necessary to administer registration [~~by mail~~] for a vehicle being
10 registered in a county imposing a fee under this section.

11 SECTION 137. Section 502.173, Transportation Code, is
12 transferred to Subchapter H, Chapter 502, Transportation Code,
13 redesignated as Section 502.403, Transportation Code, and amended
14 to read as follows:

15 Sec. 502.403 [~~502.173~~]. OPTIONAL COUNTY FEE FOR CHILD
16 SAFETY. (a) The commissioners court of a county that has a
17 population greater than 1.3 million and in which a municipality
18 with a population of more than one million is primarily located may
19 impose by order an additional fee of not less than 50 cents or more
20 than \$1.50 for [~~registering~~] a vehicle registered in the county.
21 The commissioners court of any other county may impose by order an
22 additional fee of not more than \$1.50 for registering a vehicle in
23 the county.

24 (b) A vehicle that may be registered under this chapter
25 without payment of a registration fee may be registered [~~in a county~~
26 ~~imposing a fee under this section~~] without payment of the
27 additional fee.

1 (c) A fee imposed under this section may take effect [~~only~~
2 ~~on January 1 of a year. The county must adopt the order~~] and [~~notify~~
3 ~~the department not later than September 10 of the year preceding the~~
4 ~~year in which the fee takes effect.~~

5 [~~(d) A fee imposed under this section may~~] be removed in
6 accordance with the provisions of Section 502.401. [~~The removal~~
7 ~~may take effect only on January 1 of a year. A county may remove the~~
8 ~~fee only by:~~

- 9 [(1) ~~rescinding the order imposing the fee; and~~
10 [(2) ~~notifying the department not later than September~~
11 ~~1 of the year preceding the year in which the removal takes effect.~~]

12 (d) [~~(e)~~] The [~~county assessor-collector of a county~~
13 ~~imposing a fee under this section shall collect the~~] additional fee
14 shall be collected for a vehicle when other fees imposed under this
15 chapter are collected.

16 (e) [~~(f)~~] A county imposing a fee under this section may
17 deduct for administrative costs an amount of not more than 10
18 percent of the revenue it receives from the fee. The county may
19 also deduct from the fee revenue an amount proportional to the
20 percentage of county residents who live in unincorporated areas of
21 the county. After making the deductions provided for by this
22 subsection, the county shall send the remainder of the fee revenue
23 to the municipalities in the county according to their population.

24 (f) [~~(g)~~] A municipality with a population greater than
25 850,000 shall deposit revenue from a fee imposed under this
26 subsection to the credit of the child safety trust fund created
27 under Section 106.001, Local Government Code. A municipality with

1 a population less than 850,000 shall use revenue from a fee imposed
2 under this section in accordance with Article 102.014(g), Code of
3 Criminal Procedure.

4 (g) [~~(h)~~] After deducting administrative costs, a county
5 may use revenue from a fee imposed under this section only for a
6 purpose permitted by Article 102.014(g) [~~Subsection (g), Article~~
7 ~~102.014~~], Code of Criminal Procedure.

8 SECTION 138. Section 502.174, Transportation Code, is
9 transferred to Subchapter H, Chapter 502, Transportation Code,
10 redesignated as Section 502.404, Transportation Code, and amended
11 to read as follows:

12 Sec. 502.404 [~~502.174~~]. VOLUNTARY ASSESSMENT FOR YOUNG
13 FARMER LOAN GUARANTEES. (a) When a person registers a commercial
14 motor vehicle under Section 502.433 [~~502.163~~], the person shall pay
15 a voluntary assessment of \$5.

16 (b) The county assessor-collector shall send an assessment
17 collected under this section to the comptroller, at the time and in
18 the manner prescribed by the Texas Agricultural Finance Authority,
19 for deposit in the Texas agricultural fund.

20 (c) The Texas Agricultural Finance Authority shall
21 prescribe procedures under which an assessment collected under this
22 section may be refunded. The county assessor-collector of the
23 county in which an assessment is collected shall:

- 24 (1) implement the refund procedures; and
25 (2) provide notice of those procedures to a person
26 paying an assessment at the time of payment.

27 SECTION 139. Section 502.1745, Transportation Code, is

1 transferred to Subchapter H, Chapter 502, Transportation Code,
2 redesignated as Section 502.405, Transportation Code, and amended
3 to read as follows:

4 Sec. 502.405 [~~502.1745~~]. DONOR EDUCATION, AWARENESS, AND
5 REGISTRY PROGRAM [~~VOLUNTARY FEE~~]. (a) The department shall
6 provide to each county assessor-collector the educational
7 materials for prospective donors provided as required by the Donor
8 Education, Awareness, and Registry Program of Texas under Chapter
9 49, Health and Safety Code. The [~~A county assessor-collector shall~~
10 ~~make the~~] educational materials shall be made available in each
11 office authorized to accept applications for registration of motor
12 vehicles.

13 (b) A person may elect to pay [~~county assessor-collector~~
14 ~~shall collect~~] an additional fee of \$1 for the registration or
15 renewal of registration of a motor vehicle to pay the costs of the
16 Donor Education, Awareness, and Registry Program of Texas,
17 established under Chapter 49, Health and Safety Code, and of the
18 Texas Organ, Tissue, and Eye Donor Council, established under
19 Chapter 113, Health and Safety Code[~~, if the person registering or~~
20 ~~renewing the registration of a motor vehicle opts to pay the~~
21 ~~additional fee~~]. Notwithstanding any other provision of this
22 chapter, [~~the county assessor-collector shall remit~~] all fees
23 collected under this subsection shall be remitted to the
24 comptroller, who shall maintain the identity of the source of the
25 fees.

26 (c) Three percent of all money collected under this section
27 may be appropriated only to the department to administer this

1 section.

2 SECTION 140. The heading to Subchapter I, Chapter 502,
3 Transportation Code, is amended to read as follows:

4 SUBCHAPTER I. ALTERNATE REGISTRATION FEES [~~TRANSFER AND REMOVAL~~
5 ~~OF LICENSE PLATES FOR THE SALE OR TRANSFER OF USED VEHICLES~~]

6 SECTION 141. Section 502.164, Transportation Code, is
7 transferred to Subchapter I, Chapter 502, Transportation Code, and
8 redesignated as Section 502.431, Transportation Code, to read as
9 follows:

10 Sec. 502.431 [~~502.164~~]. FEE: MOTOR VEHICLE USED
11 EXCLUSIVELY TO TRANSPORT AND SPREAD FERTILIZER. The fee for a
12 registration year for registration of a motor vehicle designed or
13 modified and used exclusively to transport to the field and spread
14 fertilizer, including agricultural limestone, is \$75.

15 SECTION 142. Section 502.1586, Transportation Code, is
16 transferred to Subchapter I, Chapter 502, Transportation Code,
17 redesignated as Section 502.432, Transportation Code, and amended
18 to read as follows:

19 Sec. 502.432 [~~502.1586~~]. [~~REGISTRATION PERIOD FOR~~
20 ~~TRUCK-TRACTOR OR COMMERCIAL MOTOR~~] VEHICLE TRANSPORTING SEASONAL
21 AGRICULTURAL PRODUCTS. (a) The department shall provide for a
22 monthly registration period for a truck-tractor or a commercial
23 motor vehicle [~~that~~]:

24 (1) that is used exclusively to transport a seasonal
25 agricultural product; [~~and~~]

26 (2) that would otherwise be registered for a vehicle
27 registration year; and

1 (3) for which the owner can show proof of payment of
2 the heavy vehicle use tax or exemption.

3 (b) The department shall ~~[adopt forms for registration~~
4 ~~under this section. An applicant must indicate the number of months~~
5 ~~registration is applied for.~~

6 ~~[(c) The department shall design,~~] prescribe~~[, and furnish]~~
7 a registration receipt that is valid until the expiration of the
8 designated registration period.

9 (c) [(d)] The registration fee for a registration under
10 this section is computed at a rate of one-twelfth the annual
11 registration fee under Section 502.253 ~~[502.162]~~, 502.255
12 ~~[502.163]~~, or 502.433 ~~[502.167]~~, as applicable, multiplied by the
13 number of months in the registration period specified in the
14 application for the registration, which may not be less than one
15 month or longer than six months.

16 (d) [(e) ~~A person issued a registration under this section~~
17 ~~commits an offense if the person, during the registration period~~
18 ~~for the truck-tractor or commercial motor vehicle, uses the~~
19 ~~truck-tractor or commercial motor vehicle for a purpose other than~~
20 ~~to transport a seasonal agricultural product.~~

21 ~~[(f) A truck-tractor or commercial motor vehicle may not be~~
22 ~~registered under this section for a registration period that is~~
23 ~~less than one month or longer than six months.~~

24 ~~[(g)]~~ For purposes of this section, "to transport a seasonal
25 agricultural product" includes any transportation activity
26 necessary for the production, harvest, or delivery of an
27 agricultural product that is produced seasonally.

1 SECTION 143. Section 502.163, Transportation Code, is
2 transferred to Subchapter I, Chapter 502, Transportation Code,
3 redesignated as Section 502.433, Transportation Code, and amended
4 to read as follows:

5 Sec. 502.433 [~~502.163~~]. FEE: COMMERCIAL FARM MOTOR VEHICLE
6 [~~USED PRIMARILY FOR FARM PURPOSES; OFFENSE~~]. (a) The registration
7 fee for a commercial motor vehicle as a farm vehicle is 50 percent
8 of the applicable fee under Section 502.253 [~~502.162~~] if the
9 vehicle's owner will use the vehicle for commercial purposes only
10 to transport:

11 (1) the person's own poultry, dairy, livestock,
12 livestock products, timber in its natural state, or farm products
13 to market or another place for sale or processing;

14 (2) laborers from their place of residence to the
15 owner's farm or ranch; or

16 (3) without charge, materials, tools, equipment, or
17 supplies from the place of purchase or storage to the owner's farm
18 or ranch exclusively for the owner's use or for use on the farm or
19 ranch.

20 (b) A commercial motor vehicle may be registered under this
21 section despite its use for transporting without charge the owner
22 or a member of the owner's family:

23 (1) to attend church or school;

24 (2) to visit a doctor for medical treatment or
25 supplies; or

26 (3) for other necessities of the home or family.

27 (c) Subsection (b) does not permit the use of a vehicle

1 registered under this section in connection with gainful employment
2 other than farming or ranching.

3 (d) The department shall provide distinguishing license
4 plates for a vehicle registered under this section.

5 ~~[(e) The owner of a commercial motor vehicle registered
6 under this section commits an offense if the person uses or permits
7 to be used the vehicle for a purpose other than one permitted by
8 this section. Each use or permission for use in violation of this
9 section is a separate offense.]~~

10 ~~[(f) An offense under this section is a misdemeanor
11 punishable by a fine of not less than \$25 or more than \$200.]~~

12 SECTION 144. Section 502.351, Transportation Code, is
13 transferred to Subchapter I, Chapter 502, Transportation Code,
14 redesignated as Section 502.434, Transportation Code, and amended
15 to read as follows:

16 Sec. 502.434 ~~[502.351]~~. FARM VEHICLES: EXCESS WEIGHT.

17 (a) The owner of a registered commercial motor vehicle,
18 truck-tractor, trailer, or semitrailer may obtain a short-term
19 permit to haul loads of a weight more than that for which the
20 vehicle is registered by paying an additional fee before the
21 additional weight is hauled to transport:

22 (1) the person's own seasonal agricultural products to
23 market or another point for sale or processing;

24 (2) seasonal laborers from their place of residence to
25 a farm or ranch; or

26 (3) materials, tools, equipment, or supplies, without
27 charge, from the place of purchase or storage to a farm or ranch

1 exclusively for use on the farm or ranch.

2 (b) A permit may not be issued under this section for a
3 period that is less than one month or that:

4 (1) is greater than one year; or

5 (2) extends beyond the expiration of the registration
6 year for the vehicle.

7 (c) A permit issued under this section for a quarter must be
8 for a calendar quarter.

9 (d) The fee for a permit under this section is a percentage
10 of the difference between the registration fee otherwise prescribed
11 [~~by this chapter~~] for the vehicle and the annual fee for the desired
12 weight, as follows:

13	One month (30 consecutive days)	10 percent
14	One quarter	30 percent
15	Two quarters	60 percent
16	Three quarters	90 percent

17 (e) The department shall design, prescribe, and furnish a
18 sticker, plate, or other means of indicating the additional weight
19 and the registration period for each vehicle registered under this
20 section.

