

1-1 By: Williams S.B. No. 1402
1-2 (In the Senate - Filed March 9, 2011; March 22, 2011, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; May 9, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 9, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1402 By: Williams
1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to motor vehicles; providing penalties.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 501.002, Transportation Code, is amended
1-13 to read as follows:
1-14 Sec. 501.002. DEFINITIONS. In this chapter:
1-15 (1) "Certificate of title" means a printed record of
1-16 title [an instrument] issued under Section 501.021.
1-17 (2) "Credit card" means a card, plate, or similar
1-18 device used to make a purchase or to borrow money.
1-19 (3) "Dealer" has the meaning assigned by Section
1-20 503.001 [~~means a person who purchases motor vehicles for sale at~~
1-21 ~~retail~~].
1-22 (4) "Debit card" means a card that enables the holder
1-23 to withdraw money or to have the cost of a purchase charged directly
1-24 to the holder's bank account.
1-25 (5) [~~(3)~~] "Department" means the Texas Department of
1-26 Motor Vehicles.
1-27 (6) [~~(4)~~] "Distributor" has the meaning assigned by
1-28 Section 2301.002, Occupations Code [~~means a person engaged in the~~
1-29 ~~business of selling to a dealer motor vehicles purchased from a~~
1-30 ~~manufacturer~~].
1-31 (7) "Electric bicycle" has the meaning assigned by
1-32 Section 541.201.
1-33 (8) [~~(5)~~] "First sale" means:
1-34 (A) the bargain, sale, transfer, or delivery of a
1-35 motor vehicle that has not been previously registered or titled
1-36 [~~licensed~~], with intent to pass an interest in the motor vehicle,
1-37 other than a lien, regardless of where the bargain, sale, transfer,
1-38 or delivery occurred; and
1-39 (B) the registration or titling [~~licensing~~] of
1-40 that vehicle.
1-41 (9) [~~(6)~~] "House trailer" means a trailer designed for
1-42 human habitation. The term does not include manufactured housing.
1-43 (10) [~~(7)~~] "Importer" means a person, other than a
1-44 manufacturer, that brings a used motor vehicle into this state for
1-45 sale in this state.
1-46 (11) [~~(8)~~] "Importer's certificate" means a
1-47 certificate for a used motor vehicle brought into this state for
1-48 sale in this state.
1-49 (12) [~~(9)~~] "Lien" means:
1-50 (A) a lien provided for by the constitution or
1-51 statute in a motor vehicle;
1-52 (B) a security interest, as defined by Section
1-53 1.201, Business & Commerce Code, in a motor vehicle, other than an
1-54 absolute title, created by any written security agreement, as
1-55 defined by Section 9.102, Business & Commerce Code, including a
1-56 lease, conditional sales contract, deed of trust, chattel mortgage,
1-57 trust receipt, or reservation of title; or
1-58 (C) a child support lien under Chapter 157,
1-59 Family Code.
1-60 (13) [~~(10)~~] "Manufactured housing" has the meaning
1-61 assigned by Chapter 1201, Occupations Code.
1-62 (14) [~~(11)~~] "Manufacturer" has the meaning assigned
1-63 by Section 503.001 [~~means a person regularly engaged in the~~

2-1 ~~business of manufacturing or assembling new motor vehicles].~~
2-2 (15) [~~(12)~~] "Manufacturer's permanent vehicle
2-3 identification number" means the number affixed by the manufacturer
2-4 to a motor vehicle in a manner and place easily accessible for
2-5 physical examination and die-stamped or otherwise permanently
2-6 affixed on one or more removable parts of the vehicle.
2-7 (16) [~~(13)~~] "Motorcycle" has the meaning assigned by
2-8 Section 521.001 or 541.201, as applicable [~~means a motor vehicle,~~
2-9 ~~other than a tractor, designed to propel itself with not more than~~
2-10 ~~three wheels in contact with the ground].~~
2-11 (17) [~~(14)~~] "Motor vehicle" means:
2-12 (A) any motor driven or propelled vehicle
2-13 required to be registered under the laws of this state;
2-14 (B) a trailer or semitrailer, other than
2-15 manufactured housing, that has a gross vehicle weight that exceeds
2-16 4,000 pounds;
2-17 (C) a travel [~~house~~] trailer;
2-18 (D) an all-terrain vehicle or a recreational
2-19 off-highway vehicle, as those terms are defined by Section 502.001,
2-20 designed by the manufacturer for off-highway use that is not
2-21 required to be registered under the laws of this state; or
2-22 (E) a motorcycle, motor-driven cycle, or moped
2-23 that is not required to be registered under the laws of this state[~~r~~
2-24 ~~other than a motorcycle, motor-driven cycle, or moped designed for~~
2-25 ~~and used exclusively on a golf course].~~
2-26 (18) [~~(15)~~] "New motor vehicle" has the meaning
2-27 assigned by Section 2301.002, Occupations Code [~~means a motor~~
2-28 ~~vehicle that has not been the subject of a first sale].~~
2-29 (19) [~~(16)~~] "Owner" means [~~includes~~] a person, other
2-30 than a manufacturer, importer, distributor, or dealer, claiming
2-31 title to or having a right to operate under a lien a motor vehicle
2-32 that has been subject to a first sale.
2-33 (20) "Purchaser" means a person or entity to which a
2-34 motor vehicle is donated, given, sold, or otherwise transferred.
2-35 (21) "Record of title" means an electronic record of
2-36 motor vehicle ownership in the department's motor vehicle database
2-37 that is created under Subchapter I.
2-38 (22) "Seller" means a person or entity that donates,
2-39 gives, sells, or otherwise transfers ownership of a motor vehicle.
2-40 (23) [~~(17)~~] "Semitrailer" means a vehicle that is
2-41 designed or used with a motor vehicle so that part of the weight of
2-42 the vehicle and its load rests on or is carried by another vehicle.
2-43 (24) [~~(18)~~] "Serial number" means a vehicle
2-44 identification number that is affixed to a part of a motor vehicle
2-45 and that is:
2-46 (A) the manufacturer's permanent vehicle
2-47 identification number;
2-48 (B) a derivative number of the manufacturer's
2-49 permanent vehicle identification number;
2-50 (C) the motor number; or
2-51 (D) the vehicle identification number assigned
2-52 by the department.
2-53 (25) [~~(19)~~] "Steal" has the meaning assigned by
2-54 Section 31.01, Penal Code.
2-55 (26) [~~(20)~~] "Subsequent sale" means:
2-56 (A) the bargain, sale, transfer, or delivery of a
2-57 used motor vehicle [~~that has been previously registered or licensed~~
2-58 ~~in this state or elsewhere], with intent to pass an interest in the~~
2-59 ~~vehicle, other than a lien[~~r~~ regardless of where the bargain, sale,~~
2-60 ~~transfer, or delivery occurs]; and~~
2-61 (B) the registration of the vehicle if
2-62 registration is required under the laws of this state.
2-63 (27) "Title" means a certificate or record of title
2-64 that is issued under Section 501.021.
2-65 (28) [~~(21)~~] "Title receipt" means a document [~~an~~
2-66 ~~instrument]~~ issued under Section 501.024.
2-67 (29) [~~(22)~~] "Trailer" means a vehicle that:
2-68 (A) is designed or used to carry a load wholly on
2-69 the trailer's own structure; and

3-1 (B) is drawn or designed to be drawn by a motor
3-2 vehicle.

3-3 (30) "Travel trailer" means a house trailer-type
3-4 vehicle or a camper trailer:

3-5 (A) that is a recreational vehicle defined under
3-6 24 C.F.R. Section 3282.8(g); or

3-7 (B) that:
3-8 (i) is less than eight feet in width or 40
3-9 feet in length, exclusive of any hitch installed on the vehicle;

3-10 (ii) is designed primarily for use as
3-11 temporary living quarters in connection with recreational,
3-12 camping, travel, or seasonal use;

3-13 (iii) is not used as a permanent dwelling;
3-14 and

3-15 (iv) is not a utility trailer, enclosed
3-16 trailer, or other trailer that does not have human habitation as its
3-17 primary function.

3-18 (31) [~~23~~] "Used motor vehicle" means a motor vehicle
3-19 that has been the subject of a first sale.

3-20 (32) "Vehicle identification number" means:

3-21 (A) the manufacturer's permanent vehicle
3-22 identification number affixed by the manufacturer to the motor
3-23 vehicle that is easily accessible for physical examination and
3-24 permanently affixed on one or more removable parts of the vehicle;
3-25 or

3-26 (B) a serial number affixed to a part of a motor
3-27 vehicle that is:

3-28 (i) a derivative number of the
3-29 manufacturer's permanent vehicle identification number;

3-30 (ii) the motor number; or

3-31 (iii) a vehicle identification number
3-32 assigned by the department.

3-33 SECTION 2. The heading to Section 501.003, Transportation
3-34 Code, is amended to read as follows:

3-35 Sec. 501.003. PURPOSE [~~CONSTRUCTION~~].

3-36 SECTION 3. Subsection (a), Section 501.004, Transportation
3-37 Code, is amended to read as follows:

3-38 (a) Except as provided by this section, this [~~This~~] chapter
3-39 applies to all motor vehicles, including a motor vehicle owned by
3-40 the state or a political subdivision of the state.

3-41 SECTION 4. Section 501.131, Transportation Code, is
3-42 transferred to Subchapter A, Chapter 501, Transportation Code,
3-43 redesignated as Section 501.0041, Transportation Code, and amended
3-44 to read as follows:

3-45 Sec. 501.0041 [~~501.131~~]. RULES; FORMS. (a) The
3-46 department may adopt rules to administer this chapter.

3-47 (b) The department shall post forms on the Internet and~~+~~
3-48 [~~(1) in addition to the forms required by this~~
3-49 ~~chapter, prescribe forms for a title receipt, manufacturer's~~
3-50 ~~certificate, and importer's certificate, and other forms the~~
3-51 ~~department determines necessary, and~~

3-52 [~~(2)~~] provide each county assessor-collector with a
3-53 sufficient supply of any necessary [~~the~~] forms on request.

3-54 SECTION 5. Section 501.159, Transportation Code, is
3-55 transferred to Subchapter A, Chapter 501, Transportation Code,
3-56 redesignated as Section 501.006, Transportation Code, and amended
3-57 to read as follows:

3-58 Sec. 501.006 [~~501.159~~]. ALIAS [~~CERTIFICATE OF~~] TITLE. On
3-59 receipt of a verified [~~written~~] request approved by the executive
3-60 administrator of a law enforcement agency, the department may issue
3-61 a [~~certificate of~~] title in the form requested by the executive
3-62 administrator for a vehicle in an alias for the law enforcement
3-63 agency's use in a covert criminal investigation.

3-64 SECTION 6. Section 501.021, Transportation Code, is amended
3-65 to read as follows:

3-66 Sec. 501.021. [~~CERTIFICATE OF~~] TITLE FOR MOTOR VEHICLE.

3-67 (a) A motor vehicle [~~certificate of~~] title [~~is an instrument~~]
3-68 issued by the department must include [~~that includes~~]:

3-69 (1) the name and address of each [~~the~~] purchaser and

4-1 seller at the first sale or ~~[the transferee and transferor at]~~ a
4-2 subsequent sale;
4-3 (2) the make of the motor vehicle;
4-4 (3) the body type of the vehicle;
4-5 (4) the manufacturer's permanent vehicle
4-6 identification number of the vehicle or the vehicle's motor number
4-7 if the vehicle was manufactured before the date that stamping a
4-8 permanent identification number on a motor vehicle was universally
4-9 adopted;
4-10 (5) the serial number for the vehicle;
4-11 (6) the ~~[number on the vehicle's current Texas license~~
4-12 ~~plates, if any,~~
4-13 ~~[(7) a statement:~~
4-14 ~~[(A) that no lien on the vehicle is recorded, or~~
4-15 ~~[(B) of the] name and address of each lienholder~~
4-16 and the date of each lien on the vehicle, listed in the
4-17 chronological order in which the lien was recorded;
4-18 (7) ~~[(8) a space for the signature of the owner of the~~
4-19 ~~vehicle,~~
4-20 ~~[(9)] a statement indicating rights of survivorship~~
4-21 under Section 501.031;
4-22 (8) ~~[(10)]~~ if the vehicle has an odometer, the
4-23 odometer reading at the time of ~~[indicated by the]~~ application for
4-24 the ~~[certificate of]~~ title; and
4-25 (9) ~~[(11)]~~ any other information required by the
4-26 department.
4-27 (b) A printed certificate of title must bear the following
4-28 statement on its face:
4-29 "UNLESS OTHERWISE AUTHORIZED BY LAW, IT IS A VIOLATION OF
4-30 STATE LAW TO SIGN THE NAME OF ANOTHER PERSON ON A CERTIFICATE OF
4-31 TITLE OR OTHERWISE GIVE FALSE INFORMATION ON A CERTIFICATE OF
4-32 TITLE."
4-33 (c) A ~~[certificate of]~~ title for a motor vehicle that has
4-34 been the subject of an ordered repurchase or replacement under
4-35 Chapter 2301, Occupations Code, must contain on its face a notice
4-36 sufficient to inform a purchaser that the motor vehicle has been the
4-37 subject of an ordered repurchase or replacement.
4-38 SECTION 7. The heading to Section 501.022, Transportation
4-39 Code, is amended to read as follows:
4-40 Sec. 501.022. MOTOR VEHICLE ~~[CERTIFICATE OF]~~ TITLE
4-41 REQUIRED.
4-42 SECTION 8. Subsections (a), (b), and (c), Section 501.022,
4-43 Transportation Code, are amended to read as follows:
4-44 (a) The owner of a motor vehicle registered in this state:
4-45 (1) except as provided by Section 501.029, shall apply
4-46 for title to the vehicle; and
4-47 (2) may not operate or permit the operation of the
4-48 vehicle on a public highway until the owner obtains:
4-49 (A) ~~[a certificate of] title and [for the vehicle~~
4-50 ~~or until the owner obtains] registration for the vehicle; or~~
4-51 (B) ~~[if] a receipt evidencing title for~~
4-52 registration purposes only [to the vehicle is issued] under Section
4-53 501.029 [501.029(b)].
4-54 (b) A person may not operate a motor vehicle registered in
4-55 this state on a public highway if the person knows or has reason to
4-56 believe that the owner has not obtained a ~~[certificate of]~~ title for
4-57 the vehicle.
4-58 (c) The owner of a motor vehicle that is required to be
4-59 titled and registered in this state must obtain ~~[apply for]~~ a
4-60 ~~[certificate of] title to [of] the vehicle before selling or~~
4-61 ~~disposing of the vehicle.~~
4-62 SECTION 9. The heading to Section 501.023, Transportation
4-63 Code, is amended to read as follows:
4-64 Sec. 501.023. APPLICATION FOR ~~[CERTIFICATE OF]~~ TITLE.
4-65 SECTION 10. Section 501.023, Transportation Code, is
4-66 amended by amending Subsections (a), (b), and (c) and adding
4-67 Subsection (e) to read as follows:
4-68 (a) The owner of a motor vehicle must present identification
4-69 and apply for a ~~[certificate of]~~ title as prescribed by the

5-1 department, unless otherwise exempted by law. To obtain a title,
5-2 the owner must apply:

5-3 (1) to the county assessor-collector in the county in
5-4 which:

5-5 (A) the owner is domiciled; or

5-6 (B) the motor vehicle is purchased or encumbered;

5-7 or [and]

5-8 (2) if the county in which the owner resides has been
5-9 declared by the governor as a disaster area, to the county
5-10 assessor-collector in one of the closest unaffected counties to a
5-11 county that asks for assistance and:

5-12 (A) continues to be declared by the governor as a
5-13 disaster area because the county has been rendered inoperable by
5-14 the disaster; and

5-15 (B) is inoperable for a protracted period of time
5-16 [on a form prescribed by the department].

5-17 (b) The assessor-collector shall send the application to
5-18 the department or enter it into the department's titling system
5-19 within 72 [not later than 24] hours after receipt of [receiving] the
5-20 application.

5-21 (c) The owner or a lessee of a commercial motor vehicle
5-22 operating under the International Registration Plan or other
5-23 agreement described by Section 502.091 [502.054] that is applying
5-24 for a [certificate of] title for purposes of registration only may
5-25 apply [must be made] directly to the department. Notwithstanding
5-26 Section 501.138(a), an applicant for registration under this
5-27 subsection shall pay [the department] the fee imposed by that
5-28 section. The [department shall send the] fee shall be distributed
5-29 to the appropriate county assessor-collector [for distribution] in
5-30 the manner provided by Section 501.138.

5-31 (e) Applications submitted to the department electronically
5-32 must request the purchaser's choice of county as stated in
5-33 Subsection (a) as the recipient of all taxes, fees, and other
5-34 revenue collected as a result of the transaction.

5-35 SECTION 11. Subsections (a), (b), (d), and (e), Section
5-36 501.0234, Transportation Code, are amended to read as follows:

5-37 (a) A person who sells at the first or a subsequent sale a
5-38 motor vehicle and who holds a general distinguishing number issued
5-39 under Chapter 503 of this code or Chapter 2301, Occupations Code,
5-40 shall:

5-41 (1) except as provided by this section, in the time and
5-42 manner provided by law, apply, in the name of the purchaser of the
5-43 vehicle, for the registration of the vehicle, if the vehicle is to
5-44 be registered, and a [certificate of] title for the vehicle and file
5-45 with the appropriate designated agent each document necessary to
5-46 transfer title to or register the vehicle; and at the same time

5-47 (2) remit any required motor vehicle sales tax.

5-48 (b) This section does not apply to a motor vehicle:

5-49 (1) that has been declared a total loss by an insurance
5-50 company in the settlement or adjustment of a claim;

5-51 (2) for which the [certificate of] title has been
5-52 surrendered in exchange for:

5-53 (A) a salvage vehicle title or salvage record of
5-54 title issued under this chapter;

5-55 (B) a nonrepairable vehicle title or
5-56 nonrepairable vehicle record of title issued under this chapter or
5-57 Subchapter D, Chapter 683; or

5-58 (C) [a certificate of authority issued under
5-59 Subchapter D, Chapter 683; or

5-60 [(-D)] an ownership document issued by another
5-61 state that is comparable to a document described by Paragraph (A) or
5-62 (B) [Paragraphs (A)-(C)];

5-63 (3) with a gross weight in excess of 11,000 pounds; or

5-64 (4) purchased by a commercial fleet buyer who is a
5-65 full-service deputy under Section 520.008 [502.114] and who
5-66 utilizes the dealer title application process developed to provide
5-67 a method to submit title transactions to the county in which the
5-68 commercial fleet buyer is a full-service deputy.

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

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

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

6-12 SECTION 12. Subchapter B, Chapter 501, Transportation Code,
6-13 is amended by adding Section 501.0235 to read as follows:

6-14 Sec. 501.0235. PERSONAL IDENTIFICATION INFORMATION FOR
6-15 OBTAINING TITLE. (a) The department may require an applicant for
6-16 a title to provide current personal identification as determined by
6-17 department rule.

6-18 (b) Any identification number required by the department
6-19 under this section may be entered in the department's electronic
6-20 titling system but may not be printed on the title.

6-21 SECTION 13. Section 501.024, Transportation Code, is
6-22 amended to read as follows:

6-23 Sec. 501.024. TITLE RECEIPT. (a) A county
6-24 assessor-collector who receives an application for a [~~certificate~~
6-25 ~~of~~] title shall issue a title receipt to the applicant containing
6-26 the information concerning the motor vehicle required for issuance
6-27 of a title under Section 501.021 or Subchapter I [~~7~~] after:

6-28 (1) the requirements of this chapter are met,
6-29 including the payment of the fees required under Section 501.138;
6-30 and

6-31 (2) the [~~7, issue a title receipt on which is noted~~]
6-32 information is entered into the department's titling system
6-33 [~~concerning the motor vehicle required for the certificate of title~~
6-34 ~~under Section 501.021, including a statement of the existence of~~
6-35 ~~each lien as disclosed on the application or a statement that no~~
6-36 ~~lien is disclosed].~~

6-37 (b) If a lien is not disclosed on the application for a
6-38 [~~certificate of~~] title, the assessor-collector shall issue a [~~mark~~
6-39 ~~the~~] title receipt [~~"original" and deliver it~~] to the applicant.

6-40 (c) If a lien is disclosed on the application for a
6-41 [~~certificate of~~] title, the assessor-collector shall issue a
6-42 duplicate title receipt to the lienholder [~~receipts. The~~
6-43 ~~assessor-collector shall:~~

6-44 (1) ~~mark one receipt "original" and mail or deliver~~
6-45 ~~it to the first lienholder disclosed on the application; and~~

6-46 (2) ~~mark the second receipt "duplicate original" and~~
6-47 ~~mail or deliver it to the address of the applicant provided on the~~
6-48 ~~application].~~

6-49 (d) A title receipt with registration or permit authorizes
6-50 the operation of the motor vehicle on a public highway in this state
6-51 for 10 days or until the [~~certificate of~~] title is issued, whichever
6-52 period is shorter.

6-53 SECTION 14. Section 501.025, Transportation Code, is
6-54 amended to read as follows:

6-55 Sec. 501.025. [TITLE RECEIPT REQUIRED ON FIRST SALE,]
6-56 MANUFACTURER'S CERTIFICATE REQUIRED ON FIRST SALE. A county
6-57 assessor-collector may not issue a title receipt on the first sale
6-58 of a motor vehicle unless the applicant for the [~~certificate of~~]
6-59 title provides [~~to the assessor-collector~~] the application for a
6-60 [~~certificate of~~] title and a manufacturer's certificate in [~~7, on~~] a
6-61 manner [~~form~~] prescribed by the department [~~7, that:~~

6-62 (1) ~~is assigned to the applicant by the manufacturer,~~
6-63 ~~distributor, or dealer shown on the manufacturer's certificate as~~
6-64 ~~the last transferee; and~~

6-65 (2) ~~shows the transfer of the vehicle from its~~
6-66 ~~manufacturer to the purchaser, whether a distributor, dealer, or~~
6-67 ~~owner, and each subsequent transfer from distributor to dealer,~~
6-68 ~~dealer to dealer, and dealer to applicant].~~

6-69 SECTION 15. Section 501.027, Transportation Code, is

7-1 amended to read as follows:

7-2 Sec. 501.027. ISSUANCE OF ~~[CERTIFICATE OF]~~ TITLE. (a) On
7-3 the day that a county assessor-collector issues a title receipt, a
7-4 copy of the title receipt and all evidence of title ~~[the~~
7-5 ~~assessor-collector]~~ shall be submitted ~~[mail]~~ to the department in
7-6 the period specified in Section 501.023(b) [+

7-7 (1) a copy of the receipt, and

7-8 (2) the evidence of title delivered to the
7-9 assessor-collector by the applicant].

7-10 (b) Not later than the fifth day after the date the
7-11 department receives an application for a ~~[certificate of]~~ title and
7-12 the department determines the requirements of this chapter are met:

7-13 (1) the [the department shall issue the certificate
7-14 of] title shall be issued to the first lienholder or to the
7-15 applicant if [If] a lien is not disclosed on the application; or

7-16 (2) [the department shall notify [send the
7-17 certificate by first class mail to] the applicant that the
7-18 department's titling system has established a record of title of
7-19 the motor vehicle in the applicant's name if a lien is not disclosed
7-20 [at the address provided on the application]. If a lien is
7-21 disclosed on the application, the department shall notify [send]
7-22 the [certificate by first class mail to the first] lienholder that
7-23 the lien has been recorded [as disclosed on the application].

7-24 SECTION 16. Section 501.0275, Transportation Code, is
7-25 amended to read as follows:

7-26 Sec. 501.0275. ISSUANCE OF TITLE FOR UNREGISTERED VEHICLE.

7-27 (a) The department shall issue a ~~[certificate of]~~ title for a
7-28 motor vehicle that complies with the other requirements ~~[for~~
7-29 ~~issuance of a certificate of title]~~ under this chapter unless
7-30 [except that]:

7-31 (1) the vehicle is not registered for a reason other
7-32 than a reason provided by Section 501.051(a)(6) [501.051(6)]; and

7-33 (2) the applicant does not provide evidence of
7-34 financial responsibility that complies with Section 502.046
7-35 [502.153].

7-36 (b) On application for a ~~[certificate of]~~ title under this
7-37 section, the applicant must surrender any license plates issued for
7-38 the motor vehicle if the plates are not being transferred to another
7-39 vehicle and any registration insignia for validation of those
7-40 plates to the department.

7-41 SECTION 17. Section 501.0276, Transportation Code, is
7-42 amended to read as follows:

7-43 Sec. 501.0276. DENIAL OF TITLE RECEIPT, ~~[OR CERTIFICATE OF]~~
7-44 TITLE, OR RECORD OF TITLE FOR FAILURE TO PROVIDE PROOF OF EMISSIONS
7-45 TESTING. A county assessor-collector may not issue a title receipt
7-46 and the department may not issue a certificate of title for a
7-47 vehicle subject to Section 548.3011 unless proof that the vehicle
7-48 has passed a vehicle emissions test as required by that section, in
7-49 a manner [form] authorized by that section, is presented to the
7-50 county assessor-collector with the application for a [certificate
7-51 of] title.

7-52 SECTION 18. Section 501.029, Transportation Code, is
7-53 amended to read as follows:

7-54 Sec. 501.029. ACCEPTABLE PROOF OF OWNERSHIP [USE OF
7-55 REGISTRATION RECEIPT OR TITLE RECEIPT TO EVIDENCE TITLE]. [(a) A
7-56 person may use a registration receipt issued under Chapter 502 or a
7-57 title receipt to evidence title to a motor vehicle and not to
7-58 transfer an interest in or establish a lien on the vehicle.

7-59 [(b)] The board [department] by rule may provide a list of
7-60 the documents required for the issuance of a receipt that evidences
7-61 title to a motor vehicle for registration purposes only. The fee
7-62 for application for the receipt is the fee applicable to
7-63 application for a [certificate of] title. The title receipt may not
7-64 be used to transfer an interest in or establish a lien on the
7-65 vehicle.

7-66 SECTION 19. Subsections (b) and (d) through (g), Section
7-67 501.030, Transportation Code, are amended to read as follows:

7-68 (b) Before a motor vehicle that was not manufactured for
7-69 sale or distribution in the United States may be titled in this

8-1 state, the applicant must:

8-2 (1) provide to the assessor-collector:

8-3 (A) a bond release letter, with all attachments,

8-4 issued by the United States Department of Transportation

8-5 acknowledging:

8-6 (i) receipt of a statement of compliance

8-7 submitted by the importer of the vehicle; and

8-8 (ii) that the statement meets the safety

8-9 requirements of 19 C.F.R. Section 12.80(e);

8-10 (B) a bond release letter, with all attachments,

8-11 issued by the United States Environmental Protection Agency stating

8-12 that the vehicle has been tested and shown to conform to federal

8-13 emission requirements; and

8-14 (C) a receipt or certificate issued by the United

8-15 States Department of the Treasury showing that all gas guzzler

8-16 taxes due on the vehicle under 26 U.S.C. Section 4064(a) have been

8-17 paid; or

8-18 (2) provide to the assessor-collector proof,

8-19 satisfactory to the department, [~~assessor-collector~~] that the

8-20 vehicle was not brought into the United States from outside [~~of~~] the

8-21 country.