21 SECTION 145. Section 502.188, Transportation Code, is
22 transferred to Subchapter I, Chapter 502, Transportation Code,
23 redesignated as Section 502.435, Transportation Code, and amended
24 to read as follows:

25 Sec. 502.435 [~~502.188~~]. CERTAIN SOIL CONSERVATION
26 EQUIPMENT. (a) The owner of a truck-tractor, semitrailer, or
27 low-boy trailer used on a highway exclusively to transport the

1 owner's soil conservation machinery or equipment used in clearing
2 real property, terracing, or building farm ponds, levees, or
3 ditches may register the vehicle for a fee equal to 50 percent of
4 the fee otherwise prescribed by this chapter for the vehicle.

5 (b) An owner may register only one truck-tractor and only
6 one semitrailer or low-boy trailer under this section.

7 (c) An owner [~~applying for registration under this section~~]
8 must certify [~~submit a statement~~] that the vehicle is to be used
9 only as provided by Subsection (a).

10 (d) The registration receipt issued for a vehicle
11 registered under this section must be carried in or on the vehicle
12 and [~~shall~~] state the nature of the operation for which the vehicle
13 may be used. [~~The receipt must be carried at all times in or on the~~
14 ~~vehicle to permit ready inspection.~~]

15 (e) A vehicle to which this section applies that is operated
16 on a public highway in violation of this section is considered to be
17 operated while unregistered and is immediately subject to the
18 applicable registration fees and penalties prescribed by this
19 chapter.

20 SECTION 146. Chapter 502, Transportation Code, is amended
21 by adding Subchapter J to read as follows:

22 SUBCHAPTER J. REGISTRATIONS EXEMPT FROM FEES

23 SECTION 147. Section 502.201, Transportation Code, as
24 effective September 1, 2011, is transferred to Subchapter J,
25 Chapter 502, Transportation Code, as added by this Act,
26 redesignated as Section 502.451, Transportation Code, and amended
27 to read as follows:

1 Sec. 502.451 [~~502.201~~]. [~~LICENSE PLATES FOR~~] EXEMPT
2 VEHICLES. (a) Before license plates are issued or delivered to
3 the owner of a vehicle that is exempt by law from payment of
4 registration fees, the department must approve the application for
5 registration. The department may not approve an application if
6 there is the appearance that:

7 (1) the vehicle was transferred to the owner or
8 purported owner:

9 (A) for the sole purpose of evading the payment
10 of registration fees; or

11 (B) in bad faith; or

12 (2) the vehicle is not being used in accordance with
13 the exemption requirements.

14 (b) The department shall revoke the registration of a
15 vehicle issued license plates under this section and may recall the
16 plates if the vehicle is no longer:

17 (1) owned and operated by the person whose ownership
18 of the vehicle qualified the vehicle for the exemption; or

19 (2) used in accordance with the exemption
20 requirements.

21 (c) [~~(d)~~] The department shall provide by rule for the
22 issuance of specially designated license plates for vehicles that
23 are exempt by law. Except as provided by Subsection (f) [~~(g)~~], the
24 license plates must bear the word "exempt."

25 (d) [~~(e)~~] A license plate under Subsection (c) [~~(d)~~] is not
26 issued annually, but remains on the vehicle until:

27 (1) the registration is revoked as provided by

1 Subsection (b); or

2 (2) the plate is lost, stolen, or mutilated.

3 (e) [~~(f)~~] A person who operates on a public highway a
4 vehicle after the registration has been revoked is liable for the
5 penalties for failing to register a vehicle.

6 (f) [~~(g)~~] The department shall provide by rule for the
7 issuance of regularly designed license plates not bearing the word
8 "exempt" for a vehicle that is exempt by law and that is:

9 (1) a law enforcement vehicle, if the agency certifies
10 to the department that the vehicle will be dedicated to law
11 enforcement activities;

12 (2) a vehicle exempt from inscription requirements
13 under a rule adopted as provided by Section 721.003; or

14 (3) a vehicle exempt from inscription requirements
15 under an order or ordinance adopted by a governing body of a
16 municipality or commissioners court of a county as provided by
17 Section 721.005, if the applicant presents a copy of the order or
18 ordinance.

19 SECTION 148. Section 502.2015, Transportation Code, is
20 transferred to Subchapter J, Chapter 502, Transportation Code, as
21 added by this Act, redesignated as Section 502.452, Transportation
22 Code, and amended to read as follows:

23 Sec. 502.452 [~~502.2015~~]. LIMITATION ON ISSUANCE OF EXEMPT
24 LICENSE PLATES; SEIZURE OF CERTAIN VEHICLES. (a) The department
25 may not issue exempt license plates for a vehicle owned by the
26 United States, this state, or a political subdivision of this state
27 unless when application is made for registration of the vehicle,

1 the person who under Section 502.453 [~~502.202~~] has authority to
2 certify to the department that the vehicle qualifies for
3 registration under that section also certifies in writing to the
4 department that there is printed on each side of the vehicle, in
5 letters that are at least two inches high or in an emblem that is at
6 least 100 square inches in size, the name of the agency, department,
7 bureau, board, commission, or officer of the United States, this
8 state, or the political subdivision of this state that has custody
9 of the vehicle. The letters or emblem must be of a color
10 sufficiently different from the body of the vehicle to be clearly
11 legible from a distance of 100 feet.

12 (b) The department may not issue exempt license plates for a
13 vehicle owned by a person other than the United States, this state,
14 or a political subdivision of this state unless, when application
15 is made for registration of the vehicle, the person who under
16 Section 502.453 [~~502.202~~] has authority to certify to the
17 department that the vehicle qualifies for registration under that
18 section also certifies in writing to the department that the name of
19 the owner of the vehicle is printed on the vehicle in the manner
20 prescribed by Subsection (a).

21 (c) A peace officer listed in Article 2.12, Code of Criminal
22 Procedure, may seize a motor vehicle displaying exempt license
23 plates if the vehicle is:

- 24 (1) operated on a public highway; and
25 (2) not identified in the manner prescribed by
26 Subsection (a) or (b), unless the vehicle is covered by Subsection
27 (f).

1 (d) A peace officer who seizes a motor vehicle under
2 Subsection (c) may require that the vehicle be:

3 (1) moved to the nearest place of safety off the
4 main-traveled part of the highway; or

5 (2) removed and placed in the nearest vehicle storage
6 facility designated or maintained by the law enforcement agency
7 that employs the peace officer.

8 (e) To obtain the release of the vehicle, in addition to any
9 other requirement of law, the owner of a vehicle seized under
10 Subsection (c) must:

11 (1) remedy the defect by identifying the vehicle as
12 required by Subsection (a) or (b); or

13 (2) agree in writing with the law enforcement agency
14 to provide evidence to that agency, before the 10th day after the
15 date the vehicle is released, that the defect has been remedied by
16 identifying the vehicle as required by Subsection (a) or (b).

17 (f) Subsections (a) and (b) do not apply to a vehicle to
18 which Section 502.451(f) [~~502.201(g) or 502.206~~] applies.

19 (g) For purposes of this section, an exempt license plate is
20 a license plate issued by the department that is plainly marked with
21 the word "exempt."

22 SECTION 149. Section 502.202, Transportation Code, is
23 transferred to Subchapter J, Chapter 502, Transportation Code, as
24 added by this Act, redesignated as Section 502.453, Transportation
25 Code, and amended to read as follows:

26 Sec. 502.453 [~~502.202~~]. GOVERNMENT-OWNED VEHICLES; PUBLIC
27 SCHOOL BUSES; FIRE-FIGHTING VEHICLES; COUNTY MARINE LAW

1 ENFORCEMENT VEHICLES. (a) The owner of a motor vehicle, trailer,
2 or semitrailer may annually apply for registration under Section
3 502.451 [~~502.201~~] and is exempt from the payment of a registration
4 fee under this chapter if the vehicle is:

5 (1) owned by and used exclusively in the service of:
6 (A) the United States;
7 (B) this state; or
8 (C) a county, municipality, or school district in
9 this state;

10 (2) owned by a commercial transportation company and
11 used exclusively to provide public school transportation services
12 to a school district under Section 34.008, Education Code;

13 (3) designed and used exclusively for fire fighting;

14 (4) owned by a volunteer fire department and used
15 exclusively in the conduct of department business; [~~or~~]

16 (5) privately owned and used by a volunteer
17 exclusively in county marine law enforcement activities, including
18 rescue operations, under the direction of the sheriff's department;
19 or

20 (6) used by law enforcement under an alias for covert
21 criminal investigations.

22 (b) An application for registration under this section must
23 be made by a person having the authority to certify that the vehicle
24 meets the exemption requirements prescribed by Subsection (a). An
25 application for registration under this section of a fire-fighting
26 vehicle described by Subsection (a)(3) must include a reasonable
27 description of the vehicle and of any fire-fighting equipment

1 mounted on the vehicle. An application for registration under this
2 section of a vehicle described by Subsection (a)(5) must include a
3 statement signed by a person having the authority to act for a
4 sheriff's department that the vehicle is used exclusively in marine
5 law enforcement activities under the direction of the sheriff's
6 department.

7 SECTION 150. Section 502.203, Transportation Code, is
8 transferred to Subchapter J, Chapter 502, Transportation Code, as
9 added by this Act, redesignated as Section 502.454, Transportation
10 Code, and amended to read as follows:

11 Sec. 502.454 [~~502.203~~]. VEHICLES USED BY NONPROFIT
12 DISASTER RELIEF ORGANIZATIONS. (a) The owner of a commercial
13 motor vehicle, trailer, or semitrailer may apply for registration
14 under Section 502.451 [~~502.201~~] and is exempt from the payment of
15 the registration fee that would otherwise be required by this
16 chapter if the vehicle is owned and used exclusively for
17 emergencies by a nonprofit disaster relief organization.

18 (b) An application for registration under this section must
19 include:

20 (1) a statement by the owner of the vehicle that the
21 vehicle is used exclusively for emergencies and has not been used
22 for any other purpose;

23 (2) a statement signed by an officer of the nonprofit
24 disaster relief organization that the vehicle has not been used for
25 any purpose other than emergencies and qualifies for registration
26 under this section; and

27 (3) a reasonable description of the vehicle and the

1 emergency equipment included in the vehicle.

2 (c) An applicant for registration under this section must
3 pay a fee of \$5.

4 (d) A commercial motor vehicle registered under this
5 section must display the name of the organization that owns it on
6 each front door.

7 (e) A vehicle registered under this section must display at
8 all times an appropriate license plate showing the vehicle's
9 status.

10 (f) A vehicle registered under this section that is used for
11 any purpose other than an emergency may not again be registered
12 under this section.

13 SECTION 151. Section 502.2035, Transportation Code, is
14 transferred to Subchapter J, Chapter 502, Transportation Code, as
15 added by this Act, and redesignated as Section 502.455,
16 Transportation Code, to read as follows:

17 Sec. 502.455 [~~502.2035~~]. TRAILERS AND SEMITRAILERS OWNED
18 BY RELIGIOUS ORGANIZATIONS. (a) A trailer or semitrailer may be
19 registered without payment if the trailer or semitrailer is:

20 (1) owned by an organization that qualifies as a
21 religious organization under Section 11.20, Tax Code; and

22 (2) used primarily for the purpose of transporting
23 property in connection with the charitable activities and functions
24 of the organization.

25 (b) An application for registration under this section must
26 include a statement signed by an officer of the religious
27 organization stating that the trailer or semitrailer qualifies for

1 registration under this section.

2 SECTION 152. Section 502.204, Transportation Code, is
3 transferred to Subchapter J, Chapter 502, Transportation Code, as
4 added by this Act, redesignated as Section 502.456, Transportation
5 Code, and amended to read as follows:

6 Sec. 502.456 [~~502.204~~]. EMERGENCY SERVICES VEHICLES.

7 (a) A vehicle may be registered without payment if:

8 (1) the vehicle is owned or leased by an emergency
9 medical services provider that:

10 (A) is a nonprofit entity; or

11 (B) is created and operated by:

12 (i) a county;

13 (ii) a municipality; or

14 (iii) any combination of counties and
15 municipalities through a contract, joint agreement, or other method
16 provided by Chapter 791, Government Code, or other law authorizing
17 counties and municipalities to provide joint programs; and

18 (2) the vehicle:

19 (A) is authorized under an emergency medical
20 services provider license issued by the Department of State [~~Texas~~
21 ~~Board of~~] Health Services under Chapter 773, Health and Safety
22 Code, and is used exclusively as an emergency medical services
23 vehicle; or

24 (B) is an emergency medical services chief or
25 supervisor vehicle and is used exclusively as an emergency services
26 vehicle.

27 (b) A vehicle may be registered without payment of a

1 registration fee if the vehicle:

2 (1) is owned by the Civil Air Patrol, Texas Wing; and

3 (2) is used exclusively as an emergency services
4 vehicle by members of the Civil Air Patrol, Texas Wing.

5 (c) An application for registration under Subsection (a)
6 must be accompanied by a copy of the license issued by the
7 Department of State [~~Texas Board of~~] Health Services. An
8 application for registration of an emergency medical services
9 vehicle must include a statement signed by an officer of the
10 emergency medical services provider that the vehicle is used
11 exclusively as an emergency response vehicle and qualifies for
12 registration under this section. An application for registration
13 of an emergency medical services chief or supervisor vehicle must
14 include a statement signed by an officer of the emergency medical
15 services provider stating that the vehicle qualifies for
16 registration under this section.

17 (d) An application for registration under Subsection (b)
18 must include a statement signed by an officer of the Civil Air
19 Patrol, Texas Wing, that the vehicle is used exclusively as an
20 emergency services vehicle by members of the Civil Air Patrol,
21 Texas Wing.

22 (e) The department must approve an application for
23 registration under this section as provided by Section 502.451
24 [~~502.201~~].

25 SECTION 153. Section 520.0225, Transportation Code, is
26 transferred to Subchapter J, Chapter 502, Transportation Code, as
27 added by this Act, redesignated as Section 502.457, Transportation

1 Code, and amended to read as follows:

2 Sec. 502.457 [~~520.0225~~]. PERSONS ON ACTIVE DUTY IN ARMED
3 FORCES OF UNITED STATES. (a) This section applies only to a used
4 motor vehicle that is owned by a person who:

5 (1) is on active duty in the armed forces of the United
6 States;

7 (2) is stationed in or has been assigned to another
8 nation under military orders; and

9 (3) has registered the vehicle or been issued a
10 license for the vehicle under the applicable status of forces
11 agreement by:

12 (A) the appropriate branch of the armed forces of
13 the United States; or

14 (B) the nation in which the person is stationed
15 or to which the person has been assigned.

16 (b) The requirement [~~in Section 520.021~~] that a used vehicle
17 be registered under the law of this state does not apply to a
18 vehicle described by Subsection (a). In lieu of delivering the
19 license receipt to the transferee of the vehicle, as required by
20 Section 501.0721 [~~520.022~~], the person selling, trading, or
21 otherwise transferring a used motor vehicle described by Subsection
22 (a) shall deliver to the transferee:

23 (1) a letter written on official letterhead by the
24 owner's unit commander attesting to the registration of the vehicle
25 under Subsection (a)(3); or

26 (2) the registration receipt issued by the appropriate
27 branch of the armed forces or host nation.

1 (c) A registration receipt issued by a host nation that is
2 not written in the English language must be accompanied by:

3 (1) a written translation of the registration receipt
4 in English; and

5 (2) an affidavit, in English and signed by the person
6 translating the registration receipt, attesting to the person's
7 ability to translate the registration receipt into English.

8 SECTION 154. Chapter 502, Transportation Code, is amended
9 by adding Subchapter K to read as follows:

10 SUBCHAPTER K. OFFENSES AND PENALTIES

11 SECTION 155. Section 502.401, Transportation Code, is
12 transferred to Subchapter K, Chapter 502, Transportation Code, as
13 added by this Act, redesignated as Section 502.471, Transportation
14 Code, and amended to read as follows:

15 Sec. 502.471 [~~502.401~~]. GENERAL PENALTY. (a) A person
16 commits an offense if the person violates a provision of this
17 chapter and no other penalty is prescribed for the violation.

18 (b) This section does not apply to a violation of Section
19 502.003, 502.042, 502.197 [~~502.101, 502.109, 502.112, 502.113,~~
20 ~~502.114, 502.152, 502.164~~], or 502.431 [~~502.282~~].

21 (c) Unless otherwise specified, an [~~An~~] offense under this
22 section is a misdemeanor punishable by a fine not to exceed \$200.

23 SECTION 156. Section 502.402, Transportation Code, is
24 transferred to Subchapter K, Chapter 502, Transportation Code, as
25 added by this Act, redesignated as Section 502.472, Transportation
26 Code, and amended to read as follows:

27 Sec. 502.472 [~~502.402~~]. OPERATION OF VEHICLE UNDER

1 IMPROPER REGISTRATION [~~UNREGISTERED MOTOR VEHICLE~~]. [~~(a)~~] A
2 person commits an offense if the person operates a motor vehicle
3 that has not been registered or registered for a class other than
4 that to which the vehicle belongs as required by law. [~~An offense~~
5 ~~under this subsection is a misdemeanor punishable by a fine not to~~
6 ~~exceed \$200.~~]

7 SECTION 157. Section 502.404, Transportation Code, is
8 transferred to Subchapter K, Chapter 502, Transportation Code, as
9 added by this Act, redesignated as Section 502.473, Transportation
10 Code, and amended to read as follows:

11 Sec. 502.473 [~~502.404~~]. OPERATION OF VEHICLE WITHOUT
12 [~~LICENSE PLATE OR~~] REGISTRATION INSIGNIA. (a) [~~A person commits~~
13 ~~an offense if the person operates on a public highway during a~~
14 ~~registration period a passenger car or commercial motor vehicle~~
15 ~~that does not display two license plates, at the front and rear of~~
16 ~~the vehicle, that have been:~~

17 [~~(1) assigned by the department for the period; or~~
18 [~~(2) validated by a registration insignia issued by~~
19 ~~the department that establishes that the vehicle is registered for~~
20 ~~the period.~~

21 [~~(b)~~] A person commits an offense if the person operates on
22 a public highway during a registration period a [~~passenger car or~~
23 ~~commercial~~] motor vehicle [~~, other than a vehicle assigned license~~
24 ~~plates for the registration period,~~] that does not properly display
25 the registration insignia issued by the department that establishes
26 that the license plates have been validated for the period.

27 (b) [~~(c)~~] A person commits an offense if the person operates

1 on a public highway during a registration period a road tractor,
2 motorcycle, trailer, or semitrailer that does not display [~~a~~
3 ~~license plate, attached to the rear of the vehicle, that has been:~~

4 [~~(1) assigned by the department for the period; or~~
5 [~~(2) validated by]~~ a registration insignia issued by
6 the department that establishes that the vehicle is registered for
7 the period.

8 (c) This section does [~~(d) Subsections (a) and (b) do]~~ not
9 apply to a dealer operating a vehicle as provided by law.

10 (d) [~~(e) An offense under this section is a misdemeanor~~
11 ~~punishable by a fine not to exceed \$200.~~

12 [~~(f) A court may dismiss a charge brought under Subsection~~
13 ~~(a) if the defendant:~~

14 [~~(1) remedies the defect before the defendant's first~~
15 ~~court appearance; and~~

16 [~~(2) pays an administrative fee not to exceed \$10.~~

17 [~~(g)] A court may dismiss a charge brought under Subsection~~

18 (a) [~~(b)] if the defendant:~~

19 (1) shows that [+

20 [~~(A)] the [~~passenger car or commercial]~~ motor
21 vehicle was issued a registration insignia by the department that
22 was attached to the motor vehicle, establishing that [~~establishes~~
23 ~~that]~~ the vehicle was registered for the period during which the
24 offense was committed; and~~

25 [~~(B) the registration insignia described in~~
26 ~~Paragraph (A) was attached to the passenger car or commercial motor~~
27 ~~vehicle before the defendant's first court appearance; and]~~

1 (2) pays an administrative fee not to exceed \$10.

2 SECTION 158. Subchapter K, Chapter 502, Transportation
3 Code, as added by this Act, is amended by adding Section 502.474 to
4 read as follows:

5 Sec. 502.474. OPERATION OF ONE-TRIP PERMIT VEHICLE. A
6 person commits an offense if the person operates a vehicle for which
7 a one-trip permit is required without the registration receipt and
8 properly displayed temporary tag.

9 SECTION 159. Section 502.409, Transportation Code, is
10 transferred to Subchapter K, Chapter 502, Transportation Code, as
11 added by this Act, redesignated as Section 502.475, Transportation
12 Code, and amended to read as follows:

13 Sec. 502.475 [~~502.409~~]. WRONG, FICTITIOUS, ALTERED, OR
14 OBSCURED INSIGNIA [~~LICENSE PLATE~~]. (a) A person commits an
15 offense if the person attaches to or displays on a motor vehicle a
16 [~~number plate or~~] registration insignia that:

17 (1) is assigned to a different motor vehicle;
18 (2) is assigned to the vehicle under any other motor
19 vehicle law other than by the department;

20 (3) is assigned for a registration period other than
21 the registration period in effect; or

22 (4) is fictitious[+
23 [~~(5) has blurring or reflective matter that~~
24 ~~significantly impairs the readability of the name of the state in~~
25 ~~which the vehicle is registered or the letters or numbers of the~~
26 ~~license plate number at any time,~~

27 [~~(6) has an attached illuminated device or sticker,~~

1 ~~decal, emblem, or other insignia that is not authorized by law and~~
2 ~~that interferes with the readability of the letters or numbers of~~
3 ~~the license plate number or the name of the state in which the~~
4 ~~vehicle is registered; or~~

5 ~~[(7) has a coating, covering, protective material, or~~
6 ~~other apparatus that:~~

7 ~~[(A) distorts angular visibility or~~
8 ~~detectability;~~

9 ~~[(B) alters or obscures one-half or more of the~~
10 ~~name of the state in which the vehicle is registered; or~~

11 ~~[(C) alters or obscures the letters or numbers of~~
12 ~~the license plate number or the color of the plate].~~

13 (b) Except as provided by Subsection (d) [~~(f)~~], an offense
14 under Subsection (a) is a misdemeanor punishable by a fine of not
15 more than \$200, unless it is shown at the trial of the offense that
16 the owner knowingly altered or made illegible the letters, numbers,
17 and other identification marks, in which case the offense is a Class
18 B misdemeanor.

19 (c) [~~Subsection (a)(7) may not be construed to apply to:~~

20 ~~[(1) a trailer hitch installed on a vehicle in a normal~~
21 ~~or customary manner;~~

22 ~~[(2) a transponder, as defined by Section 228.057,~~
23 ~~that is attached to a vehicle in the manner required by the issuing~~
24 ~~authority;~~

25 ~~[(3) a wheelchair lift or wheelchair carrier that is~~
26 ~~attached to a vehicle in a normal or customary manner;~~

27 ~~[(4) a trailer being towed by a vehicle; or~~

1 ~~[(5) a bicycle rack that is attached to a vehicle in a~~
2 ~~normal or customary manner.]~~

3 ~~[(d)]~~ A court may dismiss a charge brought under Subsection
4 (a)(3) ~~[(5), (6), or (7)]~~ if the defendant:

5 (1) remedies the defect before the defendant's first
6 court appearance; and

7 (2) pays an administrative fee not to exceed \$10.

8 (d) ~~[(f)]~~ An offense under Subsection (a)(4) is a Class B
9 misdemeanor.

10 SECTION 160. Subchapter K, Chapter 502, Transportation
11 Code, as added by this Act, is amended by adding Sections 502.476,
12 502.477, 502.478, and 502.479 to read as follows:

13 Sec. 502.476. ANNUAL PERMITS; OFFENSE. A person who
14 violates Section 502.093 commits an offense.

15 Sec. 502.477. NONRESIDENT-OWNED VEHICLES USED TO TRANSPORT
16 AGRICULTURAL PRODUCT; OFFENSE. (a) A person operating a vehicle
17 under a permit issued under Section 502.092 commits an offense if
18 the person transports farm products to a place of market, storage,
19 or processing or a railhead or seaport that is farther from the
20 place of production or point of entry, as appropriate, than the
21 distance provided for in the permit.

22 (b) An offense under this section is a misdemeanor
23 punishable by a fine of not less than \$25 or more than \$200.

24 Sec. 502.478. COMMERCIAL MOTOR VEHICLE USED PRIMARILY FOR
25 AGRICULTURAL PURPOSES; OFFENSE. (a) The owner of a commercial
26 motor vehicle registered under Section 502.433 commits an offense
27 if the person uses or permits the use of the vehicle for a purpose

1 other than one allowed under Section 502.433. Each use or
2 permission of use in violation of this section is a separate
3 offense.

4 (b) An offense under this section is a misdemeanor
5 punishable by a fine of not less than \$25 or more than \$200.

6 Sec. 502.479. SEASONAL AGRICULTURAL VEHICLE; OFFENSE. A
7 person issued a registration under Section 502.432 commits an
8 offense if the person, during the registration period, uses the
9 truck-tractor or commercial motor vehicle for a purpose other than
10 to transport a seasonal agricultural product.