8-22 (d) If a motor vehicle has not been titled or registered in

8-23 the United States, the application for [~~certificate of~~] title must

8-24 be accompanied by:

8-25 (1) a manufacturer's certificate of origin written in

8-26 English issued by the vehicle manufacturer;

8-27 (2) the original documents that constitute valid proof

8-28 of ownership in the country where the vehicle was originally

8-29 purchased, with an English translation of the documents verified as

8-30 to the accuracy of the translation by an affidavit of the

8-31 translator; or

8-32 (3) if the vehicle was imported from a country that

8-33 cancels the vehicle registration and title for export, the

8-34 documents assigned to the vehicle after the registration and title

8-35 were canceled, with an English translation of the documents

8-36 verified as to the accuracy of the translation by an affidavit of

8-37 the translator.

8-38 (e) Before a motor vehicle that is required to be registered

8-39 in this state and that is brought into this state by a person other

8-40 than a manufacturer or importer may be bargained, sold,

8-41 transferred, or delivered with an intent to pass an interest in the

8-42 vehicle or encumbered by a lien, the owner must apply for a

8-43 [~~certificate of~~] title in [~~on~~] a manner [~~form~~] prescribed by the

8-44 department to the county assessor-collector for the county in which

8-45 the transaction is to take place. The assessor-collector may not

8-46 issue a title receipt unless the applicant delivers to the

8-47 assessor-collector satisfactory evidence [~~of title~~] showing that

8-48 the applicant is the owner of the vehicle and that the vehicle is

8-49 free of any undisclosed liens.

8-50 (f) A county assessor-collector may not be held liable for

8-51 civil damages arising out of the assessor-collector's failure to

8-52 reflect on the title receipt a lien or encumbrance on a motor

8-53 vehicle to which Subsection (e) applies unless the

8-54 [~~assessor-collector's~~] failure constitutes wilful or wanton

8-55 negligence.

8-56 (g) Until an applicant has complied with this section:

8-57 (1) a county assessor-collector may not accept an

8-58 application for [~~certificate of~~] title; and

8-59 (2) the applicant is not entitled to an appeal as

8-60 provided by Sections 501.052 and 501.053.

8-61 SECTION 20. Section 501.031, Transportation Code, is

8-62 amended to read as follows:

8-63 Sec. 501.031. RIGHTS OF SURVIVORSHIP AGREEMENT. (a) The

8-64 department shall include on each [~~certificate of~~] title an optional

8-65 [~~a~~] rights of survivorship agreement that [~~form. The form must~~]:

8-66 (1) provides [~~provide~~] that if the agreement is

8-67 between [~~signed by~~] two or more eligible persons, the motor vehicle

8-68 is held jointly by those persons with the interest of a person who

8-69 dies to transfer [~~survive~~] to the surviving person or persons; and

9-1 (2) provides [~~provide blanks~~] for the acknowledgment
9-2 by signature, either electronically or by hand, [signatures] of the
9-3 persons.

9-4 (b) If the vehicle is registered in the name of one or more
9-5 of the persons who acknowledged [~~signed~~] the agreement, the
9-6 [~~certificate of~~] title may contain a:

9-7 (1) rights of survivorship agreement acknowledged
9-8 [~~signed~~] by all the persons; or

9-9 (2) remark if a rights of survivorship agreement is
9-10 [~~surrendered with the application for certificate of title or~~
9-11 ~~otherwise~~] on file with the department.

9-12 (c) Ownership [~~Except as provided in Subsection (g),~~
9-13 ~~ownership~~] of the vehicle may be transferred only:

9-14 (1) by all the persons acting jointly, if all the
9-15 persons are alive; and

9-16 (2) on the death of one of the persons by the surviving
9-17 person or persons by transferring ownership of the vehicle [~~the~~
9-18 ~~certificate of title~~], in the manner otherwise required by law [~~for~~
9-19 ~~transfer of ownership of the vehicle~~], with a copy of the death
9-20 certificate of the deceased person [~~attached to the certificate of~~
9-21 ~~title application~~].

9-22 (d) A rights of survivorship agreement under this section
9-23 may be revoked only if [~~by surrender of the certificate of title to~~
9-24 ~~the department and joint application by~~] the persons named in [~~who~~
9-25 ~~signed~~] the agreement file a joint application for a new title in
9-26 the name of the person or persons designated in the application.

9-27 (e) A person is eligible to file [~~sign~~] a rights of
9-28 survivorship agreement under this section if the person:

9-29 (1) is married and the spouse of the [~~signing~~] person
9-30 is the only other party to the agreement;

9-31 (2) is unmarried and attests to that unmarried status
9-32 by affidavit; or

9-33 (3) is married and provides the department with an
9-34 affidavit from the [~~signing~~] person's spouse that attests that the
9-35 [~~signing~~] person's interest in the vehicle is the [~~signing~~]
9-36 person's separate property.

9-37 (f) The department may develop an optional electronic [~~If~~
9-38 ~~the title is being issued in connection with the sale of the~~
9-39 ~~vehicle, the seller is not eligible to sign a~~] rights of
9-40 survivorship agreement for public use [~~under this section unless~~
9-41 ~~the seller is the child, grandchild, parent, grandparent, brother,~~
9-42 ~~or sister of each other person signing the agreement. A family~~
9-43 ~~relationship required by this subsection may be a relationship~~
9-44 ~~established by adoption.~~

9-45 [~~(g) If an agreement, other than the agreement provided for~~
9-46 ~~in Subsection (a), providing for right of survivorship is signed by~~
9-47 ~~two or more persons, the department shall issue a new certificate of~~
9-48 ~~title to the surviving person or persons upon application~~
9-49 ~~accompanied by a copy of the death certificate of the deceased~~
9-50 ~~person. The department may develop for public use under this~~
9-51 ~~subsection an optional rights of survivorship agreement form].~~

9-52 SECTION 21. Section 501.032, Transportation Code, is
9-53 amended to read as follows:

9-54 Sec. 501.032. ASSIGNMENT OF VEHICLE IDENTIFICATION
9-55 [~~SERIAL~~] NUMBER BY DEPARTMENT. (a) On proper application, the
9-56 department shall assign a vehicle identification [~~a serial~~] number
9-57 to a travel [~~house~~] trailer, a trailer or semitrailer that has a
9-58 gross vehicle weight that exceeds 4,000 pounds, or an item of
9-59 equipment, including a tractor, farm implement, unit of special
9-60 mobile equipment, or unit of off-road construction equipment on
9-61 which:

9-62 (1) a vehicle identification [~~a serial~~] number was not
9-63 die-stamped by the manufacturer; or

9-64 (2) a vehicle identification [~~the serial~~] number
9-65 die-stamped by the manufacturer has been lost, removed, or
9-66 obliterated.

9-67 (b) The applicant shall die-stamp the assigned vehicle
9-68 identification [~~serial~~] number at the place designated by the
9-69 department on the travel [~~house~~] trailer, trailer, semitrailer, or

10-1 equipment.

10-2 (c) The manufacturer's vehicle identification [~~serial~~]
10-3 number or the vehicle identification [~~serial~~] number assigned by
10-4 the department shall be affixed on the carriage or axle part of the
10-5 travel [~~house~~] trailer, trailer, or semitrailer. The department
10-6 shall use the number as the major identification of the vehicle in
10-7 the issuance of a [~~certificate of~~] title.

10-8 SECTION 22. Subsections (a), (b), and (d), Section 501.033,
10-9 Transportation Code, are amended to read as follows:

10-10 (a) A person determined by law enforcement [~~the department~~]
10-11 or a court to be the owner of a motor vehicle, a part of a motor
10-12 vehicle, or an item of equipment including a tractor, farm
10-13 implement, unit of special mobile equipment, or unit of off-road
10-14 construction equipment [~~that has had the serial number removed,~~
10-15 ~~altered, or obliterated~~] may apply to the department for an
10-16 assigned vehicle identification number that has been removed,
10-17 altered, or obliterated.

10-18 (b) An application under this section must be in [~~on~~] a
10-19 manner [~~form~~] prescribed [~~and furnished~~] by the department and
10-20 accompanied by [~~the certificate of title for the vehicle or other~~]
10-21 valid evidence of ownership as required by the department [~~if there~~
10-22 ~~is no certificate of title~~].

10-23 (d) The assigned vehicle identification number shall be
10-24 die-stamped or otherwise affixed [~~to the motor vehicle, part, or~~
10-25 ~~item of equipment at the location and~~] in the manner designated by
10-26 the department.

10-27 SECTION 23. Section 520.011, Transportation Code, is
10-28 transferred to Subchapter B, Chapter 501, Transportation Code,
10-29 redesignated as Section 501.0331, Transportation Code, and amended
10-30 to read as follows:

10-31 Sec. 501.0331 [~~520.011~~]. MOTOR NUMBER REQUIRED FOR
10-32 [~~VEHICLE~~] REGISTRATION [~~, PENALTY~~]. [~~(a)~~] A person may not apply
10-33 to the county assessor-collector for the registration of a motor
10-34 vehicle from which the original motor number has been removed,
10-35 erased, or destroyed until the motor vehicle bears the motor number
10-36 assigned by the department.

10-37 [~~(b) A person commits an offense if the person violates this~~
10-38 ~~section. An offense under this subsection is a misdemeanor~~
10-39 ~~punishable by a fine of not less than \$50 and not more than \$100.~~]

10-40 SECTION 24. Section 520.012, Transportation Code, is
10-41 transferred to Subchapter B, Chapter 501, Transportation Code,
10-42 redesignated as Section 501.0332, Transportation Code, and amended
10-43 to read as follows:

10-44 Sec. 501.0332 [~~520.012~~]. APPLICATION FOR MOTOR NUMBER
10-45 RECORD [~~, RECORD, PENALTY~~]. (a) To obtain a motor number assigned
10-46 by the department, the owner of a motor vehicle that has had the
10-47 original motor number removed, erased, or destroyed must file a
10-48 sworn application with the department.

10-49 (b) The department shall maintain a record of [~~separate~~
10-50 ~~register for recording~~] each motor number assigned by the
10-51 department that includes [~~. For each motor number assigned by the~~
10-52 ~~department, the record must indicate~~]:

- 10-53 (1) the motor number assigned by the department;
10-54 (2) the name and address of the owner of the motor
10-55 vehicle; and
10-56 (3) the make, model, and year of manufacture of the
10-57 motor vehicle.

10-58 [~~(c) A person who fails to comply with this section commits~~
10-59 ~~an offense. An offense under this subsection is a misdemeanor~~
10-60 ~~punishable by a fine of not less than \$10 and not more than \$100.~~]

10-61 SECTION 25. Section 501.034, Transportation Code, is
10-62 amended to read as follows:

10-63 Sec. 501.034. ISSUANCE OF TITLE TO GOVERNMENT AGENCY. The
10-64 department may issue a [~~certificate of~~] title to a government
10-65 agency if a vehicle or part of a vehicle is:

- 10-66 (1) forfeited to the government agency;
10-67 (2) delivered by court order under the Code of
10-68 Criminal Procedure to a government agency for official purposes; or
10-69 (3) sold as abandoned or unclaimed property under the

11-1 Code of Criminal Procedure.

11-2 SECTION 26. Section 501.035, Transportation Code, is
11-3 amended to read as follows:

11-4 Sec. 501.035. [~~CERTIFICATE OF~~] TITLE FOR FORMER MILITARY
11-5 VEHICLE. (a) Notwithstanding any other law, the department shall
11-6 issue a [~~certificate of~~] title for a former military vehicle [~~that~~
11-7 ~~is not registered under the laws of this state~~] if all [~~other~~]
11-8 requirements for issuance of a [~~certificate of~~] title are met.

11-9 (b) In this section, "former military vehicle" has the
11-10 meaning assigned by Section 504.502(i) [~~502.275(e)~~].

11-11 SECTION 27. Section 501.036, Transportation Code, is
11-12 amended to read as follows:

11-13 Sec. 501.036. [~~CERTIFICATE OF~~] TITLE FOR FARM SEMITRAILER.

11-14 (a) Notwithstanding any other provision of this chapter, the
11-15 department may issue a [~~certificate of~~] title for a farm
11-16 semitrailer with a gross weight of more than 4,000 pounds if:

11-17 (1) the farm semitrailer is eligible for registration
11-18 under Section 502.146 [~~504.504~~]; and

11-19 (2) all other requirements for issuance of a
11-20 [~~certificate of~~] title are met.

11-21 (b) To obtain a [~~certificate of~~] title under this section,
11-22 the owner of the farm semitrailer must:

11-23 (1) apply for the [~~certificate of~~] title in the manner
11-24 required by Section 501.023; and

11-25 (2) pay the fee required by Section 501.138.

11-26 (c) The department shall adopt rules [~~and forms~~] to
11-27 implement and administer this section.

11-28 SECTION 28. Section 501.051, Transportation Code, is
11-29 amended to read as follows:

11-30 Sec. 501.051. GROUNDS FOR REFUSAL TO ISSUE OR FOR
11-31 REVOCATION OR SUSPENSION OF TITLE [~~CERTIFICATE~~]. (a) A title may
11-32 be refused, canceled, suspended, or revoked by the [~~The~~] department
11-33 [~~shall refuse to issue a certificate of title or shall suspend or~~
11-34 ~~revoke a certificate of title~~] if:

11-35 (1) the application [~~for the certificate~~] contains a
11-36 false or fraudulent statement;

11-37 (2) the applicant failed to furnish required
11-38 information requested by the department;

11-39 (3) the applicant is not entitled to a [~~certificate~~
11-40 ~~of~~] title;

11-41 (4) the department has reason to believe that the
11-42 motor vehicle is stolen;

11-43 (5) the department has reason to believe that the
11-44 issuance of a [~~certificate of~~] title would defraud the owner or a
11-45 lienholder of the motor vehicle;

11-46 (6) the registration for the motor vehicle is
11-47 suspended or revoked; or

11-48 (7) the required fee has not been paid.

11-49 (b) The department may rescind, cancel, or revoke an
11-50 application for a title if a notarized affidavit is presented
11-51 containing:

11-52 (1) a statement that the vehicle involved was a new
11-53 motor vehicle in the process of a first sale;

11-54 (2) a statement that the dealer, the applicant, and
11-55 any lienholder have canceled the sale;

11-56 (3) a statement that the vehicle:

11-57 (A) was never in the possession of the title
11-58 applicant; or

11-59 (B) was in the possession of the title applicant;

11-60 and

11-61 (4) the signatures of the dealer, the applicant, and
11-62 any lienholder.

11-63 (c) A rescission, cancellation, or revocation containing
11-64 the statement authorized under Subsection (b)(3)(B) does not negate
11-65 the fact that the vehicle has been the subject of a previous retail
11-66 sale.

11-67 SECTION 29. The heading to Section 501.052, Transportation
11-68 Code, is amended to read as follows:

11-69 Sec. 501.052. HEARING ON REFUSAL TO ISSUE OR REVOCATION OR

12-1 SUSPENSION OF [~~CERTIFICATE OF~~] TITLE; APPEAL.

12-2 SECTION 30. Subsections (a), (d), and (e), Section 501.052,
12-3 Transportation Code, are amended to read as follows:

12-4 (a) An interested person aggrieved by a refusal,
12-5 rescission, cancellation, suspension, or revocation under Section
12-6 501.051 may apply for a hearing to the county assessor-collector
12-7 for the county in which the person is a resident [~~domiciled~~]. On
12-8 the day an assessor-collector receives the application, the
12-9 assessor-collector shall notify the department of the date of the
12-10 hearing.

12-11 (d) A determination of the assessor-collector is binding on
12-12 the applicant and the department as to whether the department
12-13 correctly refused to issue or correctly rescinded, canceled,
12-14 revoked, or suspended the [~~certificate of~~] title.

12-15 (e) An applicant aggrieved by the determination under
12-16 Subsection (d) may appeal to the county court of the county of the
12-17 applicant's residence. An applicant must file an appeal not later
12-18 than the fifth day after the date of the assessor-collector's
12-19 determination. The county court judge shall try the appeal in the
12-20 manner of other civil cases. All rights and immunities granted in
12-21 the trial of a civil case are available to the interested parties.
12-22 If the department's action is not sustained, the department shall
12-23 promptly issue a [~~certificate of~~] title for the vehicle.

12-24 SECTION 31. Section 501.053, Transportation Code, is
12-25 amended by amending Subsections (a), (b), and (d) and adding
12-26 Subsection (e) to read as follows:

12-27 (a) As an alternative to the procedure provided by Section
12-28 501.052, the person may file a bond with the department. On the
12-29 filing of the bond the person [~~department~~] may obtain a [~~issue the~~
12-30 ~~certificate of~~] title.

12-31 (b) The bond must be:

12-32 (1) in the manner [~~form~~] prescribed by the department;
12-33 (2) executed by the applicant;
12-34 (3) issued by a person authorized to conduct a surety
12-35 business in this state;

12-36 (4) in an amount equal to one and one-half times the
12-37 value of the vehicle as determined by the department, which may set
12-38 an appraisal system by rule if it is unable to determine that value;
12-39 and

12-40 (5) conditioned to indemnify all prior owners and
12-41 lienholders and all subsequent purchasers of the vehicle or persons
12-42 who acquire a security interest in the vehicle, and their
12-43 successors in interest, against any expense, loss, or damage,
12-44 including reasonable attorney's fees, occurring because of the
12-45 issuance of the [~~certificate of~~] title for the vehicle or for a
12-46 defect in or undisclosed security interest on the right, title, or
12-47 interest of the applicant to the vehicle.

12-48 (d) A bond under this section expires on the third
12-49 anniversary of the date the bond became effective. [~~The department~~
12-50 ~~shall return an expired bond to the person who filed the bond unless~~
12-51 ~~the department has been notified of a pending action to recover on~~
12-52 ~~the bond.~~]

12-53 (e) The board of the department by rule may establish a fee
12-54 to cover the cost of administering this section.

12-55 SECTION 32. Section 501.071, Transportation Code, is
12-56 amended to read as follows:

12-57 Sec. 501.071. SALE OF VEHICLE; TRANSFER OF TITLE.

12-58 (a) Except as provided in Section 503.039, a motor vehicle may not
12-59 be the subject of a subsequent sale unless the owner designated on
12-60 [in] the [~~certificate of~~] title submits a transfer of ownership of
12-61 [transfers] the [~~certificate of~~] title [at the time of the sale].

12-62 (b) The transfer of the [~~certificate of~~] title must be in
12-63 [on] a manner [~~form~~] prescribed by the department that [~~includes a~~
12-64 ~~statement that~~]:

12-65 (1) certifies the purchaser [~~signer~~] is the owner of
12-66 the vehicle; and

12-67 (2) certifies there are no liens on the vehicle or
12-68 provides a release of each lien [~~except as shown~~] on the vehicle
12-69 [certificate of title or as fully described in the statement].

13-1 SECTION 33. Section 520.022, Transportation Code, is
13-2 transferred to Subchapter D, Chapter 501, Transportation Code,
13-3 redesignated as Section 501.0721, Transportation Code, and amended
13-4 to read as follows:

13-5 Sec. 501.0721 [~~520.022~~]. DELIVERY OF RECEIPT AND TITLE TO
13-6 PURCHASER OF USED MOTOR VEHICLE [~~TRANSFeree, PENALTY~~]. [~~(a)~~] A
13-7 person, whether acting for that person or another, who sells,
13-8 trades, or otherwise transfers a used motor vehicle shall deliver
13-9 to the purchaser [~~transferee~~] at the time of delivery of the vehicle
13-10 [+

13-11 [~~(1) the license receipt issued by the department for~~
13-12 ~~registration of the vehicle, if the vehicle was required to be~~
13-13 ~~registered at the time of the delivery; and~~

13-14 [~~(2)~~] a properly assigned [~~certificate of~~] title or
13-15 other evidence of title as required under this chapter [~~Chapter~~
13-16 ~~501~~].

13-17 [~~(b) A person commits an offense if the person violates this~~
13-18 ~~section. An offense under this subsection is a misdemeanor~~
13-19 ~~punishable by a fine not to exceed \$200.~~]

13-20 SECTION 34. Subsections (a), (b), and (c), Section 501.074,
13-21 Transportation Code, are amended to read as follows:

13-22 (a) The department shall issue a new [~~certificate of~~] title
13-23 for a motor vehicle registered in this state for which the ownership
13-24 is transferred by operation of law [~~, including by inheritance,~~
13-25 ~~devise or bequest, bankruptcy, receivership, judicial sale,~~] or
13-26 other involuntary divestiture of ownership after receiving:

13-27 (1) a certified copy of an [~~the~~] order appointing a
13-28 temporary administrator or of the probate proceedings;

13-29 (2) letters testamentary or letters of
13-30 administration;

13-31 (3) if administration of an estate is not necessary,
13-32 an affidavit showing that administration is not necessary,
13-33 identifying all heirs, and including a statement by the heirs of the
13-34 name in which the certificate shall be issued;

13-35 (4) a court order; or

13-36 (5) the bill of sale from an officer making a judicial
13-37 sale.

13-38 (b) If a lien is foreclosed by nonjudicial means, the
13-39 department may issue a new [~~certificate of~~] title in the name of the
13-40 purchaser at the foreclosure sale on receiving the affidavit of the
13-41 lienholder of the fact of the nonjudicial foreclosure.

13-42 (c) If a constitutional or statutory lien is foreclosed, the
13-43 department may issue a new [~~certificate of~~] title in the name of the
13-44 purchaser at the foreclosure sale on receiving:

13-45 (1) the affidavit of the lienholder of the fact of the
13-46 creation of the lien and of the divestiture of title according to
13-47 law; and

13-48 (2) proof of notice as required by Sections 70.004 and
13-49 70.006, Property Code.

13-50 SECTION 35. Subsection (c), Section 501.076,
13-51 Transportation Code, is amended to read as follows:

13-52 (c) The person named as the agent in the limited power of
13-53 attorney must meet the following requirements:

13-54 (1) the person may be a person who has been appointed
13-55 by the commissioners [~~commissioner's~~] court as a deputy to perform
13-56 vehicle registration functions under Section 520.0091 [~~502.112~~], a
13-57 licensed [~~license~~] vehicle auction company holding a wholesale
13-58 general distinguishing number under Section 503.022, a person who
13-59 has a permit similar to one of the foregoing that is issued by the
13-60 state in which the owner is located, or another person authorized by
13-61 law to execute title documents in the state in which the owner
13-62 executes the documents; and

13-63 (2) the person may not be the transferee or an employee
13-64 of the transferee. The person may not act as the agent of both the
13-65 transferor and transferee in the transaction. For the purposes of
13-66 this section, a person is not the agent of both the transferor and
13-67 transferee in a transaction unless the person has the authority to
13-68 sign the documents pertaining to the transfer of title on behalf of
13-69 both the transferor and the transferee.

14-1 SECTION 36. Section 501.091, Transportation Code, is
 14-2 amended by amending Subdivisions (2), (3), (6), (7), (8), (9),
 14-3 (10), (12), (14), (15), (16), (17), and (18) and adding
 14-4 Subdivisions (10-a) and (16-a) to read as follows:

14-5 (2) "Casual sale" means the sale by a salvage vehicle
 14-6 dealer or an insurance company of five or fewer ~~[not more than five]~~
 14-7 nonrepairable motor vehicles or salvage motor vehicles to the same
 14-8 person during a calendar year, but ~~[The term]~~ does not include:

14-9 (A) a sale at auction to a salvage vehicle
 14-10 dealer; ~~[or]~~

14-11 (B) a sale to an insurance company, out-of-state
 14-12 buyer, or governmental entity; or

14-13 (C) the sale of an export-only motor vehicle to a
 14-14 person who is not a resident of the United States.

14-15 (3) "Damage" means sudden damage to a motor vehicle
 14-16 caused by the motor vehicle being wrecked, burned, flooded, or
 14-17 stripped of major component parts. The term does not include:

14-18 (A) gradual damage from any cause;

14-19 (B) [7] sudden damage caused by hail;

14-20 (C) ~~[7-or]~~ any damage caused only to the exterior
 14-21 paint of the motor vehicle; or

14-22 (D) theft, unless the motor vehicle was damaged
 14-23 during the theft and before recovery.

14-24 (6) "Major component part" means one of the following
 14-25 parts of a motor vehicle:

14-26 (A) the engine;

14-27 (B) the transmission;

14-28 (C) the frame;

14-29 (D) a fender;

14-30 (E) the hood;

14-31 (F) a door allowing entrance to or egress from
 14-32 the passenger compartment of the motor vehicle;

14-33 (G) a bumper;

14-34 (H) a quarter panel;

14-35 (I) a deck lid, tailgate, or hatchback;

14-36 (J) the cargo box of a vehicle with a gross
 14-37 vehicle weight of 10,000 pounds or less ~~[one-ton or smaller truck]~~,
 14-38 including a pickup truck;

14-39 (K) the cab of a truck;

14-40 (L) the body of a passenger motor vehicle;

14-41 (M) the roof or floor pan of a passenger motor
 14-42 vehicle, if separate from the body of the motor vehicle.

14-43 (7) "Metal recycler" means a person who:

14-44 (A) is ~~[predominately]~~ engaged in the business of
 14-45 obtaining, converting, or selling ferrous or nonferrous metal ~~[that~~
 14-46 ~~has served its original economic purpose to convert the metal, or~~
 14-47 ~~sell the metal]~~ for conversion~~[7]~~ into raw material products
 14-48 consisting of prepared grades and having an existing or potential
 14-49 economic value;

14-50 (B) has a facility to convert ferrous or
 14-51 nonferrous metal into raw material products ~~[consisting of prepared~~
 14-52 ~~grades and having an existing or potential economic value,]~~ by
 14-53 method other than the exclusive use of hand tools, including the
 14-54 processing, sorting, cutting, classifying, cleaning, baling,
 14-55 wrapping, shredding, shearing, or changing the physical form or
 14-56 chemical content of the metal; and

14-57 (C) sells or purchases the ferrous or nonferrous
 14-58 metal solely for use as raw material in the production of new
 14-59 products.

14-60 (8) "Motor vehicle" has the meaning assigned by
 14-61 Section 501.002 ~~[501.002(14)]~~.

14-62 (9) "Nonrepairable motor vehicle" means a motor
 14-63 vehicle that:

14-64 (A) is damaged, wrecked, or burned to the extent
 14-65 that the only residual value of the vehicle is as a source of parts
 14-66 or scrap metal; or

14-67 (B) comes into this state under a comparable
 14-68 ~~[title or other]~~ ownership document that indicates that the vehicle
 14-69 is nonrepairable ~~[7, junked, or for parts or dismantling only]~~.

15-1 (10) "Nonrepairable vehicle title" means a printed
 15-2 document issued by the department that evidences ownership of a
 15-3 nonrepairable motor vehicle.

15-4 (10-a) "Nonrepairable record of title" means an
 15-5 electronic record of ownership of a nonrepairable motor vehicle.

15-6 (12) "Out-of-state ownership document" means a
 15-7 negotiable document issued by another state or jurisdiction that
 15-8 the department considers sufficient to prove ownership of a
 15-9 nonrepairable motor vehicle or salvage motor vehicle and to support
 15-10 the issuance of a comparable Texas [~~certificate of~~] title for the
 15-11 motor vehicle. The term does not include any [~~a~~] title or
 15-12 certificate issued by the department [~~, including a regular~~
 15-13 ~~certificate of title, a nonrepairable vehicle title, a salvage~~
 15-14 ~~vehicle title, a Texas Salvage Certificate, Certificate of~~
 15-15 ~~Authority to Demolish a Motor Vehicle, or another ownership~~
 15-16 ~~document issued by the department].~~

15-17 (14) "Rebuilder" means a person who acquires and
 15-18 repairs, rebuilds, or reconstructs for operation on a public
 15-19 highway, [~~three or~~] more than five salvage motor vehicles in a
 15-20 calendar year.