11 SECTION 161. Section 520.014, Transportation Code, is
12 transferred to Subchapter K, Chapter 502, Transportation Code, as
13 added by this Act, redesignated as Section 502.480, Transportation
14 Code, and amended to read as follows:

15 Sec. 502.480 [~~520.014~~]. VIOLATION BY COUNTY
16 ASSESSOR-COLLECTOR; PENALTY. (a) A county assessor-collector
17 commits an offense if the county assessor-collector knowingly
18 accepts an application for the registration of a motor vehicle
19 that:

20 (1) has had the original motor number or vehicle
21 identification number removed, erased, or destroyed; and

22 (2) does not bear a motor number or vehicle
23 identification number assigned by the department.

24 (b) An offense under this section is a misdemeanor
25 punishable by a fine of not less than \$10 and not more than \$50.

26 SECTION 162. Chapter 502, Transportation Code, is amended
27 by adding Subchapter L to read as follows:

1 SUBCHAPTER L. REGISTRATION AND TRANSFER OF USED VEHICLES

2 SECTION 163. Section 502.451, Transportation Code, is
3 transferred to Subchapter L, Chapter 502, Transportation Code, as
4 added by this Act, redesignated as Section 502.491, Transportation
5 Code, and amended to read as follows:

6 Sec. 502.491 [~~502.451~~]. TRANSFER OF VEHICLE REGISTRATION
7 [~~AND REMOVAL OF LICENSE PLATES~~]. (a) On the sale or transfer of a
8 motor vehicle [~~to a dealer~~], [~~as defined by Section 503.001, who~~
9 ~~holds a general distinguishing number issued under Chapter 503, the~~
10 ~~dealer shall remove each license plate and~~] the registration
11 insignia issued for the motor vehicle shall be removed.

12 [~~(a-1) On a sale or transfer of a motor vehicle to a person~~
13 ~~that does not hold a general distinguishing number issued under~~
14 ~~Chapter 503, the seller or transferor may remove each license plate~~
15 ~~and the registration insignia issued for the motor vehicle.]~~

16 (b) On a sale or transfer of a motor vehicle in which neither
17 party holds a general distinguishing number issued under Chapter
18 503, the [~~A license plate removed from a motor vehicle under~~
19 ~~Subsection (a) or (a-1) must be:~~

20 [~~(1) disposed of in the manner specified by the~~
21 ~~department, or~~

22 [~~(2) transferred to another vehicle owned by the~~
23 ~~seller or transferor as provided by Section 502.452.~~

24 [~~(c) The~~] part of the registration period remaining at the
25 time of the sale or transfer shall continue with the vehicle being
26 sold or transferred and does not transfer with the license plates or
27 registration validation insignia. To continue the remainder of

1 the registration period, the purchaser or transferee must file the
2 documents required under Section 501.145 [~~520.031~~].

3 (c) On the sale or transfer of a motor vehicle to a dealer,
4 as defined by Section 503.001, who holds a general distinguishing
5 number issued under Chapter 503, the registration period remaining
6 at the time of the sale or transfer expires at the time of the sale
7 or transfer. On the sale of a used motor vehicle by a dealer, the
8 dealer shall issue to the buyer new registration documents for an
9 entire registration year.

10 SECTION 164. Section 502.454, Transportation Code, is
11 transferred to Subchapter L, Chapter 502, Transportation Code, as
12 added by this Act, redesignated as Section 502.492, Transportation
13 Code, and amended to read as follows:

14 Sec. 502.492 [~~502.454~~]. TEMPORARY TRANSIT PERMIT FOR A
15 VEHICLE PURCHASED [~~IN A PRIVATE PARTY TRANSACTION~~]. (a) A
16 purchaser [~~or transferee~~] may obtain from the department a
17 temporary transit [~~single-trip~~] permit to operate a motor vehicle:

18 (1) that is subject to registration in this state;
19 (2) from which the license plates and the registration
20 insignia have been removed as authorized by Section 502.491 or
21 504.901 [~~502.451(a-1)~~]; and

22 (3) that is not authorized to travel on a public
23 roadway because the required license plates and the registration
24 insignia are not attached to the vehicle.

25 (b) The department may issue the permit in accordance with
26 this section.

27 (c) A permit issued under this section is valid for one trip

1 between the point of origin and the destination and those
2 intermediate points specified in the permit.

3 (d) A permit issued under this section may not be valid for
4 longer than a five-day period.

5 (e) A person may obtain a permit under this section by
6 applying, as [~~on a form~~] provided by the department, to the
7 department. Application may be made using the department's
8 Internet website.

9 (f) A person is eligible to receive only one permit under
10 this section for a motor vehicle.

11 (g) A permit receipt issued under this section must be in
12 [~~on~~] a manner [~~form~~] provided by the department. The receipt must
13 contain the information required by this section and shall be
14 carried in the vehicle at all times during which it is valid.

15 (h) The department may refuse to issue a permit under this
16 section for any vehicle if in the department's opinion the
17 applicant has been involved in operations that constitute an abuse
18 of the privilege granted under this section.

19 SECTION 165. The heading to Chapter 504, Transportation
20 Code, is amended to read as follows:

21 CHAPTER 504. [~~SPECIALTY~~] LICENSE PLATES

22 SECTION 166. Subsection (a), Section 504.001,
23 Transportation Code, is amended by adding Subdivision (3) to read
24 as follows:

25 (3) "Purchaser" and "seller" have the meanings
26 assigned by Section 501.002.

27 SECTION 167. Section 504.004, Transportation Code, is

1 redesignated as Section 504.0011, Transportation Code, and amended
2 to read as follows:

3 Sec. 504.0011 [~~504.004~~]. RULES [~~AND FORMS~~]. The board may
4 adopt rules [~~and the department may issue forms~~] to implement and
5 administer this chapter.

6 SECTION 168. Section 504.002, Transportation Code, is
7 amended to read as follows:

8 Sec. 504.002. [~~PROVISIONS — OF~~] GENERAL PROVISIONS
9 [~~APPLICABILITY~~]. Unless expressly provided by this chapter or by
10 department rule:

11 (1) except for license plates specified as exempt,
12 [~~any vehicle is eligible to be issued specialty license plates,~~
13 ~~provided that the department may vary the design of a license plate~~
14 ~~to accommodate or reflect its use on a motor vehicle other than a~~
15 ~~passenger car or light truck,~~

16 [~~(2)~~] ~~an application for specialty license plates must~~
17 ~~be submitted in the manner specified by the department, provided~~
18 ~~that if issuance of a specialty license plate is limited to~~
19 ~~particular persons or motor vehicles, the application must be~~
20 ~~accompanied by evidence satisfactory to the department that the~~
21 ~~applicant or the applicant's vehicle is eligible,~~

22 [~~(3)~~] the fee for issuance of a [~~specialty~~] license
23 plate, including replacement plates, is in addition to each other
24 fee that is paid for [~~or~~] at the time of the registration of the
25 motor vehicle and shall be deposited to the credit of the state
26 highway fund;

27 (2) if the registration period is greater than 12

1 months, the expiration date of a specialty license plate, symbol,
2 tab, or other device shall be aligned with the registration period,
3 and the specialty plate fee shall be adjusted pro rata, except that
4 if the statutory annual fee for a specialty license plate is \$5 or
5 less, it may not be prorated;

6 (3) ~~[(4) each fee described by this chapter is an~~
7 ~~annual fee, provided that the department may prorate the fee for a~~
8 ~~specialty license plate fee on a monthly basis to align the license~~
9 ~~plate fee to the registration period for the motor vehicle for which~~
10 ~~the license plate was issued, and if a fee is prorated the~~
11 ~~allocation of the fee by this chapter to an account or fund shall be~~
12 ~~prorated in proportion;~~

13 ~~[(5)]~~ the department is the exclusive owner of the
14 design of each [~~specialty~~] license plate;

15 (4) ~~[(6) the director may refuse to issue a specialty~~
16 ~~license plate with a design or alphanumeric pattern that the~~
17 ~~director considers potentially objectionable to one or more members~~
18 ~~of the public and the director's refusal may not be overturned in~~
19 ~~the absence of an abuse of discretion;~~

20 ~~[(7) for each specialty license plate that is issued~~
21 ~~through a county tax assessor-collector and for which the~~
22 ~~department is allocated a portion of a fee for administrative~~
23 ~~costs, the department shall credit 50 cents from its administrative~~
24 ~~costs to the county treasurer of the applicable county, who shall~~
25 ~~credit the money to the general fund of the county to defray the~~
26 ~~costs to the county of administering this chapter;~~

27 ~~[(8)]~~ if a [~~specialty~~] license plate is lost, stolen,

1 or mutilated, an application for a replacement plate must be
2 accompanied by the fee prescribed by Section 502.060
3 ~~[502.184(a)(2)]~~;

4 ~~[(9) if the owner of a motor vehicle for which a~~
5 ~~specialty license plate is issued disposes of the vehicle or for any~~
6 ~~reason ceases to be eligible for that specialty license plate, the~~
7 ~~owner shall return the specialty license plate to the department]~~;
8 and

9 (5) the department shall prepare the designs and
10 specifications of license plates ~~[(10) a person who is issued a~~
11 ~~specialty license plate may not transfer it to another person or~~
12 ~~vehicle without first receiving approval from the department]~~.

13 SECTION 169. Section 504.103, Transportation Code, is
14 transferred to Subchapter A, Chapter 504, Transportation Code,
15 redesignated as Section 504.005, Transportation Code, and amended
16 to read as follows:

17 Sec. 504.005 ~~[504.103]~~. DESIGN AND ALPHANUMERIC PATTERN.

18 (a) The department has sole control over the design, typeface,
19 color, and alphanumeric pattern for all ~~[a personalized]~~ license
20 plates ~~[plate]~~.

21 (b) The department shall prepare the designs and
22 specifications of license plates and devices selected by the board
23 to be used as a unique identifier.

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

1 specially designed license plates.

2 (d) To promote highway safety, each license plate shall be
3 made with a reflectorized material that provides effective and
4 dependable brightness for the period for which the plate is issued.

5 SECTION 170. Subchapter A, Chapter 504, Transportation
6 Code, is amended by adding Section 504.0051 to read as follows:

7 Sec. 504.0051. PERSONALIZED LICENSE PLATES. (a) The
8 department shall issue personalized license plates, including
9 those issued in accordance with the marketing vendor as provided in
10 Subchapter J. The department may not issue more than one set of
11 license plates with the same alphanumeric pattern.

12 (b) The department may not issue a replacement set of
13 personalized plates to the same person before the period set by rule
14 unless the applicant for issuance of replacement plates pays the
15 fee required by Section 504.007.

16 SECTION 171. Section 502.053, Transportation Code, is
17 transferred to Subchapter A, Chapter 504, Transportation Code,
18 redesignated as Section 504.006, Transportation Code, and amended
19 to read as follows:

20 Sec. 504.006 [502.053]. COST OF MANUFACTURING [LICENSE
21 PLATES OR REGISTRATION INSIGNIA]. (a) The department shall
22 reimburse the Texas Department of Criminal Justice for the cost of
23 manufacturing license plates [or registration insignia] as [the
24 license plates or insignia and] the invoices [invoice] for the
25 license plates [or insignia] are delivered to the department.

26 (b) When manufacturing is started, the Texas Department of
27 Criminal Justice and[7] the department, [and the comptroller,]

1 after negotiation, shall set the price to be paid for each license
2 plate [~~or insignia~~]. The price must be determined from:

3 (1) the cost of metal, paint, and other materials
4 purchased;

5 (2) the inmate maintenance cost per shift [~~day~~];

6 (3) overhead expenses;

7 (4) miscellaneous charges; and

8 (5) a previously agreed upon [~~approved~~] amount of
9 profit for the work.

10 [~~(c) The annual profit received by the Texas Department of
11 Criminal Justice from all contracts for the manufacturing of
12 license plates or related manufacturing may not be less than the
13 profit received by the Texas Department of Corrections for
14 manufacturing license plates for use in 1974.]~~]

15 SECTION 172. Section 502.1841, Transportation Code, as
16 effective September 1, 2011, is transferred to Subchapter A,
17 Chapter 504, Transportation Code, redesignated as Section 504.007,
18 Transportation Code, and amended to read as follows:

19 Sec. 504.007 [~~502.1841~~]. REPLACEMENT LICENSE PLATES.

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

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

25 (2) paying a fee of \$6 plus the fee required by Section
26 502.356(a) [~~502.1705(a)~~] for each set of replacement license
27 plates, unless otherwise specified by law; and

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

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

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

9 (d) The fee required by this section applies to the issuance
10 of license plates for a transferred used vehicle for which the
11 registration and license plates were not transferred under Section
12 504.901 [~~Subchapter I~~].