15-21 (15) "Salvage motor vehicle" [~~+~~
 15-22 [~~(A)~~] means a motor vehicle that:
 15-23 (A) [~~(i)~~] has damage to or is missing a major
 15-24 component part to the extent that the cost of repairs, including
 15-25 parts and labor other than the cost of materials and labor for
 15-26 repainting the motor vehicle and excluding sales tax on the total
 15-27 cost of repairs, exceeds the actual cash value of the motor vehicle
 15-28 immediately before the damage; or

15-29 (B) [~~(ii) is damaged and that~~] comes into this
 15-30 state under an out-of-state salvage motor vehicle [~~certificate of~~]
 15-31 title or similar out-of-state ownership document [~~that states on~~
 15-32 ~~its face "accident damage," "flood damage," "inoperable,"~~
 15-33 ~~"rebuildable," "salvageable," or similar notation; and~~

15-34 [~~(B) does not include an out-of-state motor~~
 15-35 ~~vehicle with a "rebuilt," "prior salvage," "salvaged," or similar~~
 15-36 ~~notation, a nonrepairable motor vehicle, or a motor vehicle for~~
 15-37 ~~which an insurance company has paid a claim for:~~

15-38 [~~(i) the cost of repairing hail damage; or~~
 15-39 [~~(ii) theft, unless the motor vehicle was~~
 15-40 ~~damaged during the theft and before recovery to the extent~~
 15-41 ~~described by Paragraph (A)(i)].~~

15-42 (16) "Salvage vehicle title" means a printed document
 15-43 issued by the department that evidences ownership of a salvage
 15-44 motor vehicle.

15-45 (16-a) "Salvage record of title" means an electronic
 15-46 record of ownership of a salvage motor vehicle.

15-47 (17) "Salvage vehicle dealer" means a person engaged
 15-48 in this state in the business of acquiring, selling, repairing,
 15-49 rebuilding, reconstructing, or otherwise dealing in nonrepairable
 15-50 motor vehicles, salvage motor vehicles, or, if incidental to a
 15-51 salvage motor vehicle dealer's primary business, used automotive
 15-52 parts regardless of whether the person holds a license issued by the
 15-53 department to engage in that business. The term does not include an
 15-54 unlicensed [~~a~~] person who:

15-55 (A) casually repairs, rebuilds, or reconstructs
 15-56 not more [~~fewer~~] than five nonrepairable motor vehicles or salvage
 15-57 motor vehicles in the same calendar year [~~or, except as provided by~~
 15-58 ~~Paragraph (C), a used automotive parts recycler. The term includes~~
 15-59 ~~a person engaged in the business of:~~

15-60 [~~(A) a salvage vehicle dealer, regardless of~~
 15-61 ~~whether the person holds a license issued by the department to~~
 15-62 ~~engage in that business];~~

15-63 (B) buys not more than five [~~dealing in~~]
 15-64 nonrepairable motor vehicles or salvage motor vehicles in the same
 15-65 calendar year; or

15-66 (C) is a licensed used automotive parts recycler
 15-67 if the sale of repaired, rebuilt, or reconstructed nonrepairable
 15-68 motor vehicles or salvage motor vehicles is more than an incidental
 15-69 part of the used automotive parts recycler's business.

16-1 (18) "Self-insured motor vehicle" means a motor
16-2 vehicle for which the ~~[evidence of ownership is a manufacturer's~~
16-3 ~~certificate of origin or for which the department or another state~~
16-4 ~~or jurisdiction has issued a regular certificate of title, is~~
16-5 ~~self-insured by the] owner [, and is owned by an individual, a~~
16-6 ~~business,] or a governmental entity assumes full financial
16-7 responsibility for motor vehicle loss claims~~[,]~~ without regard to
16-8 the number of motor vehicles they own or operate. The term does not
16-9 include a motor vehicle that is insured by an insurance company.~~

16-10 SECTION 37. Section 501.098, Transportation Code, is
16-11 redesignated as Section 501.09111, Transportation Code, and
16-12 amended to read as follows:

16-13 Sec. 501.09111 ~~[501.098]~~. RIGHTS AND LIMITATIONS OF
16-14 [~~HOLDER OF~~] NONREPAIRABLE VEHICLE TITLE, NONREPAIRABLE RECORD OF
16-15 TITLE, [OR] SALVAGE VEHICLE TITLE, OR SALVAGE RECORD OF TITLE.

16-16 (a) A person who owns ~~[holds]~~ a nonrepairable ~~[vehicle title for~~
16-17 ~~a]~~ motor vehicle:

16-18 (1) is entitled to possess, transport, dismantle,
16-19 scrap, destroy, record a lien as provided for in Section
16-20 501.097(a)(3)(A), and sell, transfer, or release ownership of the
16-21 motor vehicle or a used part from the motor vehicle; and

16-22 (2) may not:
16-23 (A) operate or permit the operation of the motor
16-24 vehicle on a public highway, in addition to any other requirement of
16-25 law;

16-26 (B) repair, rebuild, or reconstruct the motor
16-27 vehicle; or

16-28 (C) register the motor vehicle.

16-29 (b) A person who holds a nonrepairable certificate of title
16-30 issued prior to September 1, 2003, ~~[+~~

16-31 ~~[(1)]~~ is entitled to the same rights listed in
16-32 Subsection (a) and may ~~[+~~

16-33 ~~[(A)]~~ repair, rebuild, or reconstruct the motor
16-34 vehicle ~~[+~~

16-35 ~~[(B) possess, transport, dismantle, scrap, or~~
16-36 ~~destroy the motor vehicle; and~~

16-37 ~~[(C) sell, transfer, or release ownership of the~~
16-38 ~~vehicle or a used part from the motor vehicle; and~~

16-39 ~~[(2) may not:~~

16-40 ~~[(A) operate or permit the operation of the motor~~
16-41 ~~vehicle on a public highway, in addition to any other requirement of~~
16-42 ~~law; or~~

16-43 ~~[(B) register the motor vehicle].~~

16-44 (c) A person who owns ~~[holds]~~ a salvage ~~[vehicle title for~~
16-45 ~~a]~~ motor vehicle:

16-46 (1) is entitled to possess, transport, dismantle,
16-47 scrap, destroy, repair, rebuild, reconstruct, record a lien on, and
16-48 sell, transfer, or release ownership of the motor vehicle or a used
16-49 part from the motor vehicle; and

16-50 (2) may not operate, register, or permit the operation
16-51 of the motor vehicle on a public highway, in addition to any other
16-52 requirement of law.

16-53 SECTION 38. Section 501.103, Transportation Code, is
16-54 redesignated as Section 501.09112, Transportation Code, and
16-55 amended to read as follows:

16-56 Sec. 501.09112 ~~[501.103]~~. APPEARANCE [COLOR] OF
16-57 NONREPAIRABLE VEHICLE TITLE OR SALVAGE VEHICLE TITLE. (a) The
16-58 department's printed ~~[department shall print a]~~ nonrepairable
16-59 vehicle title must ~~[+~~

16-60 ~~[(1) in a color that distinguishes it from a regular~~
16-61 ~~certificate of title or salvage vehicle title; and~~

16-62 ~~[(2) so that it]~~ clearly indicate ~~[shows]~~ that it is
16-63 the negotiable ownership document for a nonrepairable motor
16-64 vehicle.

16-65 (b) A nonrepairable vehicle title must clearly indicate
16-66 ~~[state on its face]~~ that the motor vehicle:

16-67 (1) may not be:

16-68 (A) issued a regular ~~[certificate of]~~ title;

16-69 (B) registered in this state; or

17-1 (C) repaired, rebuilt, or reconstructed; and
 17-2 (2) may be used only as a source for used parts or
 17-3 scrap metal.

17-4 (c) The department's printed ~~[department shall print a]~~
 17-5 salvage vehicle title must [+

17-6 ~~[(A) in a color that distinguishes it from a~~
 17-7 ~~regular certificate of title or nonrepairable vehicle title, and~~

17-8 ~~[(B) so that each document]~~ clearly show [shows]
 17-9 that it is the ownership document for a salvage motor vehicle.

17-10 (d) A salvage vehicle title or a salvage record of title for
 17-11 a vehicle that is a salvage motor vehicle because of damage caused
 17-12 exclusively by flood must bear a notation ~~[on its face]~~ that the
 17-13 department considers appropriate. If the title for a motor vehicle
 17-14 reflects the notation required by this subsection, the owner may
 17-15 sell, transfer, or release the motor vehicle only as provided by
 17-16 this subchapter.

17-17 (e) An electronic application for a nonrepairable vehicle
 17-18 title, nonrepairable record of title, salvage vehicle title, or
 17-19 salvage record of title must clearly advise the applicant of the
 17-20 same provisions required on a printed title.

17-21 (f) A nonrepairable vehicle title, nonrepairable record of
 17-22 title, salvage vehicle title, or salvage record of title in the
 17-23 department's electronic database must include appropriate remarks
 17-24 so that the vehicle record clearly shows the status of the vehicle
 17-25 ~~[(e) The department may provide a stamp to a person who is a~~
 17-26 ~~licensed salvage vehicle dealer under Chapter 2302, Occupations~~
 17-27 ~~Code, to mark the face of a title under this subchapter. The~~
 17-28 ~~department shall provide the stamp to the person for a fee in the~~
 17-29 ~~amount determined by the department to be necessary for the~~
 17-30 ~~department to recover the cost of providing the stamp].~~

17-31 SECTION 39. Section 501.101, Transportation Code, is
 17-32 redesignated as Section 501.09113, Transportation Code, and
 17-33 amended to read as follows:

17-34 Sec. 501.09113 ~~[501.101]~~. OUT-OF-STATE SALVAGE OR REBUILT
 17-35 SALVAGE VEHICLE [ISSUANCE OF TITLE TO MOTOR VEHICLE BROUGHT INTO
 17-36 STATE]. (a) This section applies only to a motor vehicle brought
 17-37 into this state from another state or jurisdiction that has on any
 17-38 ~~[certificate of]~~ title or comparable out-of-state ownership
 17-39 document issued by the other state or jurisdiction:

17-40 (1) a "rebuilt," "salvage," or similar notation; or
 17-41 (2) a "nonrepairable," "dismantle only," "parts
 17-42 only," "junked," "scrapped," or similar notation.

17-43 (b) On receipt of a complete application from the owner of
 17-44 the motor vehicle, the department shall issue the applicant the
 17-45 appropriate ~~[certificate of]~~ title for the motor vehicle.

17-46 ~~[(c) A certificate of title issued under this section must~~
 17-47 ~~show on its face:~~

17-48 ~~[(1) the date of issuance,~~

17-49 ~~[(2) the name and address of the owner,~~

17-50 ~~[(3) any registration number assigned to the motor~~
 17-51 ~~vehicle, and~~

17-52 ~~[(4) a description of the motor vehicle or other~~
 17-53 ~~notation the department considers necessary or appropriate.]~~

17-54 SECTION 40. The heading to Section 501.095, Transportation
 17-55 Code, is amended to read as follows:

17-56 Sec. 501.095. SALE, TRANSFER, OR RELEASE [OF NONREPAIRABLE
 17-57 MOTOR VEHICLE OR SALVAGE MOTOR VEHICLE].

17-58 SECTION 41. Subsections (a) and (b), Section 501.095,
 17-59 Transportation Code, are amended to read as follows:

17-60 (a) If the department has not issued a nonrepairable vehicle
 17-61 title, nonrepairable record of title, [or] salvage vehicle title,
 17-62 or salvage record of title for the motor vehicle and a comparable
 17-63 ~~[an]~~ out-of-state ownership document for the motor vehicle has not
 17-64 been issued by another state or jurisdiction, a business or
 17-65 governmental entity described by Subdivisions (1)-(3) may sell,
 17-66 transfer, or release a nonrepairable motor vehicle or salvage motor
 17-67 vehicle only to a person who is:

17-68 (1) a licensed salvage vehicle dealer, a used
 17-69 automotive parts recycler under Chapter 2309, Occupations Code, or

18-1 a metal recycler under Chapter 2302, Occupations Code;
 18-2 (2) an insurance company that has paid a claim on the
 18-3 nonrepairable or salvage motor vehicle; or
 18-4 (3) a governmental entity[~~;~~ ~~or~~
 18-5 [~~(4) an out-of-state buyer~~].

18-6 (b) An owner [~~A person~~], other than a salvage vehicle
 18-7 dealer, a used automotive parts recycler, or an insurance company
 18-8 licensed to do business in this state, who acquired ownership of a
 18-9 nonrepairable or salvage motor vehicle that has not been issued a
 18-10 nonrepairable vehicle title, nonrepairable record of title,
 18-11 salvage vehicle title, salvage record of title, or a comparable
 18-12 ownership document issued by another state or jurisdiction shall,
 18-13 before selling the motor vehicle, surrender the properly assigned
 18-14 [~~certificate of~~] title for the motor vehicle to the department and
 18-15 apply to the department for the appropriate ownership document[~~;~~
 18-16 [~~(1) a nonrepairable vehicle title if the vehicle is a~~
 18-17 ~~nonrepairable motor vehicle; or~~
 18-18 [~~(2) a salvage vehicle title if the vehicle is a~~
 18-19 ~~salvage motor vehicle~~].

18-20 SECTION 42. Section 501.097, Transportation Code, is
 18-21 amended by amending Subsections (a) and (c) and adding Subsection
 18-22 (c-1) to read as follows:

18-23 (a) An application for a nonrepairable vehicle title,
 18-24 nonrepairable record of title, [~~or~~] salvage vehicle title, or
 18-25 salvage record of title must:

18-26 (1) be made in [~~on~~] a manner [~~form~~] prescribed by the
 18-27 department and accompanied by a \$8 application fee;

18-28 (2) include, in addition to any other information
 18-29 required by the department:

18-30 (A) the name and current address of the owner;
 18-31 and

18-32 (B) a description of the motor vehicle, including
 18-33 the make, style of body, model year, and vehicle identification
 18-34 number[~~;~~ and

18-35 [~~(C) a statement describing whether the motor~~
 18-36 ~~vehicle:~~

18-37 [~~(i) was the subject of a total loss claim~~
 18-38 ~~paid by an insurance company under Section 501.092 or 501.093;~~

18-39 [~~(ii) is a self-insured motor vehicle under~~
 18-40 ~~Section 501.094;~~

18-41 [~~(iii) is an export-only motor vehicle~~
 18-42 ~~under Section 501.099; or~~

18-43 [~~(iv) was sold, transferred, or released to~~
 18-44 ~~the owner or former owner of the motor vehicle or a buyer at a casual~~
 18-45 ~~sale~~]; and

18-46 (3) include the name and address of:

18-47 (A) any currently recorded lienholder, if the
 18-48 motor vehicle is a nonrepairable motor vehicle; or

18-49 (B) any currently recorded lienholder or a new
 18-50 lienholder, if the motor vehicle is a salvage motor vehicle.

18-51 (c) A printed nonrepairable vehicle title must state on its
 18-52 face that the motor vehicle:

18-53 (1) may not:

18-54 (A) be repaired, rebuilt, or reconstructed;

18-55 (B) be issued a [~~regular certificate of~~] title or
 18-56 registered in this state;

18-57 (C) be operated on a public highway, in addition
 18-58 to any other requirement of law; and

18-59 (2) may only be used as a source for used parts or
 18-60 scrap metal.

18-61 (c-1) The department's titling system must include a remark
 18-62 that clearly identifies the vehicle as a salvage or nonrepairable
 18-63 motor vehicle.

18-64 SECTION 43. Subsections (a), (b), (c), and (f), Section
 18-65 501.100, Transportation Code, are amended to read as follows:

18-66 (a) A vehicle for which a nonrepairable certificate of title
 18-67 issued prior to September 1, 2003, or for which a salvage vehicle
 18-68 title or salvage record of title has been issued may obtain [~~be~~
 18-69 ~~issued~~] a [~~regular certificate of~~] title after the motor vehicle

19-1 has been repaired, rebuilt, or reconstructed [~~by a person described~~
 19-2 ~~by Section 501.104(a)] and, in addition to any other requirement of~~

19-3 law, only if the application [~~is accompanied by a separate form~~
 19-4 ~~that~~]:

19-5 (1) describes each major component part used to repair
 19-6 the motor vehicle;

19-7 (2) states the name of each person from whom the parts
 19-8 used in assembling the vehicle were obtained; and

19-9 (3) [~~(2)~~] shows the identification number required by
 19-10 federal law to be affixed to or inscribed on the part.

19-11 (b) On receipt of a complete application under this section
 19-12 accompanied by the [~~\$13~~] fee for the [~~certificate of~~] title, the
 19-13 department shall issue the applicant a [~~regular certificate of~~]
 19-14 title [~~for the motor vehicle~~].

19-15 (c) A [~~regular certificate of~~] title issued under this
 19-16 section must [~~+~~

19-17 [~~(1)~~] describe or disclose the motor vehicle's former
 19-18 condition in a manner reasonably understandable to a potential
 19-19 purchaser of the motor vehicle [~~+~~ and

19-20 [~~(2)~~ bear on its face the words "REBUILT SALVAGE" in
 19-21 capital letters that:

19-22 [~~(A)~~ are red,

19-23 [~~(B)~~ are centered on and occupy at least 15
 19-24 percent of the face of the certificate of title; and

19-25 [~~(C)~~ do not prevent any other words on the title
 19-26 from being read or copied].

19-27 (f) The department may not issue a regular [~~certificate of~~]
 19-28 title for a motor vehicle based on a:

19-29 (1) nonrepairable vehicle title or comparable
 19-30 out-of-state ownership document;

19-31 (2) receipt issued under Section 501.1003(b)
 19-32 [~~501.096(b)~~]; or

19-33 (3) certificate of authority.

19-34 SECTION 44. Section 501.092, Transportation Code, is
 19-35 redesignated as Section 501.1001, Transportation Code, and amended
 19-36 to read as follows:

19-37 Sec. 501.1001 [~~501.092~~]. [~~INSURANCE COMPANY TO SURRENDER~~
 19-38 ~~CERTIFICATES OF TITLE TO CERTAIN~~] SALVAGE MOTOR VEHICLES OR
 19-39 NONREPAIRABLE MOTOR VEHICLES FOR INSURANCE COMPANIES OR
 19-40 SELF-INSURED PERSONS. (a) An insurance company that is licensed

19-41 to conduct business in this state and that acquires, through
 19-42 payment of a claim, ownership or possession of a salvage motor
 19-43 vehicle or nonrepairable motor vehicle covered by a [~~certificate~~
 19-44 ~~of~~] title issued by this state or a manufacturer's certificate of
 19-45 origin shall surrender a properly assigned title or manufacturer's
 19-46 certificate of origin to the department, in [~~on~~] a manner [~~form~~]
 19-47 prescribed by the department, except that not earlier than the 31st
 19-48 [~~46th~~] day after the date of payment of the claim the insurance
 19-49 company may surrender a [~~certificate of~~] title, in [~~on~~] a manner
 19-50 [~~form~~] prescribed by the department, and receive a salvage vehicle
 19-51 [~~certificate of~~] title or a nonrepairable vehicle [~~certificate of~~]
 19-52 title without obtaining a properly assigned [~~certificate of~~] title
 19-53 if the insurance company:

19-54 (1) has obtained the release of all liens on the motor
 19-55 vehicle;

19-56 (2) is unable to locate one or more owners of the motor
 19-57 vehicle; and

19-58 (3) has provided notice to the last known address in
 19-59 the department's records to each owner that has not been located:

19-60 (A) by registered or certified mail, return
 19-61 receipt requested; or

19-62 (B) if a notice sent under Paragraph (A) is
 19-63 returned unclaimed, by publication in a newspaper of general
 19-64 circulation in the area where the unclaimed mail notice was sent.

19-65 (b) For a salvage motor vehicle, the insurance company shall
 19-66 apply for a salvage vehicle title or salvage record of title. For a
 19-67 nonrepairable motor vehicle, the insurance company shall apply for
 19-68 a nonrepairable vehicle title or nonrepairable record of title.

19-69 (c) [~~An insurance company may not sell a motor vehicle to~~

~~which this section applies unless the department has issued a salvage vehicle title or a nonrepairable vehicle title for the motor vehicle or a comparable ownership document has been issued by another state or jurisdiction for the motor vehicle.~~

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

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

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

(1) a self-insured motor vehicle; and

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

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

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

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

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

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

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

(A) Subsection (b); or

(B) Section 501.09111; and

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

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

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

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

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

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

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

21-1 SECTION 46. Section 501.096, Transportation Code, is
 21-2 redesignated as Section 501.1003, Transportation Code, and amended
 21-3 to read as follows:

21-4 Sec. 501.1003 [~~501.096~~]. [~~NONREPAIRABLE MOTOR VEHICLE OR~~
 21-5 ~~SALVAGE DEALER RESPONSIBILITIES~~ [~~MOTOR VEHICLE DISMANTLED,~~
 21-6 ~~SCRAPPED, OR DESTROYED~~]. (a) If a salvage vehicle dealer acquires
 21-7 ownership of a nonrepairable motor vehicle or salvage motor vehicle
 21-8 for the purpose of dismantling, scrapping, or destroying the motor
 21-9 vehicle, the dealer shall, before the 31st day after the date the
 21-10 dealer acquires the motor vehicle, submit to the department a
 21-11 report stating that the motor vehicle will be dismantled, scrapped,
 21-12 or destroyed. The dealer shall:

21-13 (1) make the report in a manner [~~on a form~~] prescribed
 21-14 by the department; and

21-15 (2) submit with the report a properly assigned
 21-16 manufacturer's certificate of origin, regular certificate of
 21-17 title, nonrepairable vehicle title, salvage vehicle title, or
 21-18 comparable out-of-state ownership document for the motor vehicle.

21-19 (b) After receiving the report and title or document, the
 21-20 department shall issue the salvage vehicle dealer a receipt for the
 21-21 manufacturer's certificate of origin, regular certificate of
 21-22 title, nonrepairable vehicle title, salvage vehicle title, or
 21-23 comparable out-of-state ownership document.

21-24 (c) The department shall adopt rules to notify the salvage
 21-25 [vehicle] dealer if the vehicle was not issued a printed title, but
 21-26 has a record of title in the department's titling system [~~shall~~].

21-27 [~~(1) keep on the business premises of the dealer,~~
 21-28 ~~until the third anniversary of the date the report on the motor~~
 21-29 ~~vehicle is submitted to the department, a record of the vehicle, its~~
 21-30 ~~ownership, and its condition as dismantled, scrapped, or destroyed;~~
 21-31 ~~and~~

21-32 [~~(2) present to the department, on the form prescribed~~
 21-33 ~~by the department, evidence that the motor vehicle was dismantled,~~
 21-34 ~~scrapped, or destroyed before the 61st day after the date the dealer~~
 21-35 ~~completed the dismantling, scrapping, or destruction of the motor~~
 21-36 ~~vehicle~~].

21-37 SECTION 47. Section 501.104, Transportation Code, is
 21-38 amended to read as follows:

21-39 Sec. 501.104. REBUILDER TO POSSESS TITLE OR OTHER
 21-40 DOCUMENTATION. (a) This section applies [~~only~~] to [~~+~~

21-41 [~~(1) a rebuilder licensed as a salvage vehicle dealer;~~

21-42 [~~(2)~~] a person engaged in repairing, rebuilding, or
 21-43 reconstructing more than five motor vehicles [~~the business of a~~
 21-44 ~~rebuilder~~], regardless of whether the person is licensed to engage
 21-45 in that business [~~, or~~

21-46 [~~(3) a person engaged in the casual repair,~~
 21-47 ~~rebuilding, or reconstruction of fewer than three motor vehicles in~~
 21-48 ~~the same 12-month period~~].

21-49 (b) A person described by Subsection (a) must possess:

21-50 (1) an acceptable [~~a regular certificate of title,~~
 21-51 ~~nonrepairable vehicle title, salvage vehicle title, or comparable~~
 21-52 ~~out-of-state~~] ownership document or proof of ownership for any
 21-53 motor vehicle that is:

21-54 (A) owned by the person;

21-55 (B) in the person's inventory; and

21-56 (C) being offered for resale; or

21-57 (2) a contract entered into with the owner, a work
 21-58 order, or another document that shows the authority for the person
 21-59 to possess any motor vehicle that is:

21-60 (A) owned by another person;

21-61 (B) on the person's business or casual premises;

21-62 and

21-63 (C) being repaired, rebuilt, or reconstructed
 21-64 for the other person.

21-65 SECTION 48. Section 501.105, Transportation Code, is
 21-66 redesignated as Section 501.108, Transportation Code, and amended
 21-67 to read as follows:

21-68 Sec. 501.108 [~~501.105~~]. RECORD RETENTION [~~OF RECORDS~~
 21-69 ~~RELATING TO CERTAIN CASUAL SALES~~]. (a) Each licensed salvage

22-1 vehicle dealer, used automotive parts recycler, or insurance
 22-2 company that sells a nonrepairable motor vehicle or a salvage motor
 22-3 vehicle at a casual sale shall keep on the business premises of the
 22-4 dealer or the insurance company a list of all casual sales made
 22-5 during the preceding 36-month period that contains:

- 22-6 (1) the date of the sale;
- 22-7 (2) the name of the purchaser;
- 22-8 (3) the name of the jurisdiction that issued the
 22-9 identification document provided by the purchaser, as shown on the
 22-10 document; and
- 22-11 (4) the vehicle identification number.

22-12 (b) A salvage vehicle dealer or used automotive parts
 22-13 recycler shall keep on the business premises of the dealer or
 22-14 recycler, until the third anniversary of the date the report on the
 22-15 motor vehicle is submitted to the department, a record of the
 22-16 vehicle, its ownership, and its condition as dismantled, scrapped,
 22-17 or destroyed as required by Section 501.1003.

22-18 SECTION 49. Section 501.102, Transportation Code, is
 22-19 redesignated as Section 501.109, Transportation Code, and amended
 22-20 to read as follows:

22-21 Sec. 501.109 [~~501.102~~]. OFFENSES. (a) A person commits an
 22-22 offense if the person:

22-23 (1) applies to the department for a [~~regular~~
 22-24 ~~certificate of~~] title for a motor vehicle; and

22-25 (2) knows or reasonably should know that:

22-26 (A) the vehicle is a nonrepairable motor vehicle
 22-27 that has been repaired, rebuilt, or reconstructed;

22-28 (B) the vehicle identification number assigned
 22-29 to the motor vehicle belongs to a nonrepairable motor vehicle that
 22-30 has been repaired, rebuilt, or reconstructed;

22-31 (C) the title issued to the motor vehicle belongs
 22-32 to a nonrepairable motor vehicle that has been repaired, rebuilt,
 22-33 or reconstructed;

22-34 (D) the vehicle identification number assigned
 22-35 to the motor vehicle belongs to an export-only motor vehicle;

22-36 (E) the motor vehicle is an export-only motor
 22-37 vehicle; or

22-38 (F) the motor vehicle is a nonrepairable motor
 22-39 vehicle or salvage motor vehicle for which a nonrepairable vehicle
 22-40 title, salvage vehicle title, or comparable ownership document
 22-41 issued by another state or jurisdiction has not been issued.