13 (e) Replacement license plates may be used in the
14 registration year in which the plates are issued and during each
15 succeeding year of the registration period as set by rule if the
16 registration insignia is properly displayed on the vehicle.

17 (f) Subsection (e) does not apply to the issuance of
18 specialized license plates for limited distribution, including
19 exempt plates for governmental entities and temporary registration
20 plates.

21 SECTION 173. Subchapter A, Chapter 504, Transportation
22 Code, is amended by adding Section 504.008 to read as follows:

23 Sec. 504.008. SPECIALTY LICENSE PLATES. (a) The
24 department shall prepare the designs and specifications of
25 specialty license plates.

26 (b) Any motor vehicle other than a vehicle manufactured for
27 off-highway use only is eligible to be issued specialty license

1 plates, provided that the department may vary the design of a
2 license plate to accommodate or reflect its use on a motor vehicle
3 other than a passenger car or light truck.

4 (c) An application for specialty license plates must be
5 submitted in the manner specified by the department, provided that
6 if issuance of a specialty license plate is limited to particular
7 persons or motor vehicles, the application must be accompanied by
8 evidence satisfactory to the department that the applicant or the
9 applicant's vehicle is eligible.

10 (d) Each fee described by this chapter is an annual fee,
11 provided that the department may prorate the fee for a specialty
12 license plate fee on a monthly basis to align the license plate fee
13 to the registration month for the motor vehicle for which the
14 license plate was issued, and if a fee is prorated the allocation of
15 the fee by this chapter to an account or fund shall be prorated in
16 proportion.

17 (e) The director or the director's designee may refuse to
18 issue a specialty license plate with a design or alphanumeric
19 pattern that the director or designee considers potentially
20 objectionable to one or more members of the public and the director
21 or designee's refusal may not be overturned in the absence of an
22 abuse of discretion.

23 (f) For each specialty license plate that is issued by a
24 county assessor-collector and for which the department is allocated
25 a portion of the fee for administrative costs, the department shall
26 credit 50 cents from its administrative costs to the county
27 treasurer of the applicable county, who shall credit the money to

1 the general fund of the county to defray the costs to the county of
2 administering this chapter.

3 (g) If the owner of a motor vehicle for which a specialty
4 license plate is issued disposes of the vehicle or for any reason
5 ceases to be eligible for that specialty license plate, the owner
6 shall return the specialty license plate to the department.

7 (h) A person who is issued a specialty license plate may not
8 transfer the plate to another person or vehicle unless the
9 department approves the transfer.

10 SECTION 174. Section 504.003, Transportation Code, is
11 redesignated as Section 504.009, Transportation Code, and amended
12 to read as follows:

13 Sec. 504.009 [~~504.003~~]. SOUVENIR LICENSE PLATES. (a) The
14 department may issue a souvenir version of any specialty license
15 plate for any vehicle [~~, including a motorcycle~~].

16 (b) The fee for a single souvenir license plate is \$20. The
17 fee shall be deposited to the credit of the state highway fund
18 unless the souvenir license plate is a replica of a specialty
19 license plate issued under Subchapter G or I for which the fee is
20 deposited to an account other than the state highway fund, in which
21 case:

22 (1) \$10 of the fee for the souvenir license plate shall
23 be deposited to the credit of the designated account; and

24 (2) \$10 of the fee for the souvenir license plate shall
25 be deposited to the credit of the state highway fund.

26 (c) If a souvenir license plate issued before September 1,
27 2009, is personalized, the fee for the plate is \$40. Of the fee:

1 (1) \$20 shall be deposited to the credit of the state
2 highway fund;

3 (2) \$10 shall be deposited to the credit of the
4 designated account if the souvenir license plate is a replica of a
5 specialty license plate issued under Subchapter G or I for which the
6 fee is deposited to a designated account other than the state
7 highway fund; and

8 (3) the remainder shall be deposited to the credit of
9 the general revenue fund.

10 (c-1) The fee for a souvenir license plate issued on or
11 after September 1, 2009, is the amount established under Section
12 504.851(c).

13 (d) A souvenir license plate may not be used on a motor
14 vehicle[~~, including a motorcycle,~~] and is not an insignia of
15 registration for a motor vehicle. Each souvenir license plate must
16 be identified by the department in a way that identifies it to law
17 enforcement officers and others as a souvenir license plate.

18 (e) A beneficiary of a specialty license plate issued under
19 Subchapter G or I, as designated by the applicable section of those
20 subchapters, may purchase the specialty license plates, in minimum
21 amounts determined by the department [~~boxes of 25~~], for use or
22 resale by the beneficiary. The beneficiary shall pay the required
23 fee per plate, less the amount of the fee that would be deposited to
24 the credit of the designated account.

25 SECTION 175. Subchapter A, Chapter 504, Transportation
26 Code, is amended by adding Section 504.010 to read as follows:

27 Sec. 504.010. ISSUANCE AND PLACEMENT OF LICENSE PLATE.

1 (a) On payment of the prescribed fee, an applicant for motor
2 vehicle registration shall be issued a license plate or set of
3 plates.

4 (b) Subject to Section 504.901, the department shall issue
5 only one license plate or set of plates for a vehicle during the
6 registration period set by rule.

7 (c) The board may adopt rules regarding the placement of
8 license plates for a motor vehicle, road tractor, motorcycle,
9 trailer, or semitrailer.

10 SECTION 176. Subsections (b), (d), and (g), Section
11 504.201, Transportation Code, are amended to read as follows:

12 (b) The department shall issue specialty license plates for
13 a motor vehicle that:

14 (1) has a gross vehicle weight [~~manufacturer's rated~~
15 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less; and

16 (2) is regularly operated for noncommercial use by or
17 for the transportation of a person with a permanent disability.

18 (d) Except as provided by Subsection (d-1), the initial
19 application for specialty license plates under this section must be
20 accompanied by a written statement from a physician who is licensed
21 to practice medicine in this state or in a state adjacent to this
22 state or who is authorized by applicable law to practice medicine in
23 a hospital or other health facility of the Department of Veterans
24 Affairs. If the applicant has a mobility problem caused by a
25 disorder of the foot, the written statement may be issued by a
26 person licensed to practice podiatry in this state or a state
27 adjacent to this state. In this subsection, "podiatry" has the

1 meaning assigned by Section 681.001. The statement must certify
2 that the person making the application or on whose behalf the
3 application is made is legally blind or has a mobility problem that
4 substantially impairs the person's ability to ambulate. The
5 statement must also certify whether a mobility problem is temporary
6 or permanent. A written statement is not required as acceptable
7 medical proof if:

8 (1) the person with a disability:

9 (A) has had a limb, hand, or foot amputated; or

10 (B) must use a wheelchair; and

11 (2) the applicant executes a statement [~~and the county~~
12 ~~assessor-collector processing the application execute an~~
13 ~~affidavit~~] attesting to the person's disability before the county
14 assessor-collector.

15 (g) In addition to a license plate issued under this
16 section, an eligible person is entitled to be issued a set of the
17 license plates for each motor vehicle owned by the person that has a
18 gross vehicle weight [~~carrying capacity~~] of 18,000 pounds [~~two~~
19 ~~tons~~] or less and is equipped with special equipment that:

20 (1) is designed to allow a person who has lost the use
21 of one or both of the person's legs to operate the vehicle; and

22 (2) is not standard equipment on that type of vehicle
23 for use by a person who has use of both legs.

24 SECTION 177. Section 504.202, Transportation Code, is
25 amended by amending Subsections (b) and (f) and adding Subsection
26 (i) to read as follows:

27 (b) A veteran of the United States armed forces is entitled

1 to register, for the person's own use, motor vehicles under this
2 section if:

3 (1) the person has suffered, as a result of military
4 service:

5 (A) at least a 50 percent service-connected
6 disability; or

7 (B) a 40 percent service-connected disability
8 because of the amputation of a lower extremity;

9 (2) the person receives compensation from the United
10 States because of the disability; and

11 (3) the motor vehicle:

12 (A) is owned by the person; and

13 (B) has a gross vehicle weight [~~manufacturer's~~
14 ~~rated carrying capacity~~] of 18,000 pounds [~~two tons~~] or less.

15 (f) The fee for the first set of license plates is \$3. There
16 is no fee for each additional set of license plates. [~~If a license~~
17 ~~plate is lost, stolen, or mutilated, on payment of a \$1 fee the~~
18 ~~department shall issue a set of replacement plates.~~]

19 (i) A license plate with the letters "DV" may be
20 personalized with up to four characters.

21 SECTION 178. Subsection (b), Section 504.203,
22 Transportation Code, is amended to read as follows:

23 (b) An application for license plates under this section
24 must be accompanied by a written statement acknowledged [~~signed~~] by
25 the administrator or manager of the institution, facility, or
26 retirement community certifying that the institution, facility, or
27 retirement community regularly transports, as a part of the

1 services that the institution, facility, or retirement community
2 provides, one or more eligible persons who reside in the
3 institution, facility, or retirement community. The department
4 shall determine the eligibility of the institution, facility, or
5 retirement community on the evidence the applicant provides.

6 SECTION 179. Section 504.3011, Transportation Code, is
7 amended to read as follows:

8 Sec. 504.3011. DESIGN OF CERTAIN LICENSE PLATES FOR THE
9 MILITARY. [~~(a) License plates issued under Section 504.303 must~~
10 ~~at a minimum bear a color depiction of the emblem of the appropriate~~
11 ~~branch of the United States armed forces.~~

12 [~~(b) License plates issued under Section 504.308(a) or~~
13 ~~504.315(c), (f), or (g) must at a minimum bear a color depiction of~~
14 ~~the appropriate medal.~~

15 [~~(c)~~] The department shall design military license plates
16 that bear a color depiction of the emblem of the appropriate branch
17 of the United States armed forces or a color depiction of the
18 appropriate medal as provided by the United States Department of
19 Defense [~~to which this section applies in consultation with~~
20 ~~veterans organizations~~].

21 SECTION 180. Subsection (d), Section 504.315,
22 Transportation Code, is amended to read as follows:

23 (d) The department shall issue specialty license plates for
24 survivors of the attack on Pearl Harbor on December 7, 1941. The
25 license plates must include the words "Pearl Harbor Survivor." [~~and~~
26 ~~must be consecutively numbered.~~] A person is eligible if the
27 person:

1 (1) served in the United States armed forces;

2 (2) was stationed in the Hawaiian Islands on December
3 7, 1941; and

4 (3) survived the attack on Pearl Harbor on December 7,
5 1941.

6 SECTION 181. Subchapter E, Chapter 504, Transportation
7 Code, is amended by adding Section 504.400 to read as follows:

8 Sec. 504.400. FEES FOR CERTAIN RESTRICTED PLATES. The
9 department shall issue, without charge, not more than three sets of
10 specialty license plates under this subchapter.

11 SECTION 182. Subsections (a) and (c), Section 504.401,
12 Transportation Code, are amended to read as follows:

13 (a) The department shall issue [~~without charge~~] specialty
14 license plates that include the words "State Official" to a state
15 official. [~~The license plates must include the words "State~~
16 ~~Official."~~]

17 (c) The registration remains [~~license plates remain~~] valid
18 until December 31 of each year.

19 SECTION 183. Subsection (a), Section 504.402,
20 Transportation Code, is amended to read as follows:

21 (a) The department shall issue [~~without charge~~] specialty
22 license plates to [~~for~~] members of congress, which [~~. License~~
23 ~~plates issued under this section~~] must include the words "U.S.
24 Congress."

25 SECTION 184. Subsection (a), Section 504.403,
26 Transportation Code, is amended to read as follows:

27 (a) The department shall issue [~~without charge~~] specialty

1 license plates for a current or visiting state or federal judge.
2 The license plates must include the words "State Judge" or "U.S.
3 Judge," as appropriate.

4 SECTION 185. Subdivision (2), Subsection (d), Section
5 504.403, Transportation Code, is amended to read as follows:

6 (2) "State judge" means:

7 (A) a justice of the supreme court;

8 (B) a judge of the court of criminal appeals;

9 (C) a judge of a court of appeals of this state;

10 (D) a district court judge;

11 (E) a presiding judge of an administrative
12 judicial district; or

13 (F) a statutory county court judge.

14 SECTION 186. Subsection (a), Section 504.404,
15 Transportation Code, is amended to read as follows:

16 (a) The department shall issue [~~without charge~~] specialty
17 license plates to [~~for~~] current federal administrative law judges
18 that [~~. The license plates shall~~] bear the words "U.S. A. L. Judge."

19 SECTION 187. Subsection (a), Section 504.405,
20 Transportation Code, is amended to read as follows:

21 (a) The department shall issue [~~without charge~~] specialty
22 license plates for current county judges of this state that [~~. The~~
23 ~~license plates shall~~] bear the words "County Judge."

24 SECTION 188. Section 504.406, Transportation Code, is
25 amended to read as follows:

26 Sec. 504.406. TEXAS CONSTABLES. The department shall issue
27 [~~without charge~~] specialty license plates for Texas constables

1 that [~~. The license plates shall~~] bear the words "Texas Constable."

2 SECTION 189. Section 504.412, Transportation Code, is
3 redesignated as Section 504.4061, Transportation Code, and amended
4 to read as follows:

5 Sec. 504.4061 [~~504.412~~]. FOREIGN ORGANIZATION VEHICLES.

6 (a) The department shall issue specialty license plates for an
7 instrumentality established by a foreign government recognized by
8 the United States before January 1, 1979, that is without official
9 representation or diplomatic relations with the United States. The
10 license plates must include the words "Foreign Organization" and
11 shall remain valid for seven [~~five~~] years.

12 (b) A person entitled to specialty license plates under this
13 section may register the vehicle without payment of any fee paid for
14 or at the time of registration.

15 SECTION 190. Section 504.509, Transportation Code, as
16 effective September 1, 2011, is transferred to Subchapter E,
17 Chapter 504, Transportation Code, and redesignated as Section
18 504.415, Transportation Code, to read as follows:

19 Sec. 504.415 [~~504.509~~]. VEHICLES CARRYING MOBILE AMATEUR
20 RADIO EQUIPMENT. The department shall issue specialty license
21 plates for a person who holds an amateur radio station license
22 issued by the Federal Communications Commission and who operates
23 receiving and transmitting mobile amateur radio equipment. The
24 license plates shall include the person's amateur call letters as
25 assigned by the Federal Communications Commission. A person may
26 register more than one vehicle equipped with mobile amateur radio
27 equipment under this section, and the department shall issue

1 license plates that include the same amateur call letters for each
2 vehicle.

3 SECTION 191. The heading to Subchapter F, Chapter 504,
4 Transportation Code, is amended to read as follows:

5 SUBCHAPTER F. SPECIALTY LICENSE PLATES WITH RESTRICTED
6 DISTRIBUTION AND REGULAR LICENSE PLATE FEES [~~FOR CERTAIN VEHICLES~~]

7 SECTION 192. Subsection (g), Section 504.502,
8 Transportation Code, is amended to read as follows:

9 (g) A person entitled to specialty license plates or to
10 department approval under this section may register the vehicle
11 without payment of any fees paid for or at the time of registration
12 except the fee for the license plate. [~~An owner of a vehicle~~
13 ~~registered under this subsection who violates this section commits~~
14 ~~an offense. An offense under this section is a misdemeanor~~
15 ~~punishable by a fine of not less than \$5 or more than \$200.~~]

16 SECTION 193. Section 504.503, Transportation Code, is
17 amended to read as follows:

18 Sec. 504.503. MUNICIPAL, MOTOR, AND PRIVATE BUSES.
19 [~~(a)~~] The department shall issue without charge specialty license
20 plates for municipal buses, motor buses, and private buses. The
21 license plates must include the words "City Bus," "Motor Bus," or
22 "Private Bus," as appropriate.

23 [~~(b) In this section, "private bus" means a bus that:~~

24 [~~(1) is not operated for hire, and~~

25 [~~(2) is not classified as a municipal bus or a motor~~
26 ~~bus.~~]

27 SECTION 194. The heading to Section 504.506, Transportation

1 Code, is amended to read as follows:

2 Sec. 504.506. [~~CERTAIN~~] LOG LOADER VEHICLES.

3 SECTION 195. Sections 504.407 and 504.408, Transportation
4 Code, are transferred to Subchapter F, Chapter 504, Transportation
5 Code, and redesignated as Sections 504.511 and 504.512,
6 Transportation Code, to read as follows:

7 Sec. 504.511 [~~504.407~~]. PEACE OFFICERS WOUNDED OR KILLED IN
8 LINE OF DUTY. (a) The department shall issue specialty license
9 plates for:

10 (1) a person wounded in the line of duty as a peace
11 officer; or

12 (2) a surviving spouse, parent, brother, sister, or
13 adult child, including an adopted child or stepchild, of a person
14 killed in the line of duty as a peace officer.

15 (b) License plates issued under this section must include
16 the words "To Protect and Serve" above an insignia depicting a
17 yellow rose superimposed over the outline of a badge.

18 (c) The fee for issuance of the license plates is \$20.

19 (d) In this section, "peace officer" has the meaning
20 assigned by Section 1.07, Penal Code.

21 Sec. 504.512 [~~504.408~~]. GOLD STAR MOTHER, SPOUSE, OR FAMILY
22 MEMBER. (a) The department shall issue a specialty license plate
23 for the mother, surviving spouse, or immediate family member of a
24 person who died while serving in the United States armed
25 forces. License plates issued under this section must include the
26 words "Gold Star Mother," "Gold Star Spouse," or "Gold Star Family"
27 and a gold star. A person may not be issued more than one set of the

1 license plates at a time.

2 (a-1) In this section "immediate family member" means the
3 parent, child, or sibling of a person who died while serving in the
4 United States armed forces.

5 (b) The fee for issuance of the license plates is \$10.

6 SECTION 196. Section 504.409, Transportation Code, as
7 effective September 1, 2011, and as amended by Chapters 1136 (H.B.
8 2553) and 1381 (S.B. 1616), Acts of the 81st Legislature, Regular
9 Session, 2009, is transferred to Subchapter F, Chapter 504,
10 Transportation Code, redesignated as Section 504.513,
11 Transportation Code, and reenacted and amended to read as follows:

12 Sec. 504.513 [~~504.409~~]. FIREFIGHTERS. (a) The department
13 shall issue specialty license plates for:

14 (1) volunteer firefighters certified by:

15 (A) the Texas Commission on Fire Protection; or

16 (B) the State Firemen's and Fire Marshals'
17 Association of Texas; and

18 (2) fire protection personnel as that term is defined
19 by Section 419.021, Government Code.

20 (b) [~~(c)~~] A person may be issued not more than three sets of
21 license plates.

22 SECTION 197. Sections 504.410 and 504.411, Transportation
23 Code, are transferred to Subchapter F, Chapter 504, Transportation
24 Code, redesignated as Sections 504.514 and 504.515, Transportation
25 Code, and amended to read as follows:

26 Sec. 504.514 [~~504.410~~]. EMERGENCY MEDICAL SERVICES
27 PERSONNEL. (a) The department shall issue specialty license

1 plates for emergency medical services personnel certified by the
2 [~~Texas~~] Department of State Health Services under Subchapter C,
3 Chapter 773, Health and Safety Code.

4 (b) The fee for issuance of the license plates is \$8.

5 (c) A person may be issued only one set of the license
6 plates.

7 Sec. 504.515 [~~504.411~~]. HONORARY CONSULS. (a) The
8 department shall issue specialty license plates for a person who is
9 an honorary consul authorized by the United States to perform
10 consular duties. License plates issued under this section must
11 include the words "Honorary Consul."

12 (b) The fee for issuance of the license plates is \$40.

13 SECTION 198. Subchapter F, Chapter 504, Transportation
14 Code, is amended by adding Section 504.516 to read as follows:

15 Sec. 504.516. RENTAL TRAILER OR TRAVEL TRAILER FEE:
16 TRAILER OR SEMITRAILER. (a) The department may issue specially
17 designed license plates for rental trailers and travel trailers
18 that include, as appropriate, the words "rental trailer" or "travel
19 trailer."

20 (b) In this section:

21 (1) "Rental fleet" means vehicles that are designated
22 in the manner prescribed by the department as a rental fleet.

23 (2) "Rental trailer" means a utility trailer.

24 (3) "Travel trailer" has the meaning assigned by
25 Section 501.002.

26 SECTION 199. Subsection (a), Section 504.614,
27 Transportation Code, is amended to read as follows:

1 (a) The department may issue specialty license plates that
2 include the name and insignia of a professional sports team located
3 in this state. The department shall design the license plates in
4 consultation with the professional sports team and may enter a
5 trademark license with the professional sports team or its league
6 to implement this section. A license plate may be issued under this
7 section only for a professional sports team that:

8 (1) certifies to the department that the requirements
9 of Section 504.702 are met [~~it has determined that at least 3,500~~
10 ~~persons will apply for the plates~~]; and

11 (2) plays its home games in a facility constructed or
12 operated, in whole or in part, with public funds.

13 SECTION 200. Section 504.615, Transportation Code, is
14 amended by amending Subsections (a) and (e) and adding Subsection
15 (d-1) to read as follows:

16 (a) The department shall issue specialty license plates
17 that include the name and insignia of a college. The department
18 shall design the license plates in consultation with the applicable
19 college. The department may issue a license plate under this
20 section only for a college that certifies to the department that the
21 requirements of Section 504.702 are met [~~it has determined that at~~
22 ~~least 1,500 persons will apply for the plates~~].

23 (d-1) If the fee is for the issuance of license plates for a
24 college described by Subsection (e)(3), the money:

25 (1) shall be deposited to the credit of the Texas
26 Higher Education Coordinating Board; and

27 (2) is supplementary and is not income for purposes of

1 reducing general revenue appropriations to that board.

2 (e) In this section, "college" means:

3 (1) an institution of higher education as defined by
4 Section 61.003, Education Code; ~~[or]~~

5 (2) a private college or university described by
6 Section 61.222, Education Code; or

7 (3) a college or university that is not located in this
8 state.

9 SECTION 201. Subsection (a), Section 504.616,
10 Transportation Code, is amended to read as follows:

11 (a) The department shall issue specialty license plates
12 including the words "Texas Reads" that [~~"Texas Reads." The~~
13 ~~department shall design the license plates to~~] incorporate one or
14 more submissions from middle school students in a competition
15 conducted by the department.

16 SECTION 202. The heading to Section 504.642, Transportation
17 Code, is amended to read as follows:

18 Sec. 504.642. TEXAS COUNCIL OF [~~COUNTY~~] CHILD WELFARE
19 BOARDS [~~BOARD~~] LICENSE PLATES.

20 SECTION 203. Subsection (a), Section 504.642,
21 Transportation Code, is amended to read as follows:

22 (a) The department shall issue Texas Council of [~~County~~]
23 Child Welfare Boards specialty license plates. The department
24 shall design the license plates in consultation with the Texas
25 Council of Child Welfare Boards, Inc.

26 SECTION 204. Subsection (a), Section 504.647,
27 Transportation Code, is amended to read as follows:

1 (a) The department shall issue Fight Terrorism specialty
2 license plates that[~~. The license plates shall~~] include a
3 pentagon-shaped border surrounding:

4 (1) the date "9-11-01" with the likeness of the World
5 Trade Center towers forming the "11";

6 (2) the likeness of the United States flag; and

7 (3) the words "Fight Terrorism."

8 SECTION 205. Section 504.413, Transportation Code, is
9 transferred to Subchapter G, Chapter 504, Transportation Code, and
10 redesignated as Section 504.659, Transportation Code, to read as
11 follows:

12 Sec. 504.659 [~~504.413~~]. MEMBERS OF AMERICAN LEGION.

13 (a) The department shall issue specialty license plates for
14 members of the American Legion. The license plates shall include
15 the words "Still Serving America" and the emblem of the American
16 Legion. The department shall design the license plates in
17 consultation with the American Legion.

18 (b) The fee for the license plates is \$30.

19 (c) After deduction of \$8 to reimburse the department for
20 its administrative costs, the remainder of the fee for issuance of
21 the license plates shall be deposited to the credit of the American
22 Legion, Department of Texas account in the state treasury. Money in
23 the account may be used only by the Texas Veterans Commission in
24 making grants to the American Legion Endowment Fund for
25 scholarships and youth programs sponsored by the American Legion,
26 Department of Texas.