22-42 (b) A person commits an offense if the person knowingly
 22-43 sells, transfers, or releases a salvage motor vehicle in violation
 22-44 of this subchapter.

22-45 (c) A person commits an offense if the person knowingly
 22-46 fails or refuses to surrender a regular certificate of title after
 22-47 the person:

22-48 (1) receives a notice from an insurance company that
 22-49 the motor vehicle is a nonrepairable or salvage motor vehicle; or

22-50 (2) knows the vehicle has become a nonrepairable motor
 22-51 vehicle or salvage motor vehicle under Section 501.1001 [~~501.094~~].

22-52 (d) Except as provided by Subsection (e), an offense under
 22-53 this section is a Class C misdemeanor.

22-54 (e) If it is shown on the trial of an offense under this
 22-55 section that the defendant has been previously convicted of:

22-56 (1) one offense under this section, the offense is a
 22-57 Class B misdemeanor; or

22-58 (2) two or more offenses under this section, the
 22-59 offense is a state jail felony.

22-60 SECTION 50. Section 501.106, Transportation Code, is
 22-61 redesignated as Section 501.110, Transportation Code, and amended
 22-62 to read as follows:

22-63 Sec. 501.110 [~~501.106~~]. ENFORCEMENT OF SUBCHAPTER.

22-64 (a) This subchapter shall be enforced by the department and any
 22-65 other governmental or law enforcement entity, including the
 22-66 Department of Public Safety, and the personnel of the entity as
 22-67 provided by this subchapter.

22-68 (b) The department, an agent, officer, or employee of the
 22-69 department, or another person enforcing this subchapter is not

23-1 liable to a person damaged or injured by an act or omission relating
23-2 to the issuance or revocation of a [~~regular certificate of~~] title,
23-3 nonrepairable vehicle title, nonrepairable record of title, [or]
23-4 salvage vehicle title, or salvage record of title under this
23-5 subchapter.

23-6 SECTION 51. Subsection (a), Section 501.111,
23-7 Transportation Code, is amended to read as follows:

23-8 (a) Except as provided by Subsection (b), a person may
23-9 perfect a security interest in a motor vehicle that is the subject
23-10 of a first or subsequent sale only by recording the security
23-11 interest on the [~~certificate of~~] title as provided by this chapter.

23-12 SECTION 52. Section 501.113, Transportation Code, is
23-13 amended to read as follows:

23-14 Sec. 501.113. RECORDATION OF SECURITY INTEREST.

23-15 (a) Recordation of a lien under this chapter is considered to
23-16 occur when:

- 23-17 (1) the department's titling system is updated; or
- 23-18 (2) the county assessor-collector [+
- 23-19 [~~(1) is presented with an application for a~~
- 23-20 ~~certificate of title that discloses the lien with tender of the~~
- 23-21 ~~filing fee; or~~
- 23-22 [(2)] accepts the application of title that discloses
- 23-23 the lien with the filing fee.

23-24 (b) For purposes of Chapter 9, Business & Commerce Code, the
23-25 time of recording a lien under this chapter is considered to be the
23-26 time of filing the security interest, and on such recordation, the
23-27 recorded lienholder and assignees under Section 501.114 obtain
23-28 priority over the rights of a lien creditor, as defined by Section
23-29 9.102, Business & Commerce Code, for so long as the lien is recorded
23-30 on the [~~certificate of~~] title.

23-31 SECTION 53. Subsections (b) and (d) through (g), Section
23-32 501.114, Transportation Code, are amended to read as follows:

23-33 (b) An assignee or assignor may, but need not to retain the
23-34 validity, perfection, and priority of the lien assigned, as
23-35 evidence of the assignment of a lien recorded under Section
23-36 501.113:

23-37 (1) apply to the county assessor-collector for the
23-38 assignee to be named as lienholder on the [~~certificate of~~] title;
23-39 and

23-40 (2) notify the debtor of the assignment.

23-41 (d) An application under Subsection (b) must be
23-42 acknowledged[+

23-43 [~~(1) signed] by the assignee[+, and~~

23-44 [~~(2) accompanied by:~~

23-45 [~~(A) the applicable fee;~~

23-46 [~~(B) a copy of the assignment agreement executed~~
23-47 ~~by the parties; and~~

23-48 [~~(C) the certificate of title on which the lien~~
23-49 ~~to be assigned is recorded].~~

23-50 (e) On receipt of the completed application and fee, the
23-51 department may:

23-52 (1) [~~may~~] amend the department's records to substitute
23-53 the assignee for the recorded lienholder; and

23-54 (2) [~~shall~~] issue a new [~~certificate of~~] title as
23-55 provided by this chapter [Section 501.027].

23-56 (f) The issuance of a [~~certificate of~~] title under
23-57 Subsection (e) is recordation of the assignment.

23-58 (g) Regardless of whether application is made for the
23-59 assignee to be named as lienholder on the [~~certificate of~~] title,
23-60 the time of the recordation of a lien assigned under this section is
23-61 considered to be the time the lien was initially recorded under
23-62 Section 501.113.

23-63 SECTION 54. Section 501.115, Transportation Code, is
23-64 amended to read as follows:

23-65 Sec. 501.115. DISCHARGE OF LIEN. (a) When a debt or claim
23-66 secured by a lien has been satisfied, the lienholder shall, within a
23-67 reasonable time not to exceed the maximum time allowed by Section
23-68 348.408, Finance Code, execute and deliver to the owner, or the
23-69 owner's designee, a discharge of the lien in [on] a manner [~~form~~]

24-1 prescribed by the department.

24-2 (b) The owner may submit [~~present~~] the discharge and
24-3 [~~certificate of~~] title to the department for [~~county~~
24-4 ~~assessor-collector with an application for a new certificate of~~
24-5 ~~title and the department shall issue~~] a new [~~certificate of~~] title.

24-6 SECTION 55. Section 501.116, Transportation Code, is
24-7 amended to read as follows:

24-8 Sec. 501.116. CANCELLATION OF DISCHARGED LIEN. The
24-9 department may cancel a discharged lien that has been recorded on a
24-10 [~~certificate of~~] title for 10 [~~six~~] years or more if the recorded
24-11 lienholder:

24-12 (1) does not exist; or

24-13 (2) cannot be located for the owner to obtain a release
24-14 of the lien.

24-15 SECTION 56. Subsections (a) through (d) and (g), Section
24-16 501.134, Transportation Code, are amended to read as follows:

24-17 (a) If a printed [~~certificate of~~] title is lost or
24-18 destroyed, the owner or lienholder disclosed on the title
24-19 [~~certificate~~] may obtain, in the manner provided by this section
24-20 and department rule, a certified copy of the lost or destroyed
24-21 [~~certificate of~~] title directly from the department by applying in
24-22 [~~on~~] a manner [~~form~~] prescribed by the department and paying a fee
24-23 of \$2. A fee collected under this subsection shall be deposited to
24-24 the credit of the state highway fund and may be spent only as
24-25 provided by Section 501.138.

24-26 (b) If a lien is disclosed on a [~~certificate of~~] title, the
24-27 department may issue a certified copy of the original [~~certificate~~
24-28 ~~of~~] title only to the first lienholder or the lienholder's verified
24-29 agent.

24-30 (c) The department must plainly mark "certified copy" on the
24-31 face of a certified copy issued under this section [~~, and each~~
24-32 ~~subsequent certificate issued for the motor vehicle until the~~
24-33 ~~vehicle is transferred~~]. A subsequent purchaser or lienholder of
24-34 the vehicle only acquires the rights, title, or interest in the
24-35 vehicle held by the holder of the certified copy.

24-36 (d) A purchaser or lienholder of a motor vehicle having a
24-37 certified copy issued under this section may at the time of the
24-38 purchase or establishment of the lien require that the seller or
24-39 owner indemnify the purchaser or lienholder and all subsequent
24-40 purchasers of the vehicle against any loss the person may suffer
24-41 because of a claim presented on the original [~~certificate of~~]
24-42 title.

24-43 (g) The department may issue a certified copy of a
24-44 [~~certificate of~~] title [~~before the fourth business day after the~~
24-45 ~~date application is made~~] only if the applicant:

24-46 (1) is the registered owner of the vehicle, the holder
24-47 of a recorded lien against the vehicle, or a verified agent of the
24-48 owner or lienholder; and

24-49 (2) submits personal identification as required by
24-50 department rule [~~, including a photograph, issued by an agency of~~
24-51 ~~this state or the United States~~].

24-52 SECTION 57. Subsection (a), Section 501.135,
24-53 Transportation Code, is amended to read as follows:

24-54 (a) The department shall:

24-55 (1) make a record of each report to the department that
24-56 a motor vehicle registered in this state has been stolen or
24-57 concealed in violation of Section 32.33, Penal Code; and

24-58 (2) note the fact of the report in the department's
24-59 records [~~of the vehicle's certificate of title~~].

24-60 SECTION 58. Subsections (a), (b), and (b-1), Section
24-61 501.138, Transportation Code, are amended to read as follows:

24-62 (a) An applicant for a [~~certificate of~~] title, other than
24-63 the state or a political subdivision of the state, must pay [~~the~~
24-64 ~~county assessor-collector~~] a fee of:

24-65 (1) \$33 if the applicant's residence is a county
24-66 located within a nonattainment area as defined under Section 107(d)
24-67 of the federal Clean Air Act (42 U.S.C. Section 7407), as amended,
24-68 or is an affected county, as defined by Section 386.001, Health and
24-69 Safety Code; or

25-1 (2) \$28 if the applicant's residence is any other
25-2 county.

25-3 (b) The fees [~~county assessor-collector~~] shall be
25-4 distributed as follows [~~send~~]:

25-5 (1) \$5 of the fee to the county treasurer for deposit
25-6 in the officers' salary fund;

25-7 (2) \$8 of the fee to the department:

25-8 (A) together with the application within the time
25-9 prescribed by Section 501.023; or

25-10 (B) if the fee is deposited in an
25-11 interest-bearing account or certificate in the county depository or
25-12 invested in an investment authorized by Subchapter A, Chapter 2256,
25-13 Government Code, not later than the 35th day after the date on which
25-14 the fee is received; and

25-15 (3) the following amount to the comptroller at the
25-16 time and in the manner prescribed by the comptroller:

25-17 (A) \$20 of the fee if the applicant's residence
25-18 is a county located within a nonattainment area as defined under
25-19 Section 107(d) of the federal Clean Air Act (42 U.S.C. Section
25-20 7407), as amended, or is an affected county, as defined by Section
25-21 386.001, Health and Safety Code; or

25-22 (B) \$15 of the fee if the applicant's residence
25-23 is any other county.

25-24 (b-1) Fees collected under Subsection (b) to be sent to the
25-25 comptroller shall be deposited [~~as follows~~]:

25-26 [~~(1) before September 1, 2008, to the credit of the~~
25-27 ~~Texas emissions reduction plan fund; and~~

25-28 [~~(2) on or after September 1, 2008,~~] to the credit of
25-29 the Texas Mobility Fund, except that \$5 of each fee imposed under
25-30 Subsection (a)(1) and deposited on or after September 1, 2008, and
25-31 before September 1, 2015, shall be deposited to the credit of the
25-32 Texas emissions reduction plan fund.

25-33 SECTION 59. Section 520.031, Transportation Code, as
25-34 amended by Chapters 836 (H.B. 1743) and 1423 (H.B. 2409), Acts of
25-35 the 76th Legislature, Regular Session, 1999, is transferred to
25-36 Subchapter H, Chapter 501, Transportation Code, redesignated as
25-37 Section 501.145, Transportation Code, and reenacted and amended to
25-38 read as follows:

25-39 Sec. 501.145 [~~520.031~~]. FILING BY PURCHASER [~~TRANSFeree~~];
25-40 APPLICATION FOR TRANSFER OF TITLE [~~AND REGISTRATION~~]. (a) Not
25-41 later than the later of the 30th [~~20th working~~] day after the date
25-42 of assignment on [~~receiving~~] the documents or the date provided by
25-43 Section 152.069, Tax Code [~~under Section 520.022 or 520.0225~~], the
25-44 purchaser [~~transferee~~] of the used motor vehicle shall file with
25-45 the county assessor-collector:

25-46 (1) [~~the license receipt and~~] the certificate of title
25-47 or other evidence of title; or

25-48 (2) if appropriate, a document described by Section
25-49 502.457 [~~520.0225(b)(1) or (2)~~] and the [~~certificate of~~] title or
25-50 other evidence of ownership [~~title~~].

25-51 (b) The filing under Subsection (a) is an application for
25-52 transfer of title as required under this chapter [~~Chapter 501~~] and
25-53 [~~, if the license receipt is filed,~~] an application for transfer of
25-54 the registration of the motor vehicle.

25-55 (c) [~~In this section, "working day" means any day other than~~
25-56 ~~a Saturday, a Sunday, or a holiday on which county offices are~~
25-57 ~~closed.~~

25-58 [~~(d)~~] Notwithstanding Subsection (a), if the purchaser
25-59 [~~transferee~~] is a member of the armed forces of the United States, a
25-60 member of the Texas National Guard or of the National Guard of
25-61 another state serving on active duty under an order of the president
25-62 of the United States, or a member of a reserve component of the
25-63 armed forces of the United States serving on active duty under an
25-64 order of the president of the United States, the documents
25-65 described by Subsection (a) must be filed with the county
25-66 assessor-collector not later than the 60th [~~working~~] day after the
25-67 date of assignment of ownership [~~their receipt by the transferee~~].

25-68 SECTION 60. Section 520.032, Transportation Code, is
25-69 transferred to Subchapter H, Chapter 501, Transportation Code,

26-1 redesignated as Section 501.146, Transportation Code, and amended
26-2 to read as follows:

26-3 Sec. 501.146 [~~520.032~~]. TITLE TRANSFER [FEE]; LATE FEE.
26-4 (a) [~~The transferee of a used motor vehicle shall pay, in addition~~
26-5 ~~to any fee required under Chapter 501 for the transfer of title, a~~
26-6 ~~transfer fee of \$2.50 for the transfer of the registration of the~~
26-7 ~~motor vehicle.~~

26-8 [~~(b)~~] If the [~~transferee does not file the~~] application for
26-9 the transfer of title is not filed during the period provided by
26-10 Section 501.145, the [~~520.031, the transferee is liable for a~~] late
26-11 fee is to be paid to the county assessor-collector when the
26-12 application is filed. If the seller [~~transferee~~] holds a general
26-13 distinguishing number issued under Chapter 503 of this code or
26-14 Chapter 2301, Occupations Code, the seller is liable for the late
26-15 fee in the amount of [~~the late fee is~~] \$10. If the seller
26-16 [~~transferee~~] does not hold a general distinguishing number, subject
26-17 to Subsection (b) [~~(b-1)~~] the applicant's [~~amount of the~~] late fee
26-18 is \$25.

26-19 (b) [~~(b-1)~~] If the application is filed after the 60th [~~31st~~
26-20 ~~working~~] day after the date the purchaser was assigned ownership of
26-21 [~~transferee received~~] the documents under Section 501.0721
26-22 [~~520.022~~], the late fee imposed under Subsection (a) [~~(b)~~] accrues
26-23 an additional penalty in the amount of \$25 for each subsequent
26-24 30-day period, or portion of a 30-day period, in which the
26-25 application is not filed.

26-26 (c) [~~The county assessor-collector and the surety on the~~
26-27 ~~county assessor-collector's bond are liable for the late fee if the~~
26-28 ~~county assessor-collector does not collect the late fee.~~

26-29 [~~(d)~~] Subsections (a) and (b) [~~and (b-1)~~] do not apply if
26-30 the motor vehicle is eligible to be issued:

- 26-31 (1) classic vehicle license plates under Section
26-32 504.501; or
- 26-33 (2) antique vehicle license plates under Section
26-34 504.502.

26-35 SECTION 61. Section 520.023, Transportation Code, is
26-36 transferred to Subchapter H, Chapter 501, Transportation Code,
26-37 redesignated as Section 501.147, Transportation Code, and amended
26-38 to read as follows:

26-39 Sec. 501.147 [~~520.023~~]. [~~POWERS AND DUTIES OF DEPARTMENT ON~~
26-40 ~~TRANSFER OF USED~~] VEHICLE TRANSFER NOTIFICATION. (a) On receipt
26-41 of a written notice of transfer from the seller [~~transferor~~] of a
26-42 motor vehicle, the department shall indicate the transfer on the
26-43 motor vehicle records maintained by the department. As an
26-44 alternative to a written notice of transfer, the department shall
26-45 establish procedures that permit the seller [~~transferor~~] of a motor
26-46 vehicle to electronically submit a notice of transfer to the
26-47 department through the department's Internet website. A notice of
26-48 transfer provided through the department's Internet website is not
26-49 required to bear the signature of the seller [~~transferor~~] or
26-50 include the date of signing.

26-51 (b) [~~The department may design the written notice of~~
26-52 ~~transfer to be part of the certificate of title for the vehicle.~~] The notice of transfer [~~form~~] shall be provided by the department
26-53 and must include a place for the seller [~~transferor~~] to state:

- 26-54 (1) a complete description of the vehicle as
26-55 prescribed by the department [~~identification number of the~~
26-56 ~~vehicle~~];
- 26-57 (2) [~~the number of the license plate issued to the~~
26-58 ~~vehicle, if any,~~
- 26-59 (3) [~~(3)~~] the full name and address of the seller
26-60 [~~transferor~~];
- 26-61 (3) [~~(4)~~] the full name and address of the purchaser
26-62 [~~transferee~~];
- 26-63 (4) [~~(5)~~] the date the seller [~~transferor~~] delivered
26-64 possession of the vehicle to the purchaser [~~transferee~~];
- 26-65 (5) [~~(6)~~] the signature of the seller [~~transferor~~];
- 26-66 and
- 26-67 (6) [~~(7)~~] the date the seller [~~transferor~~] signed the
26-68 form.
- 26-69

27-1 (c) This subsection applies only if the department receives
 27-2 notice under Subsection (a) before the 30th day after the date the
 27-3 seller [~~transferor~~] delivered possession of the vehicle to the
 27-4 purchaser or in accordance with Section 152.069, Tax Code
 27-5 [~~transferee~~]. After the date of the transfer of the vehicle shown
 27-6 on the records of the department, the purchaser [~~transferee~~] of the
 27-7 vehicle shown on the records is rebuttably presumed to be:

27-8 (1) the owner of the vehicle; and
 27-9 (2) subject to civil and criminal liability arising
 27-10 out of the use, operation, or abandonment of the vehicle, to the
 27-11 extent that ownership of the vehicle subjects the owner of the
 27-12 vehicle to criminal or civil liability under another provision of
 27-13 law.

27-14 (d) The department may adopt[+
 27-15 [~~(1)~~] rules to implement this section [~~, and~~
 27-16 [~~(2)~~] a fee for filing a notice of transfer under this
 27-17 section in an amount not to exceed the lesser of the actual cost to
 27-18 the department of implementing this section or \$5].

27-19 (e) This section does not impose or establish civil or
 27-20 criminal liability on the owner of a motor vehicle who transfers
 27-21 ownership of the vehicle but does not disclose the transfer to the
 27-22 department.

27-23 (f) [~~This section does not require the department to issue a~~
 27-24 ~~certificate of title to a person shown on a notice of transfer as~~
 27-25 ~~the transferee of a motor vehicle.] The department may not issue a
 27-26 [~~certificate of~~] title or register [~~for~~] the vehicle until the
 27-27 purchaser [~~transferee~~] applies for a title to the county
 27-28 assessor-collector as provided by this chapter [~~Chapter 501~~].~~

27-29 (g) A transferor who files the appropriate form with the
 27-30 department as provided by, and in accordance with, this section,
 27-31 whether that form is a part of a [~~certificate of~~] title or a form
 27-32 otherwise promulgated by the department to comply with the terms of
 27-33 this section, has no vicarious civil or criminal liability arising
 27-34 out of the use, operation, or abandonment of the vehicle by another
 27-35 person. Proof by the transferor that the transferor filed a form
 27-36 under this section is a complete defense to an action brought
 27-37 against the transferor for an act or omission, civil or criminal,
 27-38 arising out of the use, operation, or abandonment of the vehicle by
 27-39 another person after the transferor filed the form. A copy of the
 27-40 form filed under this section is proof of the filing of the form.

27-41 SECTION 62. Section 520.033, Transportation Code, is
 27-42 transferred to Subchapter H, Chapter 501, Transportation Code,
 27-43 redesignated as Section 501.148, Transportation Code, and amended
 27-44 to read as follows:

27-45 Sec. 501.148 [~~520.033~~]. ALLOCATION OF FEES. (a) The
 27-46 county assessor-collector may retain as commission for services
 27-47 provided under this subchapter [~~half of each transfer fee~~
 27-48 ~~collected,~~] half of each late fee[, and half of each additional
 27-49 ~~penalty collected under Section 520.032~~].

27-50 (b) The county assessor-collector shall report and remit
 27-51 the balance of the fees collected to the department on Monday of
 27-52 each week as other [~~registration~~] fees are required to be reported
 27-53 and remitted.

27-54 (c) Of each late fee collected from a person who does not
 27-55 hold a general distinguishing number by [~~that~~] the department
 27-56 [~~receives~~] under Subsection (b), \$10 may be used only to fund a
 27-57 statewide public awareness campaign designed to inform and educate
 27-58 the public about the provisions of this chapter.

27-59 SECTION 63. Subsection (b), Section 501.152,
 27-60 Transportation Code, is amended to read as follows:

27-61 (b) It is not a violation of this section for the beneficial
 27-62 owner of a vehicle to sell or offer to sell a vehicle without having
 27-63 possession of the [~~certificate of~~] title to the vehicle if the sole
 27-64 reason he or she does not have possession of the [~~certificate of~~]
 27-65 title is that the title is in the possession of a lienholder who has
 27-66 not complied with the terms of Section 501.115(a) [~~of this code~~].

27-67 SECTION 64. Section 501.153, Transportation Code, is
 27-68 amended to read as follows:

27-69 Sec. 501.153. APPLICATION FOR TITLE FOR STOLEN OR CONCEALED

28-1 VEHICLE. A person commits an offense if the person applies for a
28-2 [~~certificate of~~] title for a motor vehicle that the person knows is
28-3 stolen or concealed in violation of Section 32.33, Penal Code.

28-4 SECTION 65. Section 501.154, Transportation Code, is
28-5 amended to read as follows:

28-6 Sec. 501.154. ALTERATION OF CERTIFICATE OR RECEIPT. A
28-7 person commits an offense if the person alters a manufacturer's [~~or~~
28-8 ~~importer's~~] certificate, a title receipt, or a [~~certificate of~~]
28-9 title.

28-10 SECTION 66. Subsection (a), Section 501.155,
28-11 Transportation Code, is amended to read as follows:

28-12 (a) A person commits an offense if the person knowingly
28-13 provides false or incorrect information or without legal authority
28-14 signs the name of another person on:

- 28-15 (1) an application for a [~~certificate of~~] title;
- 28-16 (2) an application for a certified copy of an original
28-17 [~~certificate of~~] title;
- 28-18 (3) an assignment of title for a motor vehicle;
- 28-19 (4) a discharge of a lien on a title for a motor
28-20 vehicle; or

28-21 (5) any other document required by the department or
28-22 necessary to the transfer of ownership of a motor vehicle.

28-23 SECTION 67. The heading to Section 501.158, Transportation
28-24 Code, is amended to read as follows:

28-25 Sec. 501.158. SEIZURE OF STOLEN VEHICLE OR VEHICLE WITH
28-26 ALTERED VEHICLE IDENTIFICATION [~~SERIAL~~] NUMBER.

28-27 SECTION 68. Section 520.035, Transportation Code, is
28-28 transferred to Subchapter H, Chapter 501, Transportation Code,
28-29 redesignated as Section 501.161, Transportation Code, and amended
28-30 to read as follows:

28-31 Sec. 501.161 [~~520.035~~]. EXECUTION OF TRANSFER DOCUMENTS;
28-32 PENALTY. (a) A person who transfers a motor vehicle in this state
28-33 shall complete [~~execute~~] in full and date as of the date of the
28-34 transfer all documents relating to the transfer of registration or
28-35 [~~certificate of~~] title. A person who transfers a vehicle commits an
28-36 offense if the person fails to execute the documents in full.

28-37 (b) A person commits an offense if the person:
28-38 (1) accepts a document described by Subsection (a)
28-39 that does not contain all of the required information; or
28-40 (2) alters or mutilates such a document.

28-41 (c) An offense under this section is a misdemeanor
28-42 punishable by a fine of not less than \$50 and not more than \$200.

28-43 SECTION 69. Subchapter H, Chapter 501, Transportation Code,
28-44 is amended by adding Sections 501.162 and 501.163 to read as
28-45 follows:

28-46 Sec. 501.162. MOTOR NUMBER REQUIRED FOR REGISTRATION;
28-47 PENALTY. A person commits an offense if the person violates Section
28-48 501.0331. An offense under this section is a misdemeanor
28-49 punishable by a fine of not less than \$50 and not more than \$100.

28-50 Sec. 501.163. APPLICATION FOR MOTOR NUMBER RECORD; PENALTY.
28-51 A person who fails to comply with Section 501.0332 commits an
28-52 offense. An offense under this section is a misdemeanor punishable
28-53 by a fine of not less than \$10 and not more than \$100.

28-54 SECTION 70. Chapter 501, Transportation Code, is amended by
28-55 adding Subchapter I to read as follows:

28-56 SUBCHAPTER I. ELECTRONIC TITLING SYSTEM

28-57 Sec. 501.171. APPLICATION OF SUBCHAPTER. This subchapter
28-58 applies only if the department implements a titling system under
28-59 Section 501.173.

28-60 Sec. 501.172. DEFINITIONS. In this subchapter:

- 28-61 (1) "Document" means information that is inscribed on
28-62 a tangible medium or that is stored in an electronic or other medium
28-63 and is retrievable in perceivable form.
- 28-64 (2) "Electronic" means relating to technology having
28-65 electrical, digital, magnetic, wireless, optical, electromagnetic,
28-66 or similar capabilities.
- 28-67 (3) "Electronic document" means a document that is in
28-68 an electronic form.
- 28-69 (4) "Electronic signature" means an electronic sound,

29-1 symbol, or process attached to or logically associated with a
 29-2 document and executed or adopted by a person with the intent to sign
 29-3 the document.

29-4 (5) "Paper document" means a document that is in
 29-5 printed form.

29-6 Sec. 501.173. ELECTRONIC TITLING SYSTEM. (a) The board by
 29-7 rule may implement an electronic titling system.

29-8 (b) A record of title maintained electronically by the
 29-9 department in the titling system is the official record of vehicle
 29-10 ownership unless the owner requests that the department issue a
 29-11 printed title.

29-12 Sec. 501.174. VALIDITY OF ELECTRONIC DOCUMENTS. (a) If
 29-13 this chapter requires that a document be an original, be on paper or
 29-14 another tangible medium, or be in writing, the requirement is met by
 29-15 an electronic document that complies with this subchapter.

29-16 (b) If a law requires that a document be signed, the
 29-17 requirement is satisfied by an electronic signature.