27 SECTION 206. Section 504.702, Transportation Code, is

1 amended by amending Subsection (b) and adding Subsections (e) and
2 (f) to read as follows:

3 (b) The department may manufacture the specialty license
4 plates only if a request for manufacture of the license plates is
5 filed with the department. The request must be:

6 (1) made in ~~on~~ a manner prescribed ~~[form adopted]~~ by
7 the department;

8 (2) filed before the fifth anniversary of the
9 effective date of the law that authorizes the issuance of the
10 specialty license plates; and

11 (3) accompanied by ~~+~~
12 ~~[(A)]~~ a deposit of \$8,000 ~~[, or~~
13 ~~[(B) applications for issuance of at least 1,900~~
14 ~~sets of the license plates plus the fees for issuance of that number~~
15 ~~of sets].~~

16 (e) The department may issue license plates under:

17 (1) Section 504.614 for a particular professional
18 sports team only if \$8,000 has been deposited with the department
19 for that sports team; or

20 (2) Section 504.615 for a particular institution of
21 higher education or private college or university only if \$8,000
22 has been deposited with the department for that institution,
23 college, or university.

24 (f) Money deposited with the department under Subsection
25 (b)(3) or (e) shall be returned by the department to the person who
26 made the deposit after 800 sets of plates have been issued.

27 SECTION 207. Subsection (a), as effective September 1,

1 2011, and Subsection (b), Section 504.801, Transportation Code, are
2 amended to read as follows:

3 (a) The department may create new specialty license plates
4 on its own initiative or on receipt of an application from a
5 potential sponsor. A new specialty license plate created under
6 this section must comply with each requirement of Section 504.702
7 unless the license is created by the department on its own
8 initiative. The department may permit a specialty license plate
9 created under this section to be personalized. The redesign of an
10 existing specialty license plate at the request of a sponsor shall
11 be treated like the issuance of a new specialty license plate[
12 ~~except that the department may require a nonrefundable design fee~~].

13 (b) Any nonprofit entity [~~person~~] may submit an application
14 to the department to sponsor a new specialty license plate [~~by~~
15 ~~submitting an application to the department~~]. An application may
16 nominate a state agency to receive funds derived from the issuance
17 of the license plates. The application may also identify uses to
18 which those funds should be appropriated.

19 SECTION 208. Section 504.851, Transportation Code, is
20 amended by adding Subsection (m) to read as follows:

21 (m) If the vendor ceases operation:

22 (1) the program may be operated temporarily by the
23 department under new agreements with the plate sponsors until
24 another vendor is selected and commences operation; and

25 (2) the vendor's share of the revenue shall be
26 deposited to the credit of the general revenue fund.

27 SECTION 209. Subsection (d), Section 504.853,

1 Transportation Code, is amended to read as follows:

2 (d) The department may not issue a replacement set of
3 personalized license plates to the same person before the period
4 set by rule [~~sixth anniversary of the date of issuance~~] unless the
5 applicant for issuance of replacement plates pays an additional fee
6 of \$30.

7 SECTION 210. Chapter 504, Transportation Code, is amended
8 by adding Subchapter K to read as follows:

9 SUBCHAPTER K. TRANSFER AND REMOVAL OF LICENSE PLATES

10 Sec. 504.901. TRANSFER AND REMOVAL OF LICENSE PLATES.

11 (a) On the sale or transfer of a motor vehicle to a dealer who
12 holds a general distinguishing number issued under Chapter 503, the
13 dealer shall remove each license plate issued for the motor
14 vehicle. A person may use the license plates removed from a motor
15 vehicle on a new motor vehicle purchased from a dealer after the
16 person obtains the department's approval of a title and
17 registration application.

18 (b) On the sale or transfer of a motor vehicle to a person
19 who does not hold a general distinguishing number issued under
20 Chapter 503, the seller may remove each license plate issued for the
21 motor vehicle. The license plates may be transferred to another
22 vehicle titled in the seller's name if the seller obtains:

23 (1) the department's approval of an application to
24 transfer the license plates; and

25 (2) a new registration insignia for the motor vehicle.

26 (c) A license plate removed from a motor vehicle that is not
27 transferred to another motor vehicle must be disposed of in a manner

1 specified by the department.

2 (d) To be eligible for transfer, license plates must be
3 appropriate for the class of vehicle to which the plates are being
4 transferred.

5 SECTION 211. Chapter 504, Transportation Code, is amended
6 by adding Subchapter L to read as follows:

7 SUBCHAPTER L. OFFENSES AND PENALTIES

8 Sec. 504.941. ANTIQUE VEHICLES; OFFENSE. (a) A person who
9 violates Section 504.502 commits an offense. An offense under this
10 section is a misdemeanor punishable by a fine of not less than \$5 or
11 more than \$200.

12 (b) It is an affirmative defense to prosecution under this
13 section that at the time of the offense the vehicle was en route to
14 or from a location for the purpose of routine maintenance of the
15 vehicle.

16 Sec. 504.942. LOG LOADER VEHICLES; PENALTIES. A vehicle
17 operated in violation of Section 504.506 is considered to be
18 operated or moved while unregistered and is immediately subject to
19 the applicable fees and penalties prescribed by this chapter.

20 Sec. 504.943. OPERATION OF VEHICLE WITHOUT LICENSE PLATE.

21 (a) Except as provided by Subsection (b), a person commits an
22 offense if the person operates on a public highway, during a
23 registration period, a motor vehicle that does not display two
24 license plates that:

25 (1) have been assigned by the department for the
26 period; and

27 (2) comply with department rules regarding the

1 placement of license plates.

2 (b) A person commits an offense if the person operates on a
3 public highway during a registration period a road tractor,
4 motorcycle, trailer, or semitrailer that does not display a license
5 plate that:

6 (1) has been assigned by the department for the
7 period; and

8 (2) complies with department rules regarding the
9 placement of license plates.

10 (c) This section does not apply to a dealer operating a
11 vehicle as provided by law.

12 (d) A court may dismiss a charge brought under Subsection
13 (a)(1) if the defendant:

14 (1) remedies the defect before the defendant's first
15 court appearance; and

16 (2) pays an administrative fee not to exceed \$10.

17 SECTION 212. Section 502.408, Transportation Code, is
18 transferred to Subchapter L, Chapter 504, Transportation Code, as
19 added by this Act, redesignated as Section 504.944, Transportation
20 Code, and amended to read as follows:

21 Sec. 504.944 [~~502.408~~]. OPERATION OF VEHICLE WITH WRONG
22 LICENSE PLATE. [~~(a)~~] A person commits an offense if the person
23 operates, or as the owner permits another to operate, on a public
24 highway a motor vehicle that has attached to it a number plate or
25 registration insignia issued for a different vehicle. An offense
26 under this section [~~subsection~~] is a misdemeanor punishable by a
27 fine not to exceed \$200.

1 SECTION 213. Subchapter L, Chapter 504, Transportation
2 Code, as added by this Act, is amended by adding Section 504.945 to
3 read as follows:

4 Sec. 504.945. WRONG, FICTITIOUS, ALTERED, OR OBSCURED
5 LICENSE PLATE. (a) A person commits an offense if the person
6 attaches to or displays on a motor vehicle a license plate that:

7 (1) is issued for a different motor vehicle;

8 (2) is issued for the vehicle under any other motor
9 vehicle law other than by the department;

10 (3) is assigned for a registration period other than
11 the registration period in effect;

12 (4) is fictitious;

13 (5) has blurring or reflective matter that
14 significantly impairs the readability of the name of the state in
15 which the vehicle is registered or the letters or numbers of the
16 license plate number at any time;

17 (6) has an attached illuminated device or sticker,
18 decal, emblem, or other insignia that is not authorized by law and
19 that interferes with the readability of the letters or numbers of
20 the license plate number or the name of the state in which the
21 vehicle is registered; or

22 (7) has a coating, covering, protective substance, or
23 other material that:

24 (A) distorts angular visibility or
25 detectability;

26 (B) alters or obscures one-half or more of the
27 name of the state in which the vehicle is registered; or

1 (C) alters or obscures the letters or numbers of
2 the license plate number or the color of the plate.

3 (b) Except as provided by Subsection (e), an offense under
4 Subsection (a) is a misdemeanor punishable by a fine of not more
5 than \$200, unless it is shown at the trial of the offense that the
6 owner knowingly altered or made illegible the letters, numbers, and
7 other identification marks, in which case the offense is a Class B
8 misdemeanor.

9 (c) Subsection (a)(7) may not be construed to apply to:

10 (1) a trailer hitch installed on a vehicle in a normal
11 or customary manner;

12 (2) a transponder, as defined by Section 228.057, that
13 is attached to a vehicle in the manner required by the issuing
14 authority;

15 (3) a wheelchair lift or wheelchair carrier that is
16 attached to a vehicle in a normal or customary manner;

17 (4) a trailer being towed by a vehicle; or

18 (5) a bicycle or motorcycle rack that is attached to a
19 vehicle in a normal or customary manner.

20 (d) A court may dismiss a charge brought under Subsection
21 (a)(3), (5), (6), or (7) if the defendant:

22 (1) remedies the defect before the defendant's first
23 court appearance; and

24 (2) pays an administrative fee not to exceed \$10.

25 (e) An offense under Subsection (a)(4) is a Class B
26 misdemeanor.

27 SECTION 214. Subchapter A, Chapter 520, Transportation

1 Code, is amended by adding Sections 520.003 and 520.004 to read as
2 follows:

3 Sec. 520.003. RULES; WAIVER OF FEES. The department may
4 adopt rules to administer this chapter, including rules that waive
5 the payment of fees if a dealer has gone out of business and the
6 applicant can show that fees were paid to the dealer.

7 Sec. 520.004. DEPARTMENT RESPONSIBILITIES. The department
8 has jurisdiction over the registration and titling of, and the
9 issuance of license plates to, motor vehicles in compliance with
10 the applicable statutes. The board of the department by rule:

11 (1) shall provide services that are reasonable,
12 adequate, and efficient;

13 (2) shall establish standards for uniformity and
14 service quality for counties and dealers licensed under Section
15 520.005; and

16 (3) may conduct public service education campaigns
17 related to the department's functions.

18 SECTION 215. Section 501.137, Transportation Code, is
19 transferred to Subchapter A, Chapter 520, Transportation Code,
20 redesignated as Section 520.005, Transportation Code, and amended
21 to read as follows:

22 Sec. 520.005 [~~501.137~~]. DUTY AND RESPONSIBILITIES OF
23 COUNTY ASSESSOR-COLLECTOR. (a) Each county assessor-collector
24 shall comply with Chapter 501 [~~this chapter~~].

25 (b) An assessor-collector who fails or refuses to comply
26 with Chapter 501 [~~this chapter~~] is liable on the
27 assessor-collector's official bond for resulting damages suffered

1 by any person.

2 (c) Notwithstanding the requirements of Sections 520.008
3 and 520.0091, the assessor-collector may license franchised and
4 non-franchised motor vehicle dealers to title and register motor
5 vehicles in accordance with rules adopted under Section 520.004.
6 The county assessor-collector may pay a fee to a motor vehicle
7 dealer independent of or as part of the portion of the fees that
8 would be collected by the county for each title and registration
9 receipt issued.

10 SECTION 216. Section 502.109, Transportation Code, is
11 transferred to Subchapter A, Chapter 520, Transportation Code,
12 redesignated as Section 520.006, Transportation Code, and amended
13 to read as follows:

14 Sec. 520.006 [~~502.109~~]. COMPENSATION OF ASSESSOR-COLLECTOR.

15 (a) A county assessor-collector shall receive a fee of \$1.90 for
16 each receipt issued under Chapter 502 [~~this chapter. If the~~
17 ~~assessor-collector may be compensated by fees, a fee received is~~
18 ~~compensation for services under this chapter. The~~
19 ~~assessor-collector shall deduct the fee weekly from the gross~~
20 ~~collections made under this chapter]~~.

21 (a-1) A county collecting fees on behalf of a county that
22 has been declared as a disaster area for purposes of Section 501.023
23 or 502.040 may retain the commission for fees collected, but shall
24 allocate the fees to the county declared as a disaster area.

25 (b) A county assessor-collector who is compensated under
26 this section shall pay the entire expense of issuing registration
27 receipts and license plates under Chapter 501 or 502 [~~this chapter]~~

1 from the compensation allowed under this section.

2 SECTION 217. Section 502.111, Transportation Code, is
3 transferred to Subchapter A, Chapter 520, Transportation Code,
4 redesignated as Section 520.007, Transportation Code, and amended
5 to read as follows:

6 Sec. 520.007 [~~502.111~~]. COUNTY BRANCH OFFICES. (a) The
7 commissioners court of a county may authorize the county
8 assessor-collector to:

9 (1) establish a suboffice or branch office for vehicle
10 registration at one or more locations in the county other than the
11 county courthouse; or

12 (2) appoint a deputy to register vehicles in the same
13 manner and with the same authority as though done in the office of
14 the assessor-collector.