29-18 (c) A requirement that a document or a signature associated
 29-19 with a document be notarized, acknowledged, verified, witnessed, or
 29-20 made under oath is satisfied if the electronic signature of the
 29-21 person authorized to perform that act, and all other information
 29-22 required to be included, is attached to or logically associated
 29-23 with the document or signature. A physical or electronic image of a
 29-24 stamp, impression, or seal is not required to accompany an
 29-25 electronic signature.

29-26 Sec. 501.175. RECORDING OF DOCUMENTS. (a) Under the
 29-27 titling system, the department may:

29-28 (1) receive, index, store, archive, and transmit
 29-29 electronic documents;

29-30 (2) provide for access to, and for search and
 29-31 retrieval of, documents and information by electronic means; and

29-32 (3) convert into electronic form:
 29-33 (A) paper documents that it accepts for the
 29-34 titling of a motor vehicle; and

29-35 (B) information recorded and documents that were
 29-36 accepted for the titling of a motor vehicle before the titling
 29-37 system was implemented.

29-38 (b) The department shall continue to accept paper documents
 29-39 after the titling system is implemented.

29-40 Sec. 501.176. PAYMENT OF FEES BY ELECTRONIC FUNDS TRANSFER
 29-41 OR CREDIT CARD. (a) The department may accept payment by
 29-42 electronic funds transfer, credit card, or debit card of any title
 29-43 or registration fee that the department is required or authorized
 29-44 to collect under this chapter.

29-45 (b) The department may collect a fee for processing a title
 29-46 or registration payment by electronic funds transfer, credit card,
 29-47 or debit card. The amount of the fee must be reasonably related to
 29-48 the expense incurred by the department in processing the payment by
 29-49 electronic funds transfer, credit card, or debit card and may not be
 29-50 more than five percent of the amount of the fee being paid.

29-51 (c) In addition to the fee authorized by Subsection (b), the
 29-52 department may collect from a person making payment by electronic
 29-53 funds transfer, credit card, or debit card an amount equal to the
 29-54 amount of any transaction fee charged to the department by a vendor
 29-55 providing services in connection with payments made by electronic
 29-56 funds transfer, credit card, or debit card. The limitation
 29-57 prescribed by Subsection (b) on the amount of a fee does not apply
 29-58 to a fee collected under this subsection.

29-59 Sec. 501.177. SERVICE CHARGE. If, for any reason, the
 29-60 payment of a fee under this chapter by electronic funds transfer,
 29-61 credit card, or debit card is not honored by the funding
 29-62 institution, or by the electronic funds transfer, credit card, or
 29-63 debit card company on which the funds are drawn, the department may
 29-64 collect from the person who owes the fee being collected a service
 29-65 charge that is for the collection of that original amount and is in
 29-66 addition to the original fee. The amount of the service charge must
 29-67 be reasonably related to the expense incurred by the department in
 29-68 collecting the original amount.

29-69 Sec. 501.178. DISPOSITION OF FEES. All fees collected

30-1 under this subchapter shall be deposited to the credit of the state
 30-2 highway fund.

30-3 Sec. 501.179. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL
 30-4 AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and
 30-5 supersedes the federal Electronic Signatures in Global and National
 30-6 Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify,
 30-7 limit, or supersede Section 101(c) of that Act (15 U.S.C. Section
 30-8 7001(c)) or authorize electronic delivery of any of the notices
 30-9 described in Section 103(b) of that Act (15 U.S.C. Section
 30-10 7003(b)).

30-11 SECTION 71. Section 502.001, Transportation Code, is
 30-12 amended to read as follows:

30-13 Sec. 502.001. DEFINITIONS. In this chapter:

30-14 (1) "All-terrain vehicle" means a motor vehicle that
 30-15 is:

- 30-16 (A) equipped with a saddle for the use of:
 - 30-17 (i) the rider; and
 - 30-18 (ii) a passenger, if the motor vehicle is
- 30-19 designed by the manufacturer to transport a passenger;
- 30-20 (B) designed to propel itself with three or more
- 30-21 tires in contact with the ground;
- 30-22 (C) designed by the manufacturer for off-highway
- 30-23 use; and
- 30-24 (D) not designed by the manufacturer primarily
- 30-25 for farming or lawn care.

30-26 (2) "Apportioned license plate" means a license plate
 30-27 issued in lieu of a truck license plate or combination license plate
 30-28 to a motor carrier in this state who proportionally registers a
 30-29 vehicle owned or leased by the carrier in one or more other states.

30-30 (3) ~~[(1-a)]~~ "Board" means the board of the Texas
 30-31 Department of Motor Vehicles.

30-32 (4) "Combination license plate" means a license plate
 30-33 issued for a truck or truck-tractor that is used or intended to be
 30-34 used in combination with a semitrailer that has a gross weight of
 30-35 more than 6,000 pounds.

30-36 (5) "Combined gross weight" means the empty weight of
 30-37 the truck-tractor or commercial motor vehicle combined with the
 30-38 empty weight of the heaviest semitrailer used or to be used in
 30-39 combination with the truck-tractor or commercial motor vehicle plus
 30-40 the heaviest net load to be carried on the combination during the
 30-41 registration year.

30-42 (6) ~~[(1-a)]~~ "Commercial fleet" means a group of at
 30-43 least 25 nonapportioned motor vehicles, semitrailers, or trailers
 30-44 owned, operated, or leased by a corporation, limited or general
 30-45 partnership, limited liability company, or other business entity
 30-46 and used for the business purposes of that entity.

30-47 (7) ~~[(2)]~~ "Commercial motor vehicle" means a
 30-48 commercial motor vehicle as defined by Section 644.001~~[, other than~~
 30-49 ~~a motorcycle, designed or used primarily to transport property.~~
 30-50 ~~The term includes a passenger car reconstructed and used primarily~~
 30-51 ~~for delivery purposes. The term does not include a passenger car~~
 30-52 ~~used to deliver the United States mail].~~

- 30-53 (8) "Construction machinery" means a vehicle that:
- 30-54 (A) is used for construction;
 - 30-55 (B) is built from the ground up;
 - 30-56 (C) is not mounted or affixed to another vehicle
 - 30-57 such as a trailer;
 - 30-58 (D) was originally and permanently designed as
 - 30-59 machinery;
 - 30-60 (E) was not in any way originally designed to
 - 30-61 transport persons or property; and
 - 30-62 (F) does not carry a load, including fuel.

30-63 (9) "Credit card" has the meaning assigned by Section
 30-64 501.002.

30-65 (10) "Debit card" has the meaning assigned by Section
 30-66 501.002.

30-67 (11) ~~[(3)]~~ "Department" means the Texas Department of
 30-68 Motor Vehicles.

30-69 (12) "Electric bicycle" has the meaning assigned by

- 31-1 Section 541.201.
 31-2 (13) "Electric personal assistive mobility device"
 31-3 has the meaning assigned by Section 551.201.
 31-4 (14) "Empty weight" means the unladen weight of a
 31-5 truck-tractor or commercial motor vehicle and semitrailer
 31-6 combination fully equipped, as certified by a public weigher or
 31-7 license and weight inspector of the Department of Public Safety.
 31-8 (15) [~~(4)~~] "Farm semitrailer" or "farm trailer" means
 31-9 a vehicle [~~semitrailer~~] designed and used primarily as a farm
 31-10 vehicle.
 31-11 (16) [~~(5)~~] "Farm tractor" has the meaning assigned by
 31-12 Section 541.201 [~~means a motor vehicle designed and used primarily~~
 31-13 ~~as a farm implement for drawing other implements of husbandry].~~
 31-14 (17) "Forestry vehicle" [~~(6)~~ "Farm trailer"] means a
 31-15 vehicle [~~trailer~~] designed and used exclusively for transporting
 31-16 forest products in their natural state, including logs, debarked
 31-17 logs, untreated ties, stave bolts, plywood bolts, pulpwood billets,
 31-18 wood chips, stumps, sawdust, moss, bark, and wood shavings, and
 31-19 property used in production of those products [~~primarily as a farm~~
 31-20 ~~vehicle].~~
 31-21 (18) [~~(7)~~] "Golf cart" means a motor vehicle designed
 31-22 by the manufacturer primarily for use [~~transporting persons]~~ on a
 31-23 golf course.
 31-24 (19) "Gross vehicle weight" has the meaning assigned
 31-25 by Section 541.401.
 31-26 (20) [~~(8)~~] "Implements of husbandry" has the meaning
 31-27 assigned by Section 541.201 [~~means farm implements, machinery, and~~
 31-28 ~~tools as used in tilling the soil, including self-propelled~~
 31-29 ~~machinery specifically designed or adapted for applying plant food~~
 31-30 ~~materials or agricultural chemicals but not specifically designed~~
 31-31 ~~or adapted for the sole purpose of transporting the materials or~~
 31-32 ~~chemicals. The term does not include a passenger car or truck].~~
 31-33 (21) [~~(9)~~] "Light truck" has the meaning assigned by
 31-34 Section 541.201 [~~means a commercial motor vehicle that has a~~
 31-35 ~~manufacturer's rated carrying capacity of one ton or less].~~
 31-36 (22) [~~(10)~~] "Moped" has the meaning assigned by
 31-37 Section 541.201.
 31-38 (23) [~~(11)~~] "Motor bus" includes every vehicle used to
 31-39 transport persons on the public highways for compensation, other
 31-40 than:
 31-41 (A) a vehicle operated by muscular power; or
 31-42 (B) a municipal bus.
 31-43 (24) [~~(12)~~] "Motorcycle" has the meaning assigned by
 31-44 Section 521.001 or 541.201, as applicable [~~means a motor vehicle~~
 31-45 ~~designed to propel itself with not more than three wheels in contact~~
 31-46 ~~with the ground. The term does not include a tractor].~~
 31-47 (25) [~~(13)~~] "Motor vehicle" means a vehicle that is
 31-48 self-propelled.
 31-49 (26) "Motorized mobility device" has the meaning
 31-50 assigned by Section 542.009.
 31-51 (27) [~~(14)~~] "Municipal bus" includes every vehicle,
 31-52 other than a passenger car, used to transport persons for
 31-53 compensation exclusively within the limits of a municipality or a
 31-54 suburban addition to the municipality.
 31-55 (28) "Net carrying capacity" means the heaviest net
 31-56 load that is able to be carried on a vehicle, but not less than the
 31-57 manufacturer's rated carrying capacity.
 31-58 (29) "Oil well servicing, cleanout, or drilling
 31-59 machinery":
 31-60 (A) has the meaning assigned by Section 623.149;
 31-61 or
 31-62 (B) means a mobile crane:
 31-63 (i) that is an unladen, self-propelled
 31-64 vehicle constructed as a machine and used solely to raise, shift, or
 31-65 lower heavy weights by means of a projecting, swinging mast with an
 31-66 engine for power on a chassis permanently constructed or assembled
 31-67 for that purpose; and
 31-68 (ii) for which the owner has secured a
 31-69 permit from the department under Section 623.142.

- 32-1 (30) [~~(15)~~] "Operate temporarily on the highways"
 32-2 means to travel between:
 32-3 (A) different farms;
 32-4 (B) a place of supply or storage and a farm; or
 32-5 (C) an owner's farm and the place at which the
 32-6 owner's farm produce is prepared for market or is marketed.
 32-7 (31) [~~(16)~~] "Owner" means a person who:
 32-8 (A) holds the legal title of a vehicle;
 32-9 (B) has the legal right of possession of a
 32-10 vehicle; or
 32-11 (C) has the legal right of control of a vehicle.
 32-12 (32) [~~(17)~~] "Passenger car" has the meaning assigned
 32-13 by Section 541.201 [means a motor vehicle, other than a motorcycle,
 32-14 golf cart, light truck, or bus, designed or used primarily for the
 32-15 transportation of persons].
 32-16 (33) "Power sweeper" means an implement, with or
 32-17 without motive power, designed for the removal by a broom, vacuum,
 32-18 or regenerative air system of debris, dirt, gravel, litter, or sand
 32-19 from asphaltic concrete or cement concrete surfaces, including
 32-20 surfaces of parking lots, roads, streets, highways, and warehouse
 32-21 floors. The term includes a vehicle on which the implement is
 32-22 permanently mounted if the vehicle is used only as a power sweeper.
 32-23 (34) "Private bus" means a bus that:
 32-24 (A) is not operated for hire; and
 32-25 (B) is not a municipal bus or a motor bus.
 32-26 (35) [~~(18)~~] "Public highway" includes a road, street,
 32-27 way, thoroughfare, or bridge:
 32-28 (A) that is in this state;
 32-29 (B) that is for the use of vehicles;
 32-30 (C) that is not privately owned or controlled;
 32-31 and
 32-32 (D) over which the state has legislative
 32-33 jurisdiction under its police power.
 32-34 (36) [~~(19)~~] "Public property" means property owned or
 32-35 leased by this state or a political subdivision of this state.
 32-36 (37) [~~(19-a)~~] "Recreational off-highway vehicle"
 32-37 means a motor vehicle that is:
 32-38 (A) equipped with a non-straddle seat for the use
 32-39 of:
 32-40 (i) the rider; and
 32-41 (ii) a passenger, if the vehicle is
 32-42 designed by the manufacturer to transport a passenger;
 32-43 (B) designed to propel itself with four or more
 32-44 tires in contact with the ground;
 32-45 (C) designed by the manufacturer for off-highway
 32-46 use by the operator only; and
 32-47 (D) not designed by the manufacturer primarily
 32-48 for farming or lawn care.
 32-49 (38) [~~(20)~~] "Road tractor" means a vehicle designed
 32-50 for the purpose of mowing the right-of-way of a public highway or a
 32-51 motor vehicle designed or used for drawing another vehicle or a load
 32-52 and not constructed to carry:
 32-53 (A) an independent load; or
 32-54 (B) a part of the weight of the vehicle and load
 32-55 to be drawn.
 32-56 (39) [~~(21)~~] "Semitrailer" means a vehicle designed or
 32-57 used with a motor vehicle so that part of the weight of the vehicle
 32-58 and its load rests on or is carried by another vehicle.
 32-59 (40) "Token trailer" means a semitrailer that:
 32-60 (A) has a gross weight of more than 6,000 pounds;
 32-61 and
 32-62 (B) is operated in combination with a truck or a
 32-63 truck-tractor that has been issued:
 32-64 (i) an apportioned license plate;
 32-65 (ii) a combination license plate; or
 32-66 (iii) a forestry vehicle license plate.
 32-67 (41) "Tow truck" means a motor vehicle adapted or used
 32-68 to tow, winch, or otherwise move another motor vehicle.
 32-69 (42) [~~(22)~~] "Trailer" means a vehicle that:

33-1 (A) is designed or used to carry a load wholly on
 33-2 its own structure; and
 33-3 (B) is drawn or designed to be drawn by a motor
 33-4 vehicle.

33-5 (43) "Travel trailer" has the meaning assigned by
 33-6 Section 501.002.

33-7 (44) ~~[(23)]~~ "Truck-tractor" means a motor vehicle:
 33-8 (A) designed and used primarily for drawing
 33-9 another vehicle; and

33-10 (B) not constructed to carry a load other than a
 33-11 part of the weight of the vehicle and load to be drawn.

33-12 (45) ~~[(24)]~~ "Vehicle" means a device in or by which a
 33-13 person or property is or may be transported or drawn on a public
 33-14 highway, other than a device used exclusively on stationary rails
 33-15 or tracks.

33-16 SECTION 72. Section 502.0021, Transportation Code, is
 33-17 amended to read as follows:

33-18 Sec. 502.0021. RULES AND FORMS. (a) The department may
 33-19 adopt rules to administer this chapter.

33-20 (b) The department shall post forms on the Internet and~~[+~~
 33-21 ~~[(1) prescribe forms determined by the department to~~
 33-22 ~~be necessary for the administration of this chapter; and~~

33-23 ~~[(2)]~~ provide each county assessor-collector with a
 33-24 sufficient [an adequate] supply of any [each form] necessary forms
 33-25 on request [for the performance of a duty under this chapter by the
 33-26 assessor-collector].

33-27 SECTION 73. Section 502.052, Transportation Code, is
 33-28 transferred to Subchapter A, Chapter 502, Transportation Code,
 33-29 redesignated as Section 502.00211, Transportation Code, and
 33-30 amended to read as follows:

33-31 Sec. 502.00211 ~~[502.052]~~. DESIGN OF ~~[LICENSE PLATES AND]~~
 33-32 ~~REGISTRATION INSIGNIA[; REFLECTORIZED MATERIAL]~~. ~~[(a)]~~ The
 33-33 department shall prepare the designs and specifications ~~[of license~~
 33-34 ~~plates and devices selected by the board]~~ to be used as the
 33-35 registration insignia.

33-36 ~~[(b) The department shall design each license plate to~~
 33-37 ~~include a design at least one-half inch wide that represents in~~
 33-38 ~~silhouette the shape of Texas and that appears between letters and~~
 33-39 ~~numerals. The department may omit the silhouette of Texas from~~
 33-40 ~~specialty designed license plates.~~

33-41 ~~[(c) To promote highway safety, each license plate shall be~~
 33-42 ~~made with a reflectORIZED material that provides effective and~~
 33-43 ~~dependable brightness for the period for which the plate is~~
 33-44 ~~issued. The purchase of reflectORIZED material shall be submitted~~
 33-45 ~~to the comptroller for approval.]~~

33-46 SECTION 74. The heading to Section 502.0023, Transportation
 33-47 Code, is amended to read as follows:

33-48 Sec. 502.0023. EXTENDED REGISTRATION OF COMMERCIAL FLEET
 33-49 ~~[MOTOR]~~ VEHICLES.

33-50 SECTION 75. Section 502.0023, Transportation Code, is
 33-51 amended by amending Subsections (a) and (c) and adding Subsection
 33-52 (i) to read as follows:

33-53 (a) Notwithstanding Section 502.044(c) [502.158(c)], the
 33-54 department shall develop and implement a system of registration to
 33-55 allow an owner of a commercial fleet to register the motor vehicles,
 33-56 semitrailers, and trailers in the commercial fleet for an extended
 33-57 registration period of not less than one year or more than eight
 33-58 years. The owner may select the number of years for registration
 33-59 under this section within that range and register the commercial
 33-60 fleet for that period. Payment for all registration fees for the
 33-61 entire registration period selected is due at the time of
 33-62 registration.

33-63 (c) In addition to the registration fees prescribed by this
 33-64 chapter [Subchapter D], an owner registering a commercial fleet
 33-65 under this section shall pay:

33-66 (1) an annual commercial fleet registration fee of \$10
 33-67 per motor vehicle, semitrailer, or trailer in the fleet; and

33-68 (2) except as provided by Subsection (e), a one-time
 33-69 license plate manufacturing fee of \$1.50 for each fleet motor

34-1 vehicle, semitrailer, or trailer license plate.

34-2 (i) The department may provide for credits for fleet

34-3 registration.

34-4 SECTION 76. Section 502.185, Transportation Code, is
34-5 transferred to Subchapter A, Chapter 502, Transportation Code,
34-6 redesignated as Section 502.010, Transportation Code, and amended
34-7 to read as follows:

34-8 Sec. 502.010 [~~502.185~~]. COUNTY SCOFFLAW [~~REFUSAL TO~~
34-9 ~~REGISTER VEHICLE IN CERTAIN COUNTIES~~].

34-10 (a) A county assessor-collector or the department may refuse to register a motor
34-11 vehicle if the assessor-collector or the department receives
34-12 information that the owner of the vehicle owes the county money for
34-13 a fine, fee, or tax that is past due.

34-14 (b) A county may contract with the department to provide
34-15 information to the department necessary to make a determination
34-16 under Subsection (a).

34-17 (c) A county that has a contract under Subsection (b) shall
34-18 notify the department regarding a person for whom the county
34-19 assessor-collector or the department has refused to register a
34-20 motor vehicle on:

34-21 (1) the person's payment or other means of discharge of
34-22 the past due fine, fee, or tax; or

34-23 (2) perfection of an appeal of the case contesting
34-24 payment of the fine, fee, or tax.

34-25 (d) After notice is received under Subsection (c), the
34-26 county assessor-collector or the department may not refuse to
34-27 register the motor vehicle under Subsection (a).

34-28 (e) A contract under Subsection (b) must be entered into in
34-29 accordance with Chapter 791, Government Code, and is subject to the
34-30 ability of the parties to provide or pay for the services required
34-31 under the contract.

34-32 (f) A county that has a contract under Subsection (b) may
34-33 impose an additional fee to a person paying a fine, fee, or tax to
34-34 the county after it is past due. The additional fee may be used only
34-35 to reimburse the department or the county for its expenses for
34-36 providing services under the contract.

34-37 (g) In this section:

34-38 (1) a fine, fee, or tax is considered past due if it is
34-39 unpaid 90 or more days after the date it is due; and

34-40 (2) registration of a motor vehicle includes renewal
34-41 of the registration of the vehicle.

34-42 (h) This section does not apply to the registration of a
34-43 motor vehicle under Section 501.0234, unless the vehicle is titled
34-44 and registered in the name of a person who holds a general
34-45 distinguishing number.

34-46 SECTION 77. The heading to Subchapter B, Chapter 502,
34-47 Transportation Code, is amended to read as follows:

34-48 SUBCHAPTER B. REGISTRATION REQUIREMENTS [~~STATE ADMINISTRATION~~]

34-49 SECTION 78. Section 502.002, Transportation Code, is
34-50 transferred to Subchapter B, Chapter 502, Transportation Code,
34-51 redesignated as Section 502.040, Transportation Code, and amended
34-52 to read as follows:

34-53 Sec. 502.040 [~~502.002~~]. REGISTRATION REQUIRED; GENERAL
34-54 RULE. (a) Not more than 30 days after purchasing a vehicle or
34-55 becoming a resident of this state, the [~~The~~] owner of a motor
34-56 vehicle, trailer, or semitrailer shall apply for the registration
34-57 of the vehicle for:

34-58 (1) each registration year in which the vehicle is
34-59 used or to be used on a public highway; and

34-60 (2) if the vehicle is unregistered for a registration
34-61 year that has begun and that applies to the vehicle and if the
34-62 vehicle is used or to be used on a public highway, the remaining
34-63 portion of that registration year.

34-64 (b) The application must be accompanied by personal
34-65 identification as determined by department rule and made in a
34-66 manner prescribed by [~~to~~] the department:

34-67 (1) through the county assessor-collector of the
34-68 county in which the owner resides; or

34-69 (2) if the county in which the owner resides has been

35-1 declared by the governor as a disaster area, through the county
 35-2 assessor-collector of a county that is one of the closest
 35-3 unaffected counties to a county that asks for assistance and:

35-4 (A) continues to be declared by the governor as a
 35-5 disaster area because the county has been rendered inoperable by
 35-6 the disaster; and

35-7 (B) is inoperable for a protracted period of
 35-8 time.

35-9 (c) A provision of this chapter that conflicts with this
 35-10 section prevails over this section to the extent of the conflict.

35-11 (d) A county assessor-collector, a deputy county
 35-12 assessor-collector, or a person acting on behalf of a county
 35-13 assessor-collector is not liable to any person for:

35-14 (1) refusing to register a motor vehicle because of
 35-15 the person's failure to submit evidence of residency that complies
 35-16 with the department's rules; or

35-17 (2) registering a motor vehicle under this section.

35-18 SECTION 79. Section 502.157, Transportation Code, is
 35-19 transferred to Subchapter B, Chapter 502, Transportation Code,
 35-20 redesignated as Section 502.041, Transportation Code, and amended
 35-21 to read as follows:

35-22 Sec. 502.041 [~~502.157~~]. INITIAL REGISTRATION.

35-23 (a) Notwithstanding Section 502.040 [~~502.002~~], [~~when a motor~~
 35-24 ~~vehicle must be registered before an application for a certificate~~
 35-25 ~~of title will be accepted,~~] the owner of a [~~the~~] vehicle may
 35-26 concurrently apply for a [~~certificate of~~] title and for
 35-27 registration through the county assessor-collector of the county in
 35-28 which:

35-29 (1) the owner resides; or

35-30 (2) the vehicle is purchased or encumbered.

35-31 (b) The first time an owner applies for registration of a
 35-32 vehicle, the owner may demonstrate compliance with Section
 35-33 502.046(a) [~~502.153(a)~~] as to the vehicle by showing proof of
 35-34 financial responsibility in any manner specified in Section
 35-35 502.046(c) [~~502.153(c)~~] as to:

35-36 (1) any vehicle of the owner; or

35-37 (2) any vehicle used as part of the consideration for
 35-38 the purchase of the vehicle the owner applies to register.

35-39 SECTION 80. Section 502.152, Transportation Code, is
 35-40 transferred to Subchapter B, Chapter 502, Transportation Code,
 35-41 redesignated as Section 502.042, Transportation Code, and amended
 35-42 to read as follows:

35-43 Sec. 502.042 [~~502.152~~]. [~~CERTIFICATE OF~~] TITLE REQUIRED
 35-44 FOR REGISTRATION. [~~(a)~~] The department may not register or renew
 35-45 the registration of a motor vehicle for which a [~~certificate of~~]
 35-46 title is required under Chapter 501 unless the owner:

35-47 (1) obtains a [~~certificate of~~] title for the vehicle;
 35-48 or

35-49 (2) presents satisfactory evidence that a
 35-50 [~~certificate of~~] title was previously issued to the owner by the
 35-51 department or another jurisdiction.

35-52 [~~(b) This section does not apply to an automobile that was~~
 35-53 ~~purchased new before January 1, 1936.~~]

35-54 SECTION 81. Section 502.151, Transportation Code, is
 35-55 transferred to Subchapter B, Chapter 502, Transportation Code,
 35-56 redesignated as Section 502.043, Transportation Code, and amended
 35-57 to read as follows:

35-58 Sec. 502.043 [~~502.151~~]. APPLICATION FOR REGISTRATION.

35-59 (a) An application for vehicle registration must:

35-60 (1) be made in a manner prescribed and include the
 35-61 information required [on a form furnished] by the department by
 35-62 rule; and

35-63 (2) contain a [~~the~~] full description [name and address
 35-64 of the owner] of the vehicle as required by department rule [,
 35-65 [~~(3) contain a brief description of the vehicle,~~

35-66 [~~(4) contain any other information required by the~~
 35-67 department; and

35-68 [~~(5) be signed by the owner~~].

35-69 (b) The department shall deny the [For a new motor vehicle,

36-1 ~~the description of the vehicle must include the vehicle's:~~
 36-2 ~~[(1) trade name,~~
 36-3 ~~(2) year model,~~
 36-4 ~~(3) style and type of body,~~
 36-5 ~~(4) weight, if the vehicle is a passenger car,~~
 36-6 ~~(5) net carrying capacity and gross weight, if the~~
 36-7 ~~vehicle is a commercial motor vehicle,~~
 36-8 ~~(6) vehicle identification number, and~~
 36-9 ~~(7) date of sale by the manufacturer or dealer to the~~
 36-10 ~~applicant.~~

36-11 ~~[(c) An applicant for]~~ registration of a commercial motor
 36-12 vehicle, truck-tractor, trailer, or semitrailer if the applicant:

36-13 (1) has a business operated, managed, or otherwise
 36-14 controlled or affiliated with a person who is ineligible for
 36-15 registration or whose privilege to operate has been suspended,
 36-16 including the applicant entity, a relative, family member,
 36-17 corporate officer, or shareholder;

36-18 (2) has a vehicle that has been prohibited from
 36-19 operating by the Federal Motor Carrier Safety Administration for
 36-20 safety-related reasons;

36-21 (3) is a carrier whose business is operated, managed,
 36-22 or otherwise controlled or affiliated with a person who is
 36-23 ineligible for registration, including the owner, a relative, a
 36-24 family member, a corporate officer, or a shareholder; or

36-25 (4) fails to [must] deliver to the county
 36-26 assessor-collector proof of [an affidavit showing] the weight of
 36-27 the vehicle, the maximum load to be carried on the vehicle, and the
 36-28 gross weight for which the vehicle is to be registered. [The
 36-29 assessor-collector shall keep the affidavit on file.]

36-30 (c) [(d)] In lieu of filing an application during a year as
 36-31 provided by Subsection (a), the owner of a vehicle registered in any
 36-32 state for that year or the preceding year may present the
 36-33 registration receipt and transfer receipt, if any. The county
 36-34 assessor-collector shall accept the receipt as an application for
 36-35 renewal of the registration if the receipt indicates the applicant
 36-36 owns the vehicle. This section allows issuance for registration
 36-37 purposes only but does not authorize the department to issue a
 36-38 title.

36-39 (d) The department may require an applicant for
 36-40 registration to provide current personal identification as
 36-41 determined by department rule. Any identification number required
 36-42 by the department under this subsection may be entered into the
 36-43 department's electronic titling system but may not be printed on
 36-44 the title.

36-45 ~~[(e) If an owner or claimed owner has lost or misplaced the~~
 36-46 ~~registration receipt or transfer receipt for the vehicle, the~~
 36-47 ~~county assessor-collector shall register the vehicle on the~~
 36-48 ~~person's furnishing to the assessor-collector satisfactory~~
 36-49 ~~evidence, by affidavit or otherwise, that the person owns the~~
 36-50 ~~vehicle.~~

36-51 ~~[(f) A county assessor-collector shall date each~~
 36-52 ~~registration receipt issued for a vehicle with the date on which the~~
 36-53 ~~application for registration is made].~~

36-54 SECTION 82. Section 502.158, Transportation Code, is
 36-55 transferred to Subchapter B, Chapter 502, Transportation Code,
 36-56 redesignated as Section 502.044, Transportation Code, and amended
 36-57 to read as follows:

36-58 Sec. 502.044 [~~502.158~~]. REGISTRATION PERIOD [YEAR].

36-59 (a) The department shall designate a vehicle registration year of
 36-60 12 consecutive months to begin on the first day of a calendar month
 36-61 and end on the last day of the 12th calendar month.

36-62 (b) The department shall designate vehicle registration
 36-63 years so as to distribute the work of the department and the county
 36-64 assessor-collectors as uniformly as possible throughout the year.
 36-65 The department may establish separate registration years for any
 36-66 vehicle or classification of vehicle and may adopt rules to
 36-67 administer the year-round registration system.

36-68 (c) The department may designate a registration period of
 36-69 less than 12 months to be [~~The registration fee for a registration~~

37-1 ~~period of less than 12 months is]~~ computed at a rate of one-twelfth
 37-2 the annual registration fee multiplied by the number of months in
 37-3 the registration period. The board by rule may allow payment of
 37-4 ~~[department may not designate a registration period of more than 12~~
 37-5 ~~months, but:~~

37-6 ~~[(1) with the consent of the department, an owner may~~
 37-7 ~~pay] registration fees for a designated period not to exceed the~~
 37-8 ~~amount of time determined by department rule [of more than 12~~
 37-9 ~~months, and~~

37-10 ~~[(2) an owner of a vehicle may pay registration fees~~
 37-11 ~~for a designated period of 12, 24, or 36 months.~~

37-12 ~~[(d) An application for registration shall be made during~~
 37-13 ~~the two months preceding the date on which the registration~~
 37-14 ~~expires.~~

37-15 ~~[(e) The fee to be paid for renewing a registration is the~~
 37-16 ~~fee that will be in effect on the first day of the vehicle~~
 37-17 ~~registration year].~~

37-18 ~~(d) [(g)] The department shall issue [the applicant for~~
 37-19 ~~registration who pays registration fees for a designated period of~~
 37-20 ~~24 or 36 months] a registration receipt and registration insignia~~
 37-21 ~~that are valid until the expiration of the designated period.~~

37-22 SECTION 83. Section 502.176, Transportation Code, is
 37-23 transferred to Subchapter B, Chapter 502, Transportation Code,
 37-24 redesignated as Section 502.045, Transportation Code, and amended
 37-25 to read as follows:

37-26 Sec. 502.045 ~~[502.176]~~. DELINQUENT REGISTRATION. (a) A
 37-27 registration fee ~~[prescribed by this chapter]~~ for a vehicle becomes
 37-28 delinquent immediately if the vehicle is used on a public highway
 37-29 without the fee having been paid in accordance with this chapter.

37-30 (b) ~~An [A county assessor-collector that determines that~~
 37-31 ~~an] applicant for registration who provides [for which payment of~~
 37-32 ~~the registration fee is delinquent has provided] evidence~~
 37-33 ~~[acceptable to the assessor-collector sufficient] to establish~~
 37-34 ~~good reason for delinquent registration and who [that the~~
 37-35 ~~application] complies with the other requirements for registration~~
 37-36 ~~under this chapter may [shall] register the vehicle for a 12-month~~
 37-37 ~~period that ends on the last day of the 11th month after the month in~~
 37-38 ~~which the registration occurs under this subsection. [The~~
 37-39 ~~registration period for vehicles registered in accordance with~~
 37-40 ~~Sections 502.164, 502.167, 502.203, 502.255, 502.267, 502.277,~~
 37-41 ~~502.278, 502.293, as added by Chapter 1222, Acts of the 75th~~
 37-42 ~~Legislature, Regular Session, 1997, and 502.295, as added by~~
 37-43 ~~Chapter 625, Acts of the 75th Legislature, Regular Session, 1997,~~
 37-44 ~~will end on the annual registration date, and the registration fees~~
 37-45 ~~will be prorated.]~~

37-46 (c) ~~An [A county assessor-collector that determines that~~
 37-47 ~~an] applicant for registration who [that] is delinquent and has not~~
 37-48 ~~provided evidence acceptable [to the assessor-collector~~
 37-49 ~~sufficient] to establish good reason for delinquent registration~~
 37-50 ~~but who [that the application] complies with the other requirements~~
 37-51 ~~for registration under this chapter shall register the vehicle for~~
 37-52 ~~a 12-month period without changing the initial month of~~
 37-53 ~~registration.~~

37-54 (d) A person who has been arrested or received a citation
 37-55 for a violation of Section 502.472 ~~[502.402]~~ may register the
 37-56 vehicle being operated at the time of the offense ~~[with the county~~
 37-57 ~~assessor-collector] for a 12-month period without change to the~~
 37-58 ~~initial month of registration only if the person:~~

37-59 (1) meets the other requirements for registration
 37-60 under this chapter; and

37-61 (2) pays an additional charge equal to 20 percent of
 37-62 the prescribed fee.

37-63 (e) The board by rule ~~[county assessor-collector]~~ shall
 37-64 adopt a list of evidentiary items sufficient to establish good
 37-65 reason for delinquent registration under Subsection (b) and provide
 37-66 for the ~~[forms of]~~ evidence that may be used to establish good
 37-67 reason under that subsection. ~~[The list of evidentiary items~~
 37-68 ~~adopted under this section must allow for delinquent registration~~
 37-69 ~~under Subsection (b) because of:]~~

38-1 ~~[(1) extensive repairs on the vehicle;~~
 38-2 ~~[(2) the absence of the owner of the vehicle from this~~
 38-3 ~~country;~~
 38-4 ~~[(3) seasonal use of the vehicle; or~~
 38-5 ~~[(4) any other reason determined by the~~
 38-6 ~~assessor-collector to be a valid explanation for the delinquent~~
 38-7 ~~registration.]~~

38-8 (f) The board ~~[department]~~ by rule shall adopt procedures to
 38-9 implement this section in connection with the delinquent
 38-10 registration of a vehicle registered directly with the department
 38-11 or through other means.

38-12 SECTION 84. Section 502.153, Transportation Code, is
 38-13 transferred to Subchapter B, Chapter 502, Transportation Code,
 38-14 redesignated as Section 502.046, Transportation Code, and amended
 38-15 to read as follows:

38-16 Sec. 502.046 ~~[502.153]~~. EVIDENCE OF FINANCIAL
 38-17 RESPONSIBILITY. (a) Evidence ~~[Except as provided by Subsection~~
 38-18 ~~(j), the owner of a motor vehicle, other than a trailer or~~
 38-19 ~~semitrailer, for which evidence]~~ of financial responsibility as
 38-20 ~~[is]~~ required by Section 601.051 other than for a trailer or
 38-21 semitrailer ~~[or a person who represents the owner for purposes of~~
 38-22 ~~registering a motor vehicle]~~ shall be submitted ~~[submit evidence of~~
 38-23 ~~financial responsibility]~~ with the application for registration
 38-24 under Section 502.043 ~~[502.151]~~. A county assessor-collector may
 38-25 not register the motor vehicle unless the owner or the owner's
 38-26 representative submits the evidence of financial responsibility.

38-27 (b) The county assessor-collector shall examine the
 38-28 evidence of financial responsibility to determine whether it
 38-29 complies with Subsection (c). After examination, ~~[examining]~~
 38-30 ~~[, the assessor-collector]~~ shall be returned ~~[return the~~
 38-31 ~~evidence]~~ unless it is in the form of a photocopy or an electronic
 38-32 submission.

38-33 (c) In this section, evidence of financial responsibility
 38-34 may be:

38-35 (1) a document listed under Section 601.053(a) or
 38-36 verified in compliance with Section 601.452;

38-37 (2) a liability self-insurance or pool coverage
 38-38 document issued by a political subdivision or governmental pool
 38-39 under the authority of Chapter 791, Government Code, Chapter 119,
 38-40 Local Government Code, or other applicable law in at least the
 38-41 minimum amounts required by Chapter 601;

38-42 (3) a photocopy of a document described by Subdivision
 38-43 (1) or (2); or

38-44 (4) an electronic submission of a document or the
 38-45 information contained in a document described by Subdivision (1) or
 38-46 (2).

38-47 (d) A personal automobile policy used as evidence of
 38-48 financial responsibility under this section must comply with
 38-49 Section 1952.052 et seq. and Sections 2301.051 through 2301.055
 38-50 ~~[Article 5.06 or 5.145]~~, Insurance Code.

38-51 (e) At the time of registration, the county
 38-52 assessor-collector shall provide to a person registering a motor
 38-53 vehicle a ~~[separate]~~ statement that the motor vehicle ~~[being~~
 38-54 ~~registered]~~ may not be operated in this state unless:

38-55 (1) liability insurance coverage for the motor vehicle
 38-56 in at least the minimum amounts required by law remains in effect to
 38-57 insure against potential losses; or

38-58 (2) the motor vehicle is exempt from the insurance
 38-59 requirement because the person has established financial
 38-60 responsibility in a manner described by Sections ~~[Section]~~
 38-61 601.051(2)-(5) or is exempt under Section 601.052.

38-62 (f) A county assessor-collector is not liable to any person
 38-63 for refusing to register a motor vehicle to which this section
 38-64 applies because of the person's failure to submit evidence of
 38-65 financial responsibility that complies with Subsection (c).

38-66 (g) A county, a county assessor-collector, a deputy county
 38-67 assessor-collector, a person acting for or on behalf of a county or
 38-68 a county assessor-collector, or a person acting on behalf of an
 38-69 owner for purposes of registering a motor vehicle is not liable to

39-1 any person for registering a motor vehicle under this section.
 39-2 (h) This section does not prevent a person from registering
 39-3 a motor vehicle by mail or through an electronic submission.
 39-4 (i) To be valid under this section, an electronic submission
 39-5 must be in a format that is:
 39-6 (1) submitted by electronic means, including a
 39-7 telephone, facsimile machine, or computer;
 39-8 (2) approved by the department; and
 39-9 (3) authorized by the commissioners court for use in
 39-10 the county.
 39-11 (j) This section does not apply to a vehicle registered
 39-12 pursuant to Section 501.0234.
 39-13 SECTION 85. Section 502.009, Transportation Code, is
 39-14 transferred to Subchapter B, Chapter 502, Transportation Code,
 39-15 redesignated as Section 502.047, Transportation Code, and amended
 39-16 to read as follows:
 39-17 Sec. 502.047 [~~502.009~~]. MOTOR VEHICLE EMISSIONS INSPECTION
 39-18 AND MAINTENANCE REQUIREMENTS. (a) The Department of Public Safety
 39-19 shall ensure compliance with the motor vehicle emissions inspection
 39-20 and maintenance program through a vehicle inspection sticker-based
 39-21 enforcement system except as provided by this section or Section
 39-22 548.3011. Subsections (b)-(e) apply only if the United States
 39-23 Environmental Protection Agency determines that the state has not
 39-24 demonstrated, as required by 40 C.F.R. Section 51.361, that
 39-25 sticker-based enforcement of the program is more effective than
 39-26 registration-based enforcement and gives the Texas [~~Natural~~
 39-27 ~~Resource Conservation~~] Commission on Environmental Quality or the
 39-28 governor written notification that the reregistration-based
 39-29 enforcement of the program, as described by those subsections, will
 39-30 be required. If Subsections (b)-(e) are made applicable as
 39-31 provided by this subsection, the department shall terminate
 39-32 reregistration-based enforcement of the program under those
 39-33 subsections on the date the United States Environmental Protection
 39-34 Agency gives the Texas [~~Natural Resource Conservation~~] Commission
 39-35 on Environmental Quality or a person the commission designates
 39-36 written notification that reregistration-based enforcement is not
 39-37 required for the state implementation plan.
 39-38 (b) A [~~The department may not register a~~] motor vehicle may
 39-39 not be registered if the department receives from the Texas
 39-40 [~~Natural Resource Conservation~~] Commission on Environmental
 39-41 Quality or the Department of Public Safety notification that the
 39-42 registered owner of the vehicle has not complied with Subchapter F,
 39-43 Chapter 548.
 39-44 (c) A motor vehicle [~~The county tax assessor-collector~~] may
 39-45 not be registered if the [~~register a~~] vehicle was denied
 39-46 registration under Subsection (b) unless [~~the tax~~
 39-47 ~~assessor-collector has~~] verification is received that the
 39-48 registered vehicle owner is in compliance with Subchapter F,
 39-49 Chapter 548.
 39-50 (d) The department, the Texas [~~Natural Resource~~
 39-51 ~~Conservation~~] Commission on Environmental Quality, and the
 39-52 Department of Public Safety shall enter an agreement regarding the
 39-53 responsibilities for costs associated with implementing this
 39-54 section.
 39-55 (e) A county tax assessor-collector is not liable to any
 39-56 person for refusing to register a motor vehicle because of the
 39-57 person's failure to provide verification of the person's compliance
 39-58 with Subchapter F, Chapter 548.
 39-59 SECTION 86. Section 502.005, Transportation Code, is
 39-60 transferred to Subchapter B, Chapter 502, Transportation Code,
 39-61 redesignated as Section 502.048, Transportation Code, and amended
 39-62 to read as follows:
 39-63 Sec. 502.048 [~~502.005~~]. REFUSAL TO REGISTER UNSAFE
 39-64 VEHICLE. [~~(a)~~] The department may refuse to register a motor
 39-65 vehicle and may cancel, suspend, or revoke a registration if the
 39-66 department determines that a motor vehicle is unsafe, improperly
 39-67 equipped, or otherwise unfit to be operated on a public highway.
 39-68 [~~(b) The department may refuse to register a motorcycle and~~
 39-69 ~~may suspend or revoke the registration of a motorcycle if the~~

40-1 ~~department determines that the motorcycle's braking system does not~~
40-2 ~~comply with Section 547.408.]~~

40-3 SECTION 87. Subsection (b), Section 502.055,
40-4 Transportation Code, is amended to read as follows:

40-5 (b) The department may require an applicant for
40-6 registration under this chapter to provide the department with
40-7 evidence of:

40-8 (1) the manufacturer's rated carrying capacity for the
40-9 vehicle; or

40-10 (2) [~~the nominal tonnage rating of the vehicle,~~
40-11 [~~3~~] the gross vehicle weight rating [~~of the vehicle,~~

40-12 ~~or~~
40-13 [~~4~~] ~~any combination of information described in~~
40-14 ~~Subdivisions (1)-(3)].~~

40-15 SECTION 88. Section 502.178, Transportation Code, is
40-16 transferred to Subchapter B, Chapter 502, Transportation Code,
40-17 redesignated as Section 502.057, Transportation Code, and amended
40-18 to read as follows:

40-19 Sec. 502.057 [~~502.178~~]. REGISTRATION RECEIPT. [~~a~~] The
40-20 department shall issue or require to be issued to the owner of a
40-21 vehicle registered under this chapter a registration receipt
40-22 showing the information required by rule [~~+~~

40-23 [~~1~~] ~~the date of issuance,~~

40-24 [~~2~~] ~~the license number assigned to the vehicle,~~

40-25 [~~3~~] ~~the name and address of the owner, and~~

40-26 [~~4~~] ~~other information as determined by the~~
40-27 ~~department.~~

40-28 [~~b~~] ~~The registration receipt issued for a commercial motor~~
40-29 ~~vehicle, truck tractor, trailer, or semitrailer must show the gross~~
40-30 ~~weight for which the vehicle is registered].~~

40-31 SECTION 89. Section 502.179, Transportation Code, is
40-32 transferred to Subchapter B, Chapter 502, Transportation Code,
40-33 redesignated as Section 502.058, Transportation Code, and amended
40-34 to read as follows:

40-35 Sec. 502.058 [~~502.179~~]. DUPLICATE REGISTRATION RECEIPT.
40-36 (a) The owner of a vehicle for which the registration receipt has
40-37 been lost or destroyed may obtain a duplicate receipt from the
40-38 department or the county assessor-collector who issued the original
40-39 receipt by paying a fee of \$2.

40-40 (b) The office issuing a duplicate receipt shall retain the
40-41 fee received [~~as a fee of office~~].

40-42 SECTION 90. Section 502.180, Transportation Code, is
40-43 transferred to Subchapter B, Chapter 502, Transportation Code,
40-44 redesignated as Section 502.059, Transportation Code, and amended
40-45 to read as follows:

40-46 Sec. 502.059 [~~502.180~~]. ISSUANCE OF [~~LICENSE PLATE OR~~]
40-47 ~~REGISTRATION INSIGNIA.~~ (a) On payment of the prescribed fee [~~,~~
40-48 ~~the department shall issue to]~~ an applicant for motor vehicle
40-49 registration shall be issued a [~~license plate or set of plates or a~~
40-50 ~~device that, when attached to the vehicle as prescribed by the~~
40-51 ~~department, is the]~~ registration insignia [~~for the period for which~~
40-52 ~~it was issued].~~

40-53 (b) [~~Subject to Subchapter I, the department shall issue~~
40-54 ~~only one license plate or set of plates for a vehicle during a~~
40-55 ~~five-year period.~~

40-56 [~~c~~] On application and payment of the prescribed fee for a
40-57 renewal of the registration of a vehicle through the period set by
40-58 rule [~~for the first, second, third, or fourth registration year~~
40-59 ~~after the issuance of a license plate or set of plates for the~~
40-60 ~~vehicle], the department shall issue a registration insignia for~~
40-61 the validation of the license plate or plates to be attached as
40-62 provided by Subsection (c) [~~d~~].

40-63 (c) [~~d~~] Except as provided by Subsection (f) [~~h~~], the
40-64 registration insignia for validation of a license plate shall be
40-65 attached to the inside of the vehicle's windshield, if the vehicle
40-66 has a windshield, within six inches of the place where the motor
40-67 vehicle inspection sticker is required to be placed. If the vehicle
40-68 does not have a windshield, the owner, when applying for
40-69 registration or renewal of registration, shall notify the

41-1 department, and the department shall issue a distinctive device for
 41-2 attachment to the rear license plate of the vehicle.

41-3 ~~(d) Department [(e) The department shall adopt rules for~~
 41-4 ~~the issuance and use of license plates and registration insignia~~
 41-5 ~~issued under this chapter. The] rules may provide for the use of an~~
 41-6 automated registration process, including:

41-7 (1) the automated on-site production of registration
 41-8 insignia; and

41-9 (2) automated on-premises and off-premises
 41-10 self-service registration.

41-11 (e) Subsection (c) does ~~[(f) Subsections (b)-(d) do]~~ not
 41-12 apply to:

41-13 (1) the issuance of specialized license plates as
 41-14 designated by the department, including state official license
 41-15 plates, exempt plates for governmental entities, and temporary
 41-16 registration plates; or

41-17 (2) the issuance or validation of replacement license
 41-18 plates, except as provided by Chapter 504 [Section 502.184].

41-19 ~~(f) [(g) The department shall provide a separate and~~
 41-20 ~~distinctive tab to be affixed to the license plate of an automobile,~~
 41-21 ~~pickup, or recreational vehicle that is offered for rent, as a~~
 41-22 ~~business, to any part of the public.~~

41-23 ~~[(h)]~~ The registration insignia ~~[for validation of a~~
 41-24 ~~license plate]~~ shall be attached to the rear license plate of the
 41-25 vehicle, if the vehicle is:

41-26 (1) a motorcycle;

41-27 (2) machinery used exclusively to drill water wells or
 41-28 construction machinery for which a distinguishing license plate has
 41-29 been issued under Section 502.146 [504.504]; or

41-30 (3) oil well servicing, oil clean out, or oil well
 41-31 drilling machinery or equipment for which a distinguishing license
 41-32 plate has been issued under Subchapter G, Chapter 623.

41-33 SECTION 91. Section 502.184, Transportation Code, as
 41-34 effective September 1, 2011, is transferred to Subchapter B,
 41-35 Chapter 502, Transportation Code, redesignated as Section 502.060,
 41-36 Transportation Code, and amended to read as follows:

41-37 Sec. 502.060 [502.184]. REPLACEMENT OF REGISTRATION
 41-38 INSIGNIA. (a) The owner of a registered motor vehicle may obtain a
 41-39 replacement registration insignia by:

41-40 (1) certifying that the replacement registration
 41-41 insignia will not be used on any other vehicle owned or operated by
 41-42 the person making the statement;

41-43 (2) paying a fee of \$6 plus the fees required by
 41-44 Section 502.356(a) [502.1705(a)] for each replacement registration
 41-45 insignia, except as provided by other law; and

41-46 (3) returning each replaced registration insignia in
 41-47 the owner's possession.

41-48 (b) No fee is required under this section if the replacement
 41-49 fee for a license plate has been paid under Section 504.007
 41-50 [502.1841].

41-51 (c) ~~[The fee for replacement of license plates issued under~~
 41-52 ~~Section 504.507 is the amount prescribed by the department as~~
 41-53 ~~necessary to recover the cost of providing the replacement plates.~~

41-54 ~~[(d) If license plates approved under Section 504.501(b) or~~
 41-55 ~~504.502(c) are lost, stolen, or mutilated, the owner of the vehicle~~
 41-56 ~~may obtain approval of another set of license plates as provided by~~
 41-57 ~~Section 504.501 or 504.502, respectively. The fee for approval of~~
 41-58 ~~replacement license plates is \$5.~~

41-59 ~~[(e)]~~ A county assessor-collector may not issue a
 41-60 replacement registration insignia without complying with this
 41-61 section.

41-62 (d) ~~[(f)]~~ A county assessor-collector shall retain \$2.50 of
 41-63 each fee collected under this section and shall report and send the
 41-64 remainder to the department.

41-65 ~~[(g) Replacement license plates may be used in the~~
 41-66 ~~registration year in which the plates are issued and during each~~
 41-67 ~~succeeding year of the five-year period as prescribed by Section~~
 41-68 ~~502.180(b) if the registration insignia is properly attached.~~

41-69 ~~[(h) Subsection (g) does not apply to the issuance of~~

42-1 ~~specialized license plates as designated by the department,~~
42-2 ~~including state official license plates, exempt plates for~~
42-3 ~~governmental entities, and temporary registration plates.~~

42-4 ~~[(i) The owner of a vehicle listed in Section 502.180(h) may~~
42-5 ~~obtain replacement plates and a replacement registration insignia~~
42-6 ~~by paying a fee of \$5 plus the fees required by Sections 502.170(a)~~
42-7 ~~and 502.1705(a).]~~

42-8 SECTION 92. The heading to Subchapter C, Chapter 502,
42-9 Transportation Code, is amended to read as follows:

42-10 SUBCHAPTER C. SPECIAL REGISTRATIONS [~~COUNTY ADMINISTRATION~~]

42-11 SECTION 93. Section 502.0025, Transportation Code, is
42-12 transferred to Subchapter C, Chapter 502, Transportation Code,
42-13 redesignated as Section 502.090, Transportation Code, and amended
42-14 to read as follows:

42-15 Sec. 502.090 [~~502.0025~~]. EFFECT OF CERTAIN MILITARY
42-16 SERVICE ON REGISTRATION REQUIREMENT. (a) This section applies
42-17 only to a motor vehicle that is owned by a person who:

- 42-18 (1) is a resident of this state;
- 42-19 (2) is on active duty in the armed forces of the United
42-20 States;

- 42-21 (3) is stationed in or has been assigned to another
42-22 nation under military orders; and

- 42-23 (4) has registered the vehicle or been issued a
42-24 license for the vehicle under the applicable status of forces
42-25 agreement by:

- 42-26 (A) the appropriate branch of the armed forces of
42-27 the United States; or

- 42-28 (B) the nation in which the person is stationed
42-29 or to which the person has been assigned.

42-30 (b) Unless the registration or license issued for a vehicle
42-31 described by Subsection (a) is suspended, canceled, or revoked by
42-32 this state as provided by law:

- 42-33 (1) Section 502.040(a) [~~502.002(a)~~] does not apply;
42-34 and

- 42-35 (2) the registration or license issued by the armed
42-36 forces or host nation remains valid and the motor vehicle may be
42-37 operated in this state under that registration or license for a
42-38 period of not more than 90 days after the date on which the vehicle
42-39 returns to this state.

42-40 SECTION 94. Section 502.054, Transportation Code, is
42-41 transferred to Subchapter C, Chapter 502, Transportation Code,
42-42 redesignated as Section 502.091, Transportation Code, and amended
42-43 to read as follows:

42-44 Sec. 502.091 [~~502.054~~]. INTERNATIONAL REGISTRATION PLAN
42-45 [~~AGREEMENTS WITH OTHER JURISDICTIONS, OFFENSE~~]. (a) The

42-46 department, through its director, may enter into an agreement with
42-47 an authorized officer of another jurisdiction, including another
42-48 state of the United States, a foreign country or a state, province,
42-49 territory, or possession of a foreign country, to provide for:

- 42-50 (1) the registration of vehicles by residents of this
42-51 state and nonresidents on an allocation or mileage apportionment
42-52 plan, as under the International Registration Plan; and

- 42-53 (2) the exemption from payment of registration fees by
42-54 nonresidents if residents of this state are granted reciprocal
42-55 exemptions.

42-56 (b) The department may adopt and enforce rules to carry out
42-57 the International Registration Plan or other agreement under this
42-58 section.

42-59 (c) To carry out the International Registration Plan or
42-60 other agreement under this section, the department shall direct
42-61 that fees collected for other jurisdictions under the agreement be
42-62 deposited to the credit of the proportional registration
42-63 distributive fund in the state treasury and distributed to the
42-64 appropriate jurisdiction through that fund. The department is not
42-65 required to refund any amount less than \$10 unless required by the
42-66 plan.

42-67 (d) This section prevails to the extent of conflict with
42-68 another law relating to the subject of this section.

42-69 (e) A person commits an offense if the person owns or

43-1 operates a vehicle not registered in this state in violation of:
43-2 (1) an agreement under this section; or
43-3 (2) the applicable registration laws of this state, in
43-4 the absence of an agreement under this section.

43-5 (f) An offense under Subsection (e) is a misdemeanor
43-6 punishable by a fine not to exceed \$200.

43-7 SECTION 95. Section 502.355, Transportation Code, is
43-8 transferred to Subchapter C, Chapter 502, Transportation Code,
43-9 redesignated as Section 502.092, Transportation Code, and amended
43-10 to read as follows:

43-11 Sec. 502.092 [~~502.355~~]. NONRESIDENT-OWNED VEHICLES USED TO
43-12 TRANSPORT FARM PRODUCTS [~~OFFENSE~~]. (a) The department may issue
43-13 to a nonresident owner a permit for a truck, truck-tractor,
43-14 trailer, or semitrailer that:

43-15 (1) is registered in the owner's home state or country;
43-16 and

43-17 (2) will be used to transport:
43-18 (A) farm products produced in this state from the
43-19 place of production to a place of market or storage or a railhead
43-20 that is not more than 75 miles from the place of production;

43-21 (B) machinery used to harvest farm products
43-22 produced in this state; or

43-23 (C) farm products produced outside this state
43-24 from the point of entry into this state to a place of market,
43-25 storage, or processing or a railhead or seaport that is not more
43-26 than 80 miles from the point of entry.

43-27 (b) The department shall issue a distinguishing insignia
43-28 for a vehicle issued a permit under this section. The insignia must
43-29 be attached to the vehicle in lieu of regular license plates and
43-30 must show the permit expiration date. A permit issued under this
43-31 section is valid until the earlier of:

43-32 (1) the date the vehicle's registration in the owner's
43-33 home state or country expires; or

43-34 (2) the 30th day after the date the permit is issued.

43-35 (c) A person may obtain a permit under this section by:

43-36 (1) applying to the department in a manner [~~on a form~~]
43-37 prescribed by the department;

43-38 (2) paying a fee equal to 1/12 the registration fee
43-39 prescribed by this chapter for the vehicle;

43-40 (3) furnishing satisfactory evidence that the motor
43-41 vehicle is insured under an insurance policy that complies with
43-42 Section 601.072 and that is written by:

43-43 (A) an insurance company or surety company
43-44 authorized to write motor vehicle liability insurance in this
43-45 state; or

43-46 (B) with the department's approval, a surplus
43-47 lines insurer that meets the requirements of Chapter 981, Insurance
43-48 Code, and rules adopted by the commissioner of insurance under that
43-49 chapter, if the applicant is unable to obtain insurance from an
43-50 insurer described by Paragraph (A); and

43-51 (4) furnishing evidence that the vehicle has been
43-52 inspected as required under Chapter 548.

43-53 (d) A nonresident owner may not obtain more than three
43-54 permits under this section during a registration year.

43-55 (e) A vehicle for which a permit is issued under this
43-56 section may not be operated in this state after the permit expires
43-57 unless the owner:

43-58 (1) obtains another temporary permit; or

43-59 (2) registers the vehicle under Section 502.253,
43-60 502.254, 502.255 [~~502.162,~~ ~~502.165,~~ ~~502.166~~], or 502.256
43-61 [~~502.167~~], as appropriate, for the remainder of the registration
43-62 year.

43-63 (f) A vehicle for which a permit is issued under this
43-64 section may not be registered under Section 502.433 [~~502.163~~].

43-65 (g) A mileage referred to in this section is a state highway
43-66 mileage.

43-67 [~~(h) A person operating a vehicle under a permit issued~~
43-68 ~~under this section commits an offense if the person:~~

43-69 [~~(1) transports farm products to a place of market,~~

44-1 ~~storage, or processing or a railhead or seaport that is farther from~~
44-2 ~~the place of production or point of entry, as appropriate, than the~~
44-3 ~~distance provided for in the permit; or~~
44-4 ~~[(2) follows a route other than that prescribed by the~~
44-5 ~~board.~~

44-6 ~~[(i) An offense under Subsection (h) is a misdemeanor~~
44-7 ~~punishable by a fine of not less than \$25 or more than \$200.]~~

44-8 SECTION 96. Section 502.353, Transportation Code, is
44-9 transferred to Subchapter C, Chapter 502, Transportation Code,
44-10 redesignated as Section 502.093, Transportation Code, and amended
44-11 to read as follows:

44-12 Sec. 502.093 [~~502.353~~]. [~~FOREIGN COMMERCIAL VEHICLES,~~
44-13 ~~ANNUAL PERMITS~~ ~~[, OFFENSE]~~. (a) The department may issue an annual
44-14 permit in lieu of registration to a foreign commercial motor
44-15 vehicle, trailer, or semitrailer that ~~[+~~

44-16 ~~[(1)]~~ is subject to registration in this state ~~[+]~~ and
44-17 ~~[(2)]~~ is not authorized to travel on a public highway
44-18 because of the lack of registration in this state or the lack of
44-19 reciprocity with the state or country in which the vehicle is
44-20 registered.

44-21 (b) A permit issued under this section ~~[+~~
44-22 ~~[(1) is in lieu of registration, and~~
44-23 ~~[(2)]~~ is valid for a vehicle registration year to
44-24 begin on the first day of a calendar month designated by the
44-25 department and end on the last day of the last calendar month of the
44-26 registration year.

44-27 (c) A permit may not be issued under this section for the
44-28 importation of citrus fruit into this state from a foreign country
44-29 except for foreign export or processing for foreign export.

44-30 (d) A person may obtain a permit under this section by:
44-31 (1) applying in the manner prescribed by ~~[+]~~ the
44-32 department;

44-33 (2) paying a fee in the amount required by Subsection
44-34 (e) in the manner prescribed by the department, including a service
44-35 charge for a credit card payment or escrow account ~~[cash or by~~
44-36 ~~postal money order or certified check]; and~~

44-37 (3) furnishing evidence of financial responsibility
44-38 for the motor vehicle that complies with Sections 502.046(c)
44-39 [502.153(c)] and 601.168(a), the policies to be written by an
44-40 insurance company or surety company authorized to write motor
44-41 vehicle liability insurance in this state.

44-42 (e) The fee for a permit under this section is the fee that
44-43 would be required for registering the vehicle under Section 502.253
44-44 ~~[502.162]~~ or 502.255 ~~[502.167]~~, except as provided by Subsection
44-45 (f).

44-46 (f) A vehicle registered under this section is exempt from
44-47 the token fee and is not required to display the associated
44-48 distinguishing license plate if the vehicle:

44-49 (1) is a semitrailer that has a gross weight of more
44-50 than 6,000 pounds; and

44-51 (2) is used or intended to be used in combination with
44-52 a truck tractor or commercial motor vehicle with a gross vehicle
44-53 weight ~~[manufacturer's rated carrying capacity]~~ of more than 10,000
44-54 pounds ~~[one ton]~~.

44-55 (g) A vehicle registered under this section is not subject
44-56 to the fee required by Section 502.401 ~~[502.172]~~ or 502.403
44-57 ~~[502.173]~~.

44-58 ~~[(h) The department may:~~
44-59 ~~[(1) adopt rules to administer this section, and~~
44-60 ~~[(2) prescribe an application for a permit and other~~
44-61 ~~forms under this section.~~

44-62 ~~[(i) A person who violates this section commits an offense.~~
44-63 ~~An offense under this section is a misdemeanor punishable by a fine~~
44-64 ~~not to exceed \$200.]~~

44-65 SECTION 97. Section 502.352, Transportation Code, is
44-66 transferred to Subchapter C, Chapter 502, Transportation Code,
44-67 redesignated as Section 502.094, Transportation Code, and amended
44-68 to read as follows:

44-69 Sec. 502.094 [~~502.352~~]. 72-HOUR OR 144-HOUR PERMITS

45-1 [~~FOREIGN COMMERCIAL VEHICLES~~]. (a) The department may issue a
45-2 temporary registration permit in lieu of registration for a
45-3 commercial motor vehicle, trailer, semitrailer, or motor bus that:
45-4 (1) is owned by a resident of the United States,
45-5 Canada, or the United Mexican States;
45-6 (2) is subject to registration in this state; and
45-7 (3) is not authorized to travel on a public highway
45-8 because of the lack of registration in this state or the lack of
45-9 reciprocity with the state or province in which the vehicle is
45-10 registered.
45-11 (b) A permit issued under this section [~~+~~
45-12 [~~(1) is in lieu of registration, and~~
45-13 [~~(2)~~] is valid for the period stated on the permit,
45-14 effective from the date and time shown on the receipt issued as
45-15 evidence of registration under this section.
45-16 (c) A person may obtain a permit under this section by:
45-17 (1) applying to the county assessor-collector, the
45-18 department, or the department's wire service agent, if the
45-19 department has a wire service agent;
45-20 (2) paying a fee of \$25 for a 72-hour permit or \$50 for
45-21 a 144-hour permit in the manner prescribed by the department that
45-22 may include a service charge for a credit card payment or escrow
45-23 account [~~+~~
45-24 [~~(A) in cash,~~
45-25 [~~(B) by postal money order,~~
45-26 [~~(C) by certified check,~~
45-27 [~~(D) by wire transfer through the department's~~
45-28 ~~wire service agent, if any,~~
45-29 [~~(E) by an escrow account, or~~
45-30 [~~(F) where the service is provided, by a credit~~
45-31 ~~card issued by:~~
45-32 [~~(i) a financial institution chartered by a~~
45-33 ~~state or the United States, or~~
45-34 [~~(ii) a nationally recognized credit~~
45-35 ~~organization approved by the board,~~
45-36 [~~(3) paying a discount or service charge for a credit~~
45-37 ~~card payment or escrow account, in addition to the fee];~~
45-38 (3) [~~(4)~~] furnishing to the county
45-39 assessor-collector, the department, or the department's wire
45-40 service agent, evidence of financial responsibility for the vehicle
45-41 that complies with Sections 502.046(c) [~~502.153(c)~~] and 601.168(a)
45-42 [~~and is written by an insurance company or surety company~~
45-43 ~~authorized to write motor vehicle liability insurance in this~~
45-44 ~~state]; and~~
45-45 (4) [~~(5)~~] submitting a copy of the applicable federal
45-46 declaration form required by the Federal Motor Carrier Safety
45-47 Administration or its successor in connection with the importation
45-48 of a motor vehicle or motor vehicle equipment subject to the federal
45-49 motor vehicle safety, bumper, and theft prevention standards.
45-50 (d) A county assessor-collector shall report and send a fee
45-51 collected under this section in the manner provided by Section
45-52 502.198 [~~Sections 502.102 and 502.105~~]. Each week, a wire service
45-53 agent shall send to the department a report of all permits issued by
45-54 the agent during the previous week. The board [~~department~~] by rule
45-55 shall prescribe the format [~~form~~] and content of a report required
45-56 by this subsection.
45-57 (e) [~~The department may:~~
45-58 [~~(1) adopt rules to administer this section, and~~
45-59 [~~(2) prescribe an application for a permit and other~~
45-60 ~~forms under this section.~~
45-61 [~~(f)~~] A vehicle issued a permit under this section is
45-62 subject to Subchapters B and F, Chapter 548, unless the vehicle:
45-63 (1) is registered in another state of the United
45-64 States, in a province of Canada, or in a state of the United Mexican
45-65 States; or
45-66 (2) is mobile drilling or servicing equipment used in
45-67 the production of gas, crude petroleum, or oil, including a mobile
45-68 crane or hoisting equipment, mobile lift equipment, forklift, or
45-69 tug.

46-1 (f) [~~(g)~~] A commercial motor vehicle, trailer, semitrailer,
 46-2 or motor bus apprehended for violating a registration law of this
 46-3 state:

- 46-4 (1) may not be issued a permit under this section; and
- 46-5 (2) is immediately subject to registration in this
- 46-6 state.

46-7 (g) [~~(h)~~] A person who operates a commercial motor vehicle,
 46-8 trailer, or semitrailer with an expired permit issued under this
 46-9 section is considered to be operating an unregistered vehicle
 46-10 subject to each penalty prescribed by law.

46-11 (h) [~~(i)~~] The department may establish one or more escrow
 46-12 accounts in the state highway fund for the prepayment of a 72-hour
 46-13 permit or a 144-hour permit. Any fee established by the department
 46-14 for the administration of this subsection shall be administered as
 46-15 required by an agreement entered into by the department.

46-16 SECTION 98. Section 502.354, Transportation Code, is
 46-17 transferred to Subchapter C, Chapter 502, Transportation Code,
 46-18 redesignated as Section 502.095, Transportation Code, and amended
 46-19 to read as follows:

46-20 Sec. 502.095 [~~502.354~~]. ONE-TRIP [~~SINGLE~~] OR 30-DAY TRIP
 46-21 PERMITS [~~OFFENSE~~]. (a) The department may issue a temporary
 46-22 permit in lieu of registration for a vehicle [~~that~~]

46-23 [~~(1) is~~] subject to registration in this state that [~~+~~
 46-24 and

46-25 [~~(2)~~] is not authorized to travel on a public highway
 46-26 because of the lack of registration in this state or the lack of
 46-27 reciprocity with the state or country in which the vehicle is
 46-28 registered.

46-29 (b) A permit issued under this section [~~+~~
 46-30 [~~(1) is in lieu of registration; and~~
 46-31 [~~(2)~~] is valid for:

- 46-32 (1) [~~(A)~~] one trip, as provided by Subsection (c); or
- 46-33 (2) [~~(B)~~] 30 days, as provided by Subsection (d).

46-34 (c) A one-trip permit is valid for one trip between the
 46-35 points of origin and destination and those intermediate points
 46-36 specified in the application and registration receipt. Unless the
 46-37 vehicle is a bus operating under charter that is not covered by a
 46-38 reciprocity agreement with the state or country in which the bus is
 46-39 registered, a one-trip permit is for the transit of the vehicle
 46-40 only, and the vehicle may not be used for the transportation of any
 46-41 passenger or property. A one-trip permit may not be valid for
 46-42 longer than 15 days from the effective date of registration.

46-43 (d) A 30-day permit may be issued only to a passenger
 46-44 vehicle, a private bus, a trailer or semitrailer with a gross weight
 46-45 of not more than 10,000 pounds, a light truck, or a light commercial
 46-46 vehicle with a gross vehicle weight [~~manufacturer's rated carrying~~
 46-47 ~~capacity~~] of more than 10,000 pounds [~~one ton~~] that will operate
 46-48 unladen. A person may obtain multiple 30-day permits. The
 46-49 department may issue a single registration receipt to apply to all
 46-50 of the periods for which the vehicle is registered.

46-51 (e) A person may obtain a permit under this section by:

- 46-52 (1) applying as [~~on a form~~] provided by the department
- 46-53 to:

46-54 (A) the county assessor-collector of the county
 46-55 in which the vehicle will first be operated on a public highway; or

46-56 (B) the department in Austin or at one of the
 46-57 department's vehicle title and registration regional offices;

46-58 (2) paying a fee, in the manner prescribed by the
 46-59 department including a registration service charge for a credit
 46-60 card payment or escrow account [~~cash or by postal money order or~~
 46-61 ~~certified check,~~] of:

46-62 (A) \$5 for a one-trip permit; or

46-63 (B) \$25 for each 30-day period; and

46-64 (3) furnishing evidence of financial responsibility
 46-65 for the vehicle in a form listed under Section 502.046(c)
 46-66 [~~502.153(c)~~].

46-67 (f) A registration receipt [~~and temporary tag~~] shall be
 46-68 carried in the vehicle at all times during the period in which it is
 46-69 valid [~~issued on forms provided by the department~~]. The temporary

47-1 tag must contain all pertinent information required by this section
 47-2 and must be displayed in the rear window of the vehicle so that the
 47-3 tag is clearly visible and legible when viewed from the rear of the
 47-4 vehicle. If the vehicle does not have a rear window, the temporary
 47-5 tag must be attached on or carried in the vehicle to allow ready
 47-6 inspection. The registration receipt must be carried in the
 47-7 vehicle at all times during the period in which it is valid.

47-8 (g) The department may refuse and may instruct a county
 47-9 assessor-collector to refuse to issue a temporary registration for
 47-10 any vehicle if, in the department's opinion, the vehicle or the
 47-11 owner of the vehicle has been involved in operations that
 47-12 constitute an abuse of the privilege granted by this section. A
 47-13 registration issued after notice to a county assessor-collector
 47-14 under this subsection is void.

47-15 ~~[(h) A person issued a temporary registration under this~~
 47-16 ~~section who operates a vehicle in violation of Subsection (f)~~
 47-17 ~~commits an offense. An offense under this subsection is a Class C~~
 47-18 ~~misdemeanor.~~

47-19 ~~[(i) The department may:~~
 47-20 ~~(1) adopt rules to administer this section; and~~
 47-21 ~~(2) prescribe an application for a permit and other~~
 47-22 ~~forms under this section.]~~

47-23 SECTION 99. The heading to Subchapter D, Chapter 502,
 47-24 Transportation Code, is amended to read as follows:

47-25 SUBCHAPTER D. VEHICLES NOT ISSUED REGISTRATION [~~PROCEDURES AND~~
 47-26 ~~FEES~~]

47-27 SECTION 100. Section 502.006, Transportation Code, is
 47-28 transferred to Subchapter D, Chapter 502, Transportation Code,
 47-29 redesignated as Section 502.140, Transportation Code, and amended
 47-30 to read as follows:

47-31 Sec. 502.140 [~~502.006~~]. CERTAIN OFF-HIGHWAY VEHICLES.
 47-32 (a) Except as provided by Subsection (b), a person may not
 47-33 register an all-terrain vehicle or a recreational off-highway
 47-34 vehicle, with or without design alterations, for operation on a
 47-35 public highway.

47-36 (b) The state, a county, or a municipality may register an
 47-37 all-terrain vehicle or a recreational off-highway vehicle for
 47-38 operation on a public beach or highway to maintain public safety and
 47-39 welfare.

47-40 (c) A recreational off-highway vehicle registered as
 47-41 provided by Subsection (b) may be operated on a public or private
 47-42 beach in the same manner as a golf cart may be operated on a public
 47-43 or private beach under Section 551.403 [~~502.0071~~]. The operator
 47-44 must hold and have in the operator's possession a driver's license
 47-45 issued under Chapter 521 or a commercial driver's license issued
 47-46 under Chapter 522.

47-47 (d) Section 504.401 [~~502.172~~] does not apply to an
 47-48 all-terrain vehicle or a recreational off-highway vehicle.

47-49 (e) Operation of an all-terrain vehicle or recreational
 47-50 off-highway vehicle in compliance with Section 663.037 does not
 47-51 require registration under Subsection (b).

47-52 SECTION 101. Section 502.0072, Transportation Code, is
 47-53 transferred to Subchapter D, Chapter 502, Transportation Code, and
 47-54 redesignated as Section 502.142, Transportation Code, to read as
 47-55 follows:

47-56 Sec. 502.142 [~~502.0072~~]. MANUFACTURED HOUSING.
 47-57 Manufactured housing, as defined by Section 1201.003, Occupations
 47-58 Code, is not a vehicle subject to this chapter.

47-59 SECTION 102. Section 502.0073, Transportation Code, is
 47-60 transferred to Subchapter D, Chapter 502, Transportation Code,
 47-61 redesignated as Section 502.143, Transportation Code, and amended
 47-62 to read as follows:

47-63 Sec. 502.143 [~~502.0073~~]. OTHER VEHICLES [~~POWER SWEEPERS~~].
 47-64 ~~[(a)]~~ An owner may [~~of a power sweeper is~~] not [~~required to~~]
 47-65 register the following vehicles for operation on a public highway:

- 47-66 (1) power sweepers;
- 47-67 (2) motorized mobility devices;
- 47-68 (3) electric personal assistive mobility devices; and
- 47-69 (4) electric bicycles [~~sweeper~~].

48-1 ~~[(b) In this section, "power sweeper" means an implement,~~
48-2 ~~with or without motive power, designed for the removal by broom,~~
48-3 ~~vacuum, or regenerative air system of debris, dirt, gravel, litter,~~
48-4 ~~or sand from asphaltic concrete or cement concrete surfaces,~~
48-5 ~~including surfaces of parking lots, roads, streets, highways, and~~
48-6 ~~warehouse floors. The term includes a vehicle on which the~~
48-7 ~~implement is permanently mounted if the vehicle is used only as a~~
48-8 ~~power sweeper.]~~

48-9 SECTION 103. Section 502.0078, Transportation Code, is
48-10 transferred to Subchapter D, Chapter 502, Transportation Code, and
48-11 redesignated as Section 502.144, Transportation Code, to read as
48-12 follows:

48-13 Sec. 502.144 [~~502.0078~~]. VEHICLES OPERATED ON PUBLIC
48-14 HIGHWAY SEPARATING REAL PROPERTY UNDER VEHICLE OWNER'S CONTROL.
48-15 Where a public highway separates real property under the control of
48-16 the owner of a motor vehicle, the operation of the motor vehicle by
48-17 the owner or the owner's agent or employee across the highway is not
48-18 a use of the motor vehicle on the public highway.

48-19 SECTION 104. Section 502.0079, Transportation Code, is
48-20 transferred to Subchapter D, Chapter 502, Transportation Code,
48-21 redesignated as Section 502.145, Transportation Code, and amended
48-22 to read as follows:

48-23 Sec. 502.145 [~~502.0079~~]. VEHICLES OPERATED BY CERTAIN
48-24 NONRESIDENTS. (a) ~~[A nonresident owner of a motor vehicle,~~
48-25 ~~trailer, or semitrailer that is registered in the state or country~~
48-26 ~~in which the person resides may operate the vehicle to transport~~
48-27 ~~persons or property for compensation without being registered in~~
48-28 ~~this state, if the person does not exceed two trips in a calendar~~
48-29 ~~month and each trip does not exceed four days.]~~

48-30 ~~[(b) A nonresident owner of a privately owned vehicle that~~
48-31 ~~is not registered in this state may not make more than five~~
48-32 ~~occasional trips in any calendar month into this state using the~~
48-33 ~~vehicle. Each occasional trip into this state may not exceed five~~
48-34 ~~days.]~~

48-35 ~~[(c)]~~ A nonresident owner of a privately owned passenger car
48-36 that is registered in the state or country in which the person
48-37 resides and that is not operated for compensation may operate the
48-38 car in this state for the period in which the car's license plates
48-39 are valid. In this subsection, "nonresident" means a resident of a
48-40 state or country other than this state whose presence in this state
48-41 is as a visitor and who does not engage in gainful employment or
48-42 enter into business or an occupation, except as may otherwise be
48-43 provided by any reciprocal agreement with another state or country.

48-44 (b) ~~[(d)]~~ This section does not prevent:

48-45 (1) a nonresident owner of a motor vehicle from
48-46 operating the vehicle in this state for the sole purpose of
48-47 marketing farm products raised exclusively by the person; or

48-48 (2) a resident of an adjoining state or country from
48-49 operating in this state a privately owned and registered vehicle to
48-50 go to and from the person's place of regular employment and to make
48-51 trips to purchase merchandise, if the vehicle is not operated for
48-52 compensation.

48-53 (c) ~~[(e)]~~ The privileges provided by this section may be
48-54 allowed only if, under the laws of the appropriate state or country,
48-55 similar privileges are granted to vehicles registered under the
48-56 laws of this state and owned by residents of this state.

48-57 (d) ~~[(f)]~~ This section does not affect the right or status
48-58 of a vehicle owner under any reciprocal agreement between this
48-59 state and another state or country.

48-60 SECTION 105. Section 504.504, Transportation Code, is
48-61 transferred to Subchapter D, Chapter 502, Transportation Code,
48-62 redesignated as Section 502.146, Transportation Code, and amended
48-63 to read as follows:

48-64 Sec. 502.146 [~~504.504~~]. CERTAIN FARM VEHICLES AND DRILLING
48-65 AND CONSTRUCTION EQUIPMENT. (a) The department shall issue
48-66 specialty license plates to a vehicle described by Subsection (b)
48-67 or (c). The fee for the license plates is \$5.

48-68 (b) An owner is not required to register a vehicle that is
48-69 used only temporarily on the highways if the vehicle is:

49-1 (1) a farm trailer or farm semitrailer with a gross
49-2 weight of more than 4,000 pounds but not more than 34,000 pounds
49-3 that is used exclusively to transport:

49-4 (A) seasonally harvested agricultural products
49-5 or livestock from the place of production to the place of
49-6 processing, market, or storage; or

49-7 (B) farm supplies from the place of loading to
49-8 the farm;

49-9 (2) machinery used exclusively for the purpose of
49-10 drilling water wells; ~~[or]~~

49-11 (3) oil well servicing or drilling machinery and if at
49-12 the time of obtaining the license plates, the applicant submits
49-13 proof that the applicant has a permit under Section 623.142; or

49-14 (4) construction machinery ~~[that is not designed to~~
49-15 ~~transport persons or property on a public highway].~~

49-16 (c) An owner is not required to register a vehicle that is:

49-17 (1) a farm trailer or farm semitrailer owned by a
49-18 cotton gin and used exclusively to transport agricultural products
49-19 without charge from the place of production to the place of
49-20 processing, market, or storage;

49-21 (2) a trailer used exclusively to transport fertilizer
49-22 without charge from a place of supply or storage to a farm; or

49-23 (3) a trailer used exclusively to transport cottonseed
49-24 without charge from a place of supply or storage to a farm or place
49-25 of processing.

49-26 (d) A vehicle described by Subsection (b) is exempt from the
49-27 inspection requirements of Subchapters B and F, Chapter 548.

49-28 (e) This section does not apply to a farm trailer or farm
49-29 semitrailer that:

49-30 (1) is used for hire;

49-31 (2) has metal tires operating in contact with the
49-32 highway;

49-33 (3) is not equipped with an adequate hitch pinned or
49-34 locked so that it will remain securely engaged to the towing vehicle
49-35 while in motion; or

49-36 (4) is not operated and equipped in compliance with
49-37 all other law.

49-38 (f) A vehicle to which this section applies that is operated
49-39 on a public highway in violation of this section is considered to be
49-40 operated while unregistered and is immediately subject to the
49-41 applicable registration fees and penalties prescribed by this
49-42 chapter ~~[Chapter 502]~~.

49-43 (g) In this section, the gross weight of a trailer or
49-44 semitrailer is the combined weight of the vehicle and the load
49-45 carried on the highway.

49-46 SECTION 106. The heading to Subchapter E, Chapter 502,
49-47 Transportation Code, is amended to read as follows:

49-48 SUBCHAPTER E. ADMINISTRATION OF FEES ~~[SPECIALLY DESIGNATED~~
49-49 ~~LICENSE PLATES, EXEMPTIONS FOR GOVERNMENTAL AND QUASI-GOVERNMENTAL~~
49-50 ~~VEHICLES]~~

49-51 SECTION 107. Section 502.159, Transportation Code, is
49-52 transferred to Subchapter E, Chapter 502, Transportation Code,
49-53 redesignated as Section 502.190, Transportation Code, and amended
49-54 to read as follows:

49-55 Sec. 502.190 ~~[502.159]~~. SCHEDULE OF REGISTRATION FEES. The
49-56 department shall post ~~[compile and furnish to each county~~
49-57 ~~assessor-collector]~~ a complete schedule of registration fees on the
49-58 Internet ~~[to be collected on the various makes, models, and types of~~
49-59 ~~vehicles]~~.

49-60 SECTION 108. Section 502.004, Transportation Code, is
49-61 transferred to Subchapter E, Chapter 502, Transportation Code,
49-62 redesignated as Section 502.191, Transportation Code, and amended
49-63 to read as follows:

49-64 Sec. 502.191 ~~[502.004]~~. COLLECTION OF FEES. (a) A person
49-65 may not collect a registration fee under this chapter unless the
49-66 person is:

49-67 (1) an officer or employee of the department; or

49-68 (2) a county assessor-collector or a deputy county
49-69 assessor-collector.

50-1 (b) The department may accept electronic payment by
 50-2 electronic funds transfer, credit card, or debit card of any fee
 50-3 that the department is authorized to collect under this chapter.

50-4 (c) The department may collect a fee for processing a
 50-5 payment by electronic funds transfer, credit card, or debit card.
 50-6 The amount of the fee must be reasonably related to the expense
 50-7 incurred by the department in processing the payment by electronic
 50-8 funds transfer, credit card, or debit card and may not be more than
 50-9 five percent of the amount of the fee being paid.

50-10 (d) In addition to the fee authorized by Subsection (c), the
 50-11 department may collect from a person making payment by electronic
 50-12 funds transfer, credit card, or debit card an amount equal to the
 50-13 amount of any transaction fee charged to the department by a vendor
 50-14 providing services in connection with payments made by electronic
 50-15 funds transfer, credit card, or debit card. The limitation
 50-16 prescribed by Subsection (c) on the amount of a fee does not apply
 50-17 to a fee collected under this subsection.

50-18 (e) If, for any reason, the payment of a fee under this
 50-19 chapter by electronic funds transfer, credit card, or debit card is
 50-20 not honored by the funding institution or by the electronic funds
 50-21 transfer, credit card, or debit card company on which the funds are
 50-22 drawn, the department may collect from the person who owes the fee
 50-23 being collected a service charge that is for the collection of that
 50-24 original amount and is in addition to the original fee. The amount
 50-25 of the service charge must be reasonably related to the expense
 50-26 incurred by the department in collecting the original amount.

50-27 SECTION 109. Subchapter E, Chapter 502, Transportation
 50-28 Code, is amended by adding Section 502.192 to read as follows:

50-29 Sec. 502.192. TRANSFER FEE. The purchaser of a used motor
 50-30 vehicle shall pay, in addition to any fee required under Chapter 501
 50-31 for the transfer of title, a transfer fee of \$2.50 for the transfer
 50-32 of the registration of the motor vehicle. The county
 50-33 assessor-collector may retain as commission for services provided
 50-34 under this subchapter half of each transfer fee collected.

50-35 SECTION 110. Section 502.181, Transportation Code, is
 50-36 transferred to Subchapter E, Chapter 502, Transportation Code,
 50-37 redesignated as Section 502.193, Transportation Code, and amended
 50-38 to read as follows:

50-39 Sec. 502.193 [502.181]. PAYMENT [OF REGISTRATION FEE] BY
 50-40 CHECK DRAWN AGAINST INSUFFICIENT FUNDS. (a) A county
 50-41 assessor-collector who receives from any person a check or draft
 50-42 for [drawn on a bank or trust company in] payment of a registration
 50-43 fee for a registration year that has not ended [on a motor vehicle,
 50-44 trailer, or motorcycle sidecar] that is returned unpaid because of
 50-45 insufficient funds or no funds in the bank or trust company to the
 50-46 credit of the drawer of the check or draft shall certify the fact to
 50-47 the sheriff or a constable or highway patrol officer in the county
 50-48 after attempts to contact the person fail to result in the
 50-49 collection of payment. The certification must be made before the
 50-50 30th day after the date the check or draft is returned unpaid and:

50-51 (1) be under the assessor-collector's official seal;
 50-52 (2) include the name and address of the person who gave
 50-53 the [assessor-collector the] check or draft;
 50-54 (3) include the license plate number and make of the
 50-55 vehicle;

50-56 (4) be accompanied by the check or draft; and
 50-57 (5) be accompanied by documentation of any attempt to
 50-58 contact the person and collect payment.

50-59 (b) On receiving a complaint under Subsection (a) from the
 50-60 county assessor-collector, the sheriff, constable, or highway
 50-61 patrol officer shall find the person who gave the
 50-62 [assessor-collector the] check or draft, if the person is in the
 50-63 county, and demand immediate redemption of the check or draft from
 50-64 the person. If the person fails or refuses to redeem the check or
 50-65 draft, the sheriff, constable, or highway patrol officer shall:

50-66 (1) seize and remove the license plates and
 50-67 registration insignia from the vehicle; and

50-68 (2) return the license plates and registration
 50-69 insignia to the county assessor-collector.

51-1 SECTION 111. Section 502.182, Transportation Code, is
 51-2 transferred to Subchapter E, Chapter 502, Transportation Code,
 51-3 redesignated as Section 502.194, Transportation Code, and amended
 51-4 to read as follows:

51-5 Sec. 502.194 [~~502.182~~]. CREDIT FOR REGISTRATION FEE PAID ON
 51-6 MOTOR VEHICLE SUBSEQUENTLY DESTROYED. (a) The owner of a motor
 51-7 vehicle that is destroyed to the extent that it cannot afterwards be
 51-8 operated on a public highway is entitled to a registration fee
 51-9 credit if the prorated portion of the registration fee for the
 51-10 remainder of the registration year is more than \$15. The owner must
 51-11 claim the credit by [+

51-12 [~~(1)~~] sending the registration fee receipt [~~and the~~
 51-13 ~~license plates~~] for the vehicle to the department [+ and

51-14 [~~(2)~~ ~~executing a statement on a form provided by the~~
 51-15 ~~department showing that the license plates have been surrendered to~~
 51-16 ~~the department~~].

51-17 (b) The department, on satisfactory proof that the vehicle
 51-18 is destroyed, shall issue a registration fee credit slip to the
 51-19 owner in an amount equal to the prorated portion of the registration
 51-20 fee for the remainder of the registration year. The owner, during
 51-21 the same or the next registration year, may use the registration fee
 51-22 credit slip as payment or part payment for the registration of
 51-23 another vehicle to the extent of the credit.

51-24 [~~(c)~~ ~~A statement executed under Subsection (a)(2) shall be~~
 51-25 ~~delivered to a purchaser of the destroyed vehicle. The purchaser~~
 51-26 ~~may surrender the statement to the department in lieu of the vehicle~~
 51-27 ~~license plates.~~

51-28 [~~(d)~~ ~~The department shall adopt rules to administer this~~
 51-29 ~~section.~~]

51-30 SECTION 112. Section 502.183, Transportation Code, is
 51-31 transferred to Subchapter E, Chapter 502, Transportation Code,
 51-32 redesignated as Section 502.195, Transportation Code, and amended
 51-33 to read as follows:

51-34 Sec. 502.195 [~~502.183~~]. REFUND OF OVERCHARGED REGISTRATION
 51-35 FEE. (a) The owner of a motor vehicle [~~that is required to be~~
 51-36 ~~registered~~] who pays an annual registration fee in excess of the
 51-37 statutory amount is entitled to a refund of the overcharge.

51-38 (b) The county assessor-collector who collects the
 51-39 excessive fee shall refund an overcharge on presentation to the
 51-40 assessor-collector of satisfactory evidence of the overcharge[
 51-41 ~~The owner must make a claim for a refund of an overcharge~~] not later
 51-42 than the first [~~fifth~~] anniversary of the date the excessive
 51-43 registration fee was paid.

51-44 (c) A refund shall be paid from the fund in which the
 51-45 county's share of registration fees is deposited.

51-46 SECTION 113. Section 502.051, Transportation Code, is
 51-47 transferred to Subchapter E, Chapter 502, Transportation Code, and
 51-48 redesignated as Section 502.196, Transportation Code, to read as
 51-49 follows:

51-50 Sec. 502.196 [~~502.051~~]. DEPOSIT OF REGISTRATION FEES IN
 51-51 STATE HIGHWAY FUND. Except as otherwise provided by this chapter,
 51-52 the board and the department shall deposit all money received from
 51-53 registration fees in the state treasury to the credit of the state
 51-54 highway fund.

51-55 SECTION 114. Section 502.101, Transportation Code, is
 51-56 transferred to Subchapter E, Chapter 502, Transportation Code, and
 51-57 redesignated as Section 502.197, Transportation Code, to read as
 51-58 follows:

51-59 Sec. 502.197 [~~502.101~~]. REGISTRATION BY MAIL OR ELECTRONIC
 51-60 MEANS; SERVICE CHARGE. (a) A county assessor-collector may
 51-61 collect a service charge of \$1 from each applicant registering a
 51-62 vehicle by mail. The service charge shall be used to pay the costs
 51-63 of handling and postage to mail the registration receipt and
 51-64 insignia to the applicant.

51-65 (b) With the approval of the commissioners court of a
 51-66 county, a county assessor-collector may contract with a private
 51-67 entity to enable an applicant for registration to use an electronic
 51-68 off-premises location. A private entity may charge an applicant
 51-69 not more than \$1 for the service provided.

52-1 (c) The department may adopt rules to cover the timely
52-2 application for and issuance of registration receipts and insignia
52-3 by mail or through an electronic off-premises location.

52-4 SECTION 115. Section 502.102, Transportation Code, is
52-5 transferred to Subchapter E, Chapter 502, Transportation Code,
52-6 redesignated as Section 502.198, Transportation Code, and amended
52-7 to read as follows:

52-8 Sec. 502.198 [~~502.102~~]. DISPOSITION OF FEES GENERALLY.

52-9 (a) Except as provided by Sections 502.1982 [~~502.103~~] and 502.357
52-10 [~~502.104~~], this section applies to all fees collected by a county
52-11 assessor-collector under this chapter.

52-12 (b) Each Monday, a county assessor-collector shall credit
52-13 to the county road and bridge fund an amount equal to the net
52-14 collections made during the preceding week until the amount so
52-15 credited for the calendar year equals the total of:

52-16 (1) \$60,000;

52-17 (2) \$350 for each mile of county road maintained by the
52-18 county, according to the most recent information available from the
52-19 department, not to exceed 500 miles; and

52-20 (3) an additional amount of fees equal to the amount
52-21 calculated under Section 502.1981 [~~502.1025~~].

52-22 (c) After the credits to the county road and bridge fund
52-23 equal the total computed under Subsection (b), each Monday the
52-24 county assessor-collector shall:

52-25 (1) credit to the county road and bridge fund an amount
52-26 equal to 50 percent of the net collections made during the preceding
52-27 week, until the amount so credited for the calendar year equals
52-28 \$125,000; and

52-29 (2) send to the department an amount equal to 50
52-30 percent of those collections.

52-31 (d) After the credits to the county road and bridge fund
52-32 equal the total amounts computed under Subsections (b) and (c)(1),
52-33 each Monday the county assessor-collector shall send to the
52-34 department all collections made during the preceding week.

52-35 [~~(e) Each Monday the county assessor-collector shall send~~
52-36 ~~to the department a copy of each receipt issued the previous week~~
52-37 ~~for a registration fee under this chapter.~~]

52-38 SECTION 116. Section 502.1025, Transportation Code, is
52-39 transferred to Subchapter E, Chapter 502, Transportation Code,
52-40 redesignated as Section 502.1981, Transportation Code, and amended
52-41 to read as follows:

52-42 Sec. 502.1981 [~~502.1025~~]. CALCULATION OF ADDITIONAL FEE
52-43 AMOUNTS RETAINED BY A COUNTY. (a) The county tax

52-44 assessor-collector each calendar year shall calculate five percent
52-45 of the tax and penalties collected by the county tax
52-46 assessor-collector under Chapter 152, Tax Code, in the preceding
52-47 calendar year. In addition, the county tax assessor-collector
52-48 shall calculate each calendar year an amount equal to five percent
52-49 of the tax and penalties that the comptroller:

52-50 (1) collected under Section 152.047, Tax Code, in the
52-51 preceding calendar year; and

52-52 (2) determines are attributable to sales in the
52-53 county.

52-54 (b) A county tax assessor-collector shall retain under
52-55 Section 502.198(b) [~~502.102(b)~~] fees based on the following
52-56 percentage of the amounts calculated under Subsection [~~subsection~~]

52-57 (a) during each of the following fiscal years:

52-58 (1) [~~in fiscal year 2006, 90 percent,~~

52-59 [~~(2) in fiscal year 2007, 80 percent,~~

52-60 [~~(3) in fiscal year 2008, 70 percent,~~

52-61 [~~(4) in fiscal year 2009, 60 percent,~~

52-62 [~~(5) in fiscal year 2010, 50 percent,~~

52-63 [~~(6) in fiscal year 2011, 40 percent,~~

52-64 [~~(7)] in fiscal year 2012, 30 percent;~~

52-65 (2) [~~(8)~~] in fiscal year 2013, 20 percent;

52-66 (3) [~~(9)~~] in fiscal year 2014, 10 percent;

52-67 (4) [~~(10)~~] in fiscal year 2015 and succeeding years, 0
52-68 percent.

52-69 (c) The county shall credit the amounts retained under

53-1 Subsection (b) to the county road and bridge fund. Money credited
 53-2 to the fund under this section may only be used for:
 53-3 (1) county road construction, maintenance, and
 53-4 repair;
 53-5 (2) bridge construction, maintenance, and repair;
 53-6 (3) the purchase of right-of-way for road or highway
 53-7 purposes; or
 53-8 (4) the relocation of utilities for road or highway
 53-9 purposes.

53-10 SECTION 117. Section 502.103, Transportation Code, is
 53-11 transferred to Subchapter E, Chapter 502, Transportation Code,
 53-12 redesignated as Section 502.1982, Transportation Code, and amended
 53-13 to read as follows:

53-14 Sec. 502.1982 [~~502.103~~]. DISPOSITION OF OPTIONAL COUNTY
 53-15 ROAD AND BRIDGE FEE. Each Monday a county assessor-collector shall
 53-16 apportion the collections for the preceding week for a fee imposed
 53-17 under Section 502.401 [~~502.172~~] by:

53-18 (1) crediting an amount equal to 97 percent of the
 53-19 collections to the county road and bridge fund; and

53-20 (2) sending to the department an amount equal to three
 53-21 percent of the collections to defray the department's costs of
 53-22 administering Section 502.401 [~~502.172~~].

53-23 SECTION 118. Section 502.106, Transportation Code, is
 53-24 transferred to Subchapter E, Chapter 502, Transportation Code,
 53-25 redesignated as Section 502.1983, Transportation Code, and amended
 53-26 to read as follows:

53-27 Sec. 502.1983 [~~502.106~~]. DEPOSIT OF FEES IN
 53-28 INTEREST-BEARING ACCOUNT. (a) Except as provided by Sections
 53-29 502.1982 [~~502.103~~] and 502.357 [~~502.104~~], a county
 53-30 assessor-collector may:

53-31 (1) deposit the fees in an interest-bearing account or
 53-32 certificate in the county depository; and

53-33 (2) send the fees to the department not later than the
 53-34 34th day after the date the fees are due under Section 502.357
 53-35 [~~502.104~~].

53-36 (b) The county owns all interest earned on fees deposited
 53-37 under this section. The county treasurer shall credit the interest
 53-38 to the county general fund.

53-39 SECTION 119. Section 502.107, Transportation Code, is
 53-40 transferred to Subchapter E, Chapter 502, Transportation Code, and
 53-41 redesignated as Section 502.1984, Transportation Code, to read as
 53-42 follows:

53-43 Sec. 502.1984 [~~502.107~~]. INTEREST ON FEES. (a) A fee
 53-44 required to be sent to the department under this chapter bears
 53-45 interest for the benefit of the state highway fund at an annual rate
 53-46 of 10 percent beginning on the 60th day after the date the county
 53-47 assessor-collector collects the fee.

53-48 (b) The department shall audit the registration and
 53-49 transfer fees collected and disbursed by each county
 53-50 assessor-collector and shall determine the exact amount of interest
 53-51 due on any fee not sent to the department.

53-52 (c) The state has a claim against a county
 53-53 assessor-collector and the sureties on the assessor-collector's
 53-54 official bond for the amount of interest due on a fee.

53-55 SECTION 120. Section 502.108, Transportation Code, is
 53-56 transferred to Subchapter E, Chapter 502, Transportation Code,
 53-57 redesignated as Section 502.1985, Transportation Code, and amended
 53-58 to read as follows:

53-59 Sec. 502.1985 [~~502.108~~]. USE OF REGISTRATION FEES RETAINED
 53-60 BY COUNTY. (a) Money credited to the county road and bridge fund
 53-61 under Section 502.198 [~~502.102~~] or 502.1982 [~~502.103~~] may not be
 53-62 used to pay the compensation of the county judge or a county
 53-63 commissioner. The money may be used only for the construction and
 53-64 maintenance of lateral roads in the county, under the supervision
 53-65 of the county engineer.

53-66 (b) If there is not a county engineer, the commissioners
 53-67 court of the county may require the services of the department's
 53-68 district engineer or resident engineer to supervise the
 53-69 construction and surveying of lateral roads in the county.

54-1 (c) A county may use money allocated to it under this
54-2 chapter to:

54-3 (1) pay obligations issued in the construction or
54-4 improvement of any roads, including state highways in the county;

54-5 (2) improve the roads in the county road system; or
54-6 (3) construct new roads.

54-7 (d) To the maximum extent possible, contracts for roads
54-8 constructed by a county using funds provided under this chapter
54-9 should be awarded by competitive bids.

54-10 SECTION 121. Section 502.110, Transportation Code, is
54-11 transferred to Subchapter E, Chapter 502, Transportation Code, and
54-12 redesignated as Section 502.1986, Transportation Code, to read as
54-13 follows:

54-14 Sec. 502.1986 [~~502.110~~]. CONTINGENT PROVISION FOR
54-15 DISTRIBUTION OF FEES BETWEEN STATE AND COUNTIES. If the method of
54-16 distributing vehicle registration fees collected under this
54-17 chapter between the state and counties is declared invalid because
54-18 of inequality of collection or distribution of those fees, 60
54-19 percent of each fee shall be distributed to the county collecting
54-20 the fee and 40 percent shall be sent to the state in the manner
54-21 provided by this chapter.

54-22 SECTION 122. The heading to Subchapter F, Chapter 502,
54-23 Transportation Code, is amended to read as follows:

54-24 SUBCHAPTER F. REGULAR REGISTRATION FEES [~~SPECIALIZED LICENSE~~
54-25 ~~PLATES, EXEMPTIONS FOR PRIVATELY OWNED VEHICLES~~]

54-26 SECTION 123. Section 502.160, Transportation Code, as
54-27 effective September 1, 2011, is transferred to Subchapter F,
54-28 Chapter 502, Transportation Code, and redesignated as Section
54-29 502.251, Transportation Code, to read as follows:

54-30 Sec. 502.251 [~~502.160~~]. FEE: MOTORCYCLE OR MOPED. The
54-31 fee for a registration year for registration of a motorcycle or
54-32 moped is \$30.

54-33 SECTION 124. Section 502.161, Transportation Code, as
54-34 effective September 1, 2011, is transferred to Subchapter F,
54-35 Chapter 502, Transportation Code, redesignated as Section 502.252,
54-36 Transportation Code, and amended to read as follows:

54-37 Sec. 502.252 [~~502.161~~]. FEE: VEHICLES THAT WEIGH 6,000
54-38 POUNDS OR LESS. (a) The fee for a registration year for
54-39 registration of a vehicle with a gross weight of 6,000 pounds or
54-40 less is \$50.75, unless otherwise provided in this chapter.

54-41 (b) [~~(c)~~] For registration purposes, the weight of a
54-42 passenger car, a municipal bus, or a private bus is the weight
54-43 generally accepted as its correct shipping weight plus 100 pounds.

54-44 [~~(d) In this section, "private bus" has the meaning assigned~~
54-45 ~~by Section 502.294.~~]

54-46 SECTION 125. Section 502.162, Transportation Code, as
54-47 effective September 1, 2011, is transferred to Subchapter F,
54-48 Chapter 502, Transportation Code, redesignated as Section 502.253,
54-49 Transportation Code, and amended to read as follows:

54-50 Sec. 502.253 [~~502.162~~]. FEE: VEHICLES THAT WEIGH MORE THAN
54-51 6,000 POUNDS. [~~(a)~~] The fee for a registration year for
54-52 registration of a vehicle with a gross weight of more than 6,000
54-53 pounds is as follows unless otherwise provided in this chapter:

54-54	Weight Classification	Fee Schedule
54-55	in pounds	
54-56	6,001-10,000	\$54.00
54-57	10,001-18,000	\$110.00
54-58	18,001-25,999	\$205.00
54-59	26,000-40,000	\$340.00
54-60	40,001-54,999	\$535.00
54-61	55,000-70,000	\$740.00

55-1 70,001-80,000 \$840.00

55-2 ~~[(b) The gross weight of a vehicle is the actual weight of~~
 55-3 ~~the vehicle, fully equipped with a body and other equipment, as~~
 55-4 ~~certified by a public weigher or a license and weight inspector of~~
 55-5 ~~the Department of Public Safety, plus its net carrying capacity.~~

55-6 ~~[(c) The net carrying capacity of a vehicle other than a bus~~
 55-7 ~~is the heaviest net load to be carried on the vehicle, but not less~~
 55-8 ~~than the manufacturer's rated carrying capacity.~~

55-9 ~~[(d) The net carrying capacity of a bus is computed by~~
 55-10 ~~multiplying its seating capacity by 150 pounds. The seating~~
 55-11 ~~capacity of a bus is:~~

55-12 ~~[(1) the manufacturer's rated seating capacity,~~
 55-13 ~~excluding the operator's seat; or~~

55-14 ~~[(2) if the manufacturer has not rated the vehicle for~~
 55-15 ~~seating capacity, a number computed by allowing one passenger for~~
 55-16 ~~each 16 inches of seating on the bus, excluding the operator's~~
 55-17 ~~seat.]~~

55-18 SECTION 126. Section 502.166, Transportation Code, as
 55-19 effective September 1, 2011, is transferred to Subchapter F,
 55-20 Chapter 502, Transportation Code, redesignated as Section 502.254,
 55-21 Transportation Code, and amended to read as follows:

55-22 Sec. 502.254 ~~[502.166]~~. FEE: TRAILER, TRAVEL TRAILER, OR
 55-23 SEMITRAILER. (a) The fee for a registration year for registration
 55-24 of a trailer, travel trailer, or semitrailer with a gross weight of
 55-25 6,000 pounds or less is \$45.00.

55-26 (b) ~~[(a=1)]~~ The fee for a registration year for
 55-27 registration of a trailer, travel trailer, or semitrailer with a
 55-28 gross weight of more than 6,000 pounds is calculated by gross weight
 55-29 according to Section 502.253 ~~[502.162]~~.

55-30 ~~[(b) The gross weight of a trailer or semitrailer is the~~
 55-31 ~~actual weight of the vehicle, as certified by a public weigher or a~~
 55-32 ~~license and weight inspector of the Department of Public Safety,~~
 55-33 ~~plus its net carrying capacity.~~

55-34 ~~[(c) The net carrying capacity of a vehicle is the heaviest~~
 55-35 ~~net load to be carried on the vehicle, but not less than the~~
 55-36 ~~manufacturer's rated carrying capacity.~~

55-37 ~~[(d) The department may issue specially designed license~~
 55-38 ~~plates for rental trailers and travel trailers that include, as~~
 55-39 ~~appropriate, the words "rental trailer" or "travel trailer."~~

55-40 ~~[(e) In this section:~~

55-41 ~~[(1) "Rental fleet" means five or more vehicles that~~
 55-42 ~~are:~~

55-43 ~~[(A) owned by the same owner;~~

55-44 ~~[(B) offered for rent or rented without drivers;~~

55-45 ~~and~~

55-46 ~~[(C) designated by the owner in the manner~~
 55-47 ~~prescribed by the department as a rental fleet.~~

55-48 ~~[(2) "Rental trailer" means a utility trailer that:~~

55-49 ~~[(A) has a gross weight of 4,000 pounds or less;~~

55-50 ~~and~~

55-51 ~~[(B) is part of a rental fleet.~~

55-52 ~~[(3) "Travel trailer" means a house trailer-type~~
 55-53 ~~vehicle or a camper trailer that is:~~

55-54 ~~[(A) less than eight feet in width or 40 feet in~~
 55-55 ~~length, exclusive of any hitch installed on the vehicle; and~~

55-56 ~~[(B) designed primarily for use as temporary~~
 55-57 ~~living quarters in connection with recreational, camping, travel,~~
 55-58 ~~or seasonal use and not as a permanent dwelling; provided that~~
 55-59 ~~"travel trailer" shall not include a utility trailer, enclosed~~
 55-60 ~~trailer, or other trailer not having human habitation as its~~
 55-61 ~~primary purpose.]~~

55-62 SECTION 127. Section 502.167, Transportation Code, as
 55-63 effective September 1, 2011, is transferred to Subchapter F,
 55-64 Chapter 502, Transportation Code, redesignated as Section 502.255,
 55-65 Transportation Code, and amended to read as follows:

55-66 Sec. 502.255 ~~[502.167]~~. TRUCK-TRACTOR OR COMMERCIAL MOTOR
 55-67 VEHICLE COMBINATION FEE; SEMITRAILER TOKEN FEE. (a) This section
 55-68 applies only to a truck-tractor or commercial motor vehicle with a

56-1 gross weight of more than 10,000 pounds that is used or is to be used
56-2 in combination with a semitrailer that has a gross weight of more
56-3 than 6,000 pounds.

56-4 (b) The fee for a registration year for registration of a
56-5 truck-tractor or commercial motor vehicle is calculated by gross
56-6 weight according to Section 502.253 [~~502.162~~].

56-7 (c) The fee for a registration year for registration of a
56-8 semitrailer used in the manner described by Subsection (a),
56-9 regardless of the date the semitrailer is registered, is:

56-10 (1) \$30, for a semitrailer being propelled by a power
56-11 unit for which a permit under Section 623.011 has been issued; or

56-12 (2) \$15, for a semitrailer being propelled by a power
56-13 unit for which a permit under Section 623.011 has not been issued.

56-14 (d) A registration made under Subsection (c) is valid only
56-15 when the semitrailer is used in the manner described by Subsection
56-16 (a).

56-17 (e) For registration purposes, a semitrailer converted to a
56-18 trailer by means of an auxiliary axle assembly retains its status as
56-19 a semitrailer.

56-20 (f) A combination of vehicles may not be registered under
56-21 this section for a combined gross weight of less than 18,000 pounds.

56-22 (g) This section does not apply to:

56-23 (1) a combination of vehicles that includes a vehicle
56-24 that has a distinguishing license plate under Section 502.146
56-25 [~~504.504~~];

56-26 (2) a truck-tractor or commercial motor vehicle
56-27 registered or to be registered with \$5 distinguishing license
56-28 plates for which the vehicle is eligible under this chapter;

56-29 (3) a truck-tractor or commercial motor vehicle used
56-30 exclusively in combination with a semitrailer of the travel trailer
56-31 [~~house trailer~~] type