15 (b) The report of vehicles registered through a suboffice or
16 branch office shall be made through the office of the county
17 assessor-collector.

18 SECTION 218. Section 502.114, Transportation Code, is
19 transferred to Subchapter A, Chapter 520, Transportation Code,
20 redesignated as Section 520.008, Transportation Code, and amended
21 to read as follows:

22 Sec. 520.008 [~~502.114~~]. FULL-SERVICE DEPUTIES. (a) A
23 full-service deputy appointed under Section 520.0091 [~~502.112~~]
24 shall accept any application for registration, registration
25 renewal, or title transfer that the county assessor-collector may
26 accept.

27 (b) A full-service deputy may charge and retain an

1 additional motor vehicle registration fee not to exceed \$5 for each
2 motor vehicle registration issued.

3 (c) A county assessor-collector may delegate to a
4 full-service deputy, in the manner selected by the
5 assessor-collector, the authority to use data processing equipment
6 and software provided by the department for use in the titling and
7 registration of motor vehicles. The department may not limit a
8 county assessor-collector's ability to delegate the
9 assessor-collector's functions regarding the titling and
10 registration of motor vehicles to a qualified full-service deputy
11 in the manner the assessor-collector considers appropriate.

12 SECTION 219. Section 502.113, Transportation Code, is
13 transferred to Subchapter A, Chapter 520, Transportation Code,
14 redesignated as Section 520.009, Transportation Code, and amended
15 to read as follows:

16 Sec. 520.009 [~~502.113~~]. LIMITED-SERVICE DEPUTIES. (a) A
17 limited-service deputy appointed under Section 520.0091 [~~502.112~~]
18 may only accept registration renewals [~~renewal cards~~] provided by
19 the department and may not prepare or accept an application for
20 title transfer.

21 (b) The county assessor-collector may pay a limited-service
22 deputy an amount not to exceed the fee the assessor-collector could
23 collect under Section 520.006(a) [~~502.109(a)~~] for each
24 registration receipt issued. The commissioners court of the county
25 may permit a limited-service deputy to charge and retain an
26 additional fee not to exceed \$1 for each registration receipt
27 issued by the deputy.

1 SECTION 220. Section 502.112, Transportation Code, is
2 transferred to Subchapter A, Chapter 520, Transportation Code, and
3 redesignated as Section 520.0091, Transportation Code, to read as
4 follows:

5 Sec. 520.0091 [~~502.112~~]. DEPUTY ASSESSOR-COLLECTORS.

6 (a) A county assessor-collector, with the approval of the
7 commissioners court of the county, may deputize an individual or
8 business entity to:

9 (1) issue motor vehicle registration receipts as a
10 limited-service deputy; or

11 (2) issue motor vehicle registration receipts and
12 prepare or accept applications for title transfers as a
13 full-service deputy.

14 (b) An individual or business entity is eligible to be
15 deputized as a limited-service deputy if the person:

16 (1) is trained to issue registration receipts by the
17 county assessor-collector; and

18 (2) posts a bond payable to the county
19 assessor-collector:

20 (A) in an amount determined by the
21 assessor-collector; and

22 (B) conditioned on the person's proper
23 accounting and remittance of all fees the person collects.

24 (c) An individual or business entity is eligible to be
25 deputized as a full-service deputy if the person:

26 (1) meets the requirements of Subsection (b); and

27 (2) has experience in title transfers.

1 (d) A person deputized under this section shall keep a
2 separate account of the fees collected and a record of daily
3 receipts.

4 SECTION 221. Section 501.136, Transportation Code, is
5 transferred to Subchapter A, Chapter 520, Transportation Code,
6 redesignated as Section 520.0092, Transportation Code, and amended
7 to read as follows:

8 Sec. 520.0092 [~~501.136~~]. ACTS BY DEPUTY COUNTY
9 ASSESSOR-COLLECTOR. A deputy county assessor-collector, other
10 than a limited service deputy appointed under Section 520.0091
11 [~~502.112~~], may perform the duties of an assessor-collector under
12 Chapter 501 [~~this chapter~~].

13 SECTION 222. Section 520.002, Transportation Code, is
14 redesignated as Section 520.0093, Transportation Code, and amended
15 to read as follows:

16 Sec. 520.0093 [~~520.002~~]. LEASE OF ADDITIONAL COMPUTER
17 EQUIPMENT. (a) This section applies only to the lease of
18 equipment to a county for the operation of the automated
19 registration and titling [~~title~~] system in addition to the
20 equipment provided by the department at no cost to the county under
21 a formula prescribed by the department.

22 (b) On the request of the tax assessor-collector of a
23 county, the department may enter into an agreement with the
24 commissioners court of that county under which the department
25 leases additional equipment to the county for the use of the tax
26 assessor-collector in operating the automated registration and
27 titling [~~title~~] system in that county.

1 (c) A county may install equipment leased under this section
2 at offices of the county or of an agent of the county.

3 (d) Equipment leased under this section:

4 (1) remains the property of the department; and

5 (2) must be used primarily for the automated
6 registration and titling [~~title~~] system.

7 (e) Under the agreement, the department shall charge [~~the~~
8 ~~county~~] an amount not less than the amount of the cost to the
9 department to provide the additional equipment and any related
10 services under the lease. All money collected under the lease shall
11 be deposited to the credit of the state highway fund.

12 SECTION 223. The heading to Subchapter B, Chapter 520,
13 Transportation Code, is amended to read as follows:

14 SUBCHAPTER B. ADMINISTRATIVE PROVISIONS [~~MOTOR NUMBER RECORD~~
15 ~~REQUIREMENTS~~]

16 SECTION 224. Subchapter B, Chapter 520, Transportation
17 Code, is amended by adding Section 520.015 to read as follows:

18 Sec. 520.015. INFORMATION CONSOLIDATION STUDY. (a) In
19 consultation with the Department of Public Safety, the department
20 shall conduct a study on the consolidation of similar information
21 that is collected separately by each agency. The study should
22 include recommendations that sufficiently protect the privacy of
23 the public and the security and integrity of information provided.

24 (b) The study must be completed not later than September 1,
25 2012.

26 SECTION 225. Section 520.036, Transportation Code, is
27 transferred to Subchapter B, Chapter 520, Transportation Code,

1 redesignated as Section 520.016, Transportation Code, and amended
2 to read as follows:

3 Sec. 520.016 [~~520.036~~]. GENERAL PENALTY. (a) A person
4 commits an offense if the person violates this subchapter in a
5 manner for which a specific penalty is not provided.

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

8 (c) This section does not apply to a violation of Section
9 520.006, 520.008, 520.009, 520.0091, or 520.0092.

10 SECTION 226. Subdivision (5), Section 520.051,
11 Transportation Code, is amended to read as follows:

12 (5) "Title service record" means the written or
13 electronic record for each transaction in which a motor vehicle
14 title service receives compensation.

15 SECTION 227. Section 548.052, Transportation Code, is
16 amended to read as follows:

17 Sec. 548.052. VEHICLES NOT SUBJECT TO INSPECTION. This
18 chapter does not apply to:

19 (1) a trailer, semitrailer, pole trailer, or mobile
20 home moving under or bearing a current factory-delivery license
21 plate or current in-transit license plate;

22 (2) a vehicle moving under or bearing a paper dealer
23 in-transit tag, machinery license, disaster license, parade
24 license, prorated tab, one-trip permit, vehicle temporary transit
25 permit, antique license, temporary 24-hour permit, or permit
26 license;

27 (3) a trailer, semitrailer, pole trailer, or mobile

1 home having an actual gross weight or registered gross weight of
2 4,500 pounds or less;

3 (4) farm machinery, road-building equipment, a farm
4 trailer, or a vehicle required to display a slow-moving-vehicle
5 emblem under Section 547.703;

6 (5) a former military vehicle, as defined by Section
7 504.502 [~~502.275~~];

8 (6) a vehicle qualified for a tax exemption under
9 Section 152.092, Tax Code; or

10 (7) a vehicle for which a certificate of title has been
11 issued but that is not required to be registered.

12 SECTION 228. Section 681.005, Transportation Code, is
13 amended to read as follows:

14 Sec. 681.005. DUTIES OF COUNTY ASSESSOR-COLLECTOR. Each
15 county assessor-collector shall send to the department[+]

16 [~~(1)~~] each fee collected under Section 681.003, to be
17 deposited in the state highway fund to defray the cost of providing
18 the disabled parking placard[~~, and~~

19 [~~(2) a copy of each application for a disabled parking~~
20 ~~placard]~~.

21 SECTION 229. Subsection (a-1), Section 681.012,
22 Transportation Code, is amended to read as follows:

23 (a-1) A peace officer may seize a disabled parking placard
24 from a person who operates a vehicle on which a disabled parking
25 placard is displayed if the peace officer determines by inspecting
26 the person's driver's license or personal identification
27 certificate that the disabled parking placard does not contain the

1 first four digits of the driver's license number or personal
2 identification certificate number and the initials of:

- 3 (1) the person operating the vehicle; [~~or~~]
4 (2) the applicant on behalf of a person being
5 transported by the vehicle; or
6 (3) a person being transported by the vehicle.

7 SECTION 230. Subsection (c), Section 386.251, Health and
8 Safety Code, is amended to read as follows:

- 9 (c) The fund consists of:
10 (1) the amount of money deposited to the credit of the
11 fund under:
12 (A) Section 386.056;
13 (B) Sections 151.0515 and 152.0215, Tax Code; and
14 (C) Sections 501.138, 502.358 [~~502.1675~~], and
15 548.5055, Transportation Code; and
16 (2) grant money recaptured under Section 386.111(d)
17 and Chapter 391.

18 SECTION 231. Section 2302.204, Occupations Code, is amended
19 to read as follows:

20 Sec. 2302.204. CASUAL SALES. This chapter does not apply to
21 a person who purchases fewer than five [~~three~~] nonrepairable motor
22 vehicles or salvage motor vehicles from a salvage vehicle dealer,
23 an insurance company or salvage pool operator in a casual sale at
24 auction, except that:

- 25 (1) the board shall adopt rules as necessary to
26 regulate casual sales by salvage vehicle dealers, insurance
27 companies, or salvage pool operators and to enforce this section;

1 and

2 (2) a salvage vehicle dealer, insurance company, or
3 salvage pool operator who sells a motor vehicle in a casual sale
4 shall comply with those rules and Subchapter E, Chapter 501,
5 Transportation Code.

6 SECTION 232. The following provisions of the Transportation
7 Code are repealed:

- 8 (1) Sections 501.026 and 501.075;
- 9 (2) Sections 501.094 and 501.133;
- 10 (3) Subsections (e), (f), and (i), Section 501.134;
- 11 (4) Sections 502.0074, 502.0075, 502.008, 502.104,
12 502.105, 502.1535, 502.154, 502.175, 502.177, 502.206, 502.271,
13 502.2862, and 502.2971;
- 14 (5) Sections 502.403 and 502.405;
- 15 (6) Subsection (c), Section 502.407;
- 16 (7) Subsection (c), Section 502.412;
- 17 (8) Sections 502.452, 502.453, 502.455, and 502.456;
- 18 (9) Subsection (h), Section 504.201;
- 19 (10) Subsection (b), Section 504.316;
- 20 (11) Subsection (b), Section 504.401;
- 21 (12) Subsection (b), Section 504.402;
- 22 (13) Subsection (b), Section 504.403;
- 23 (14) Subsection (b), Section 504.404;
- 24 (15) Subsection (b), Section 504.405;
- 25 (16) Subsection (j), Section 504.502;
- 26 (17) Subsection (f), Section 504.506;
- 27 (18) Subsection (c), Section 504.507;

1 (19) Subsection (d), Section 504.508;

2 (20) Sections 504.624, 504.629, 504.634, 504.643,
3 504.649, 504.650, 504.653, 504.655, and 504.701;

4 (21) Subsection (c), Section 504.702;

5 (22) Sections 520.013 and 520.034; and

6 (23) the headings to Subchapters C and D, Chapter 520.

7 SECTION 233. (a) The change in law made by this Act applies
8 only to an offense committed on or after January 1, 2012.

9 (b) An offense committed before January 1, 2012, is covered
10 by the law in effect when the offense was committed, and the former
11 law is continued in effect for that purpose. For purposes of this
12 subsection, an offense was committed before January 1, 2012, if any
13 element of the offense was committed before that date.

14 SECTION 234. To the extent of any conflict, this Act
15 prevails over another Act of the 82nd Legislature, Regular Session,
16 2011, relating to nonsubstantive additions to and corrections in
17 enacted codes.

18 SECTION 235. This Act takes effect January 1, 2012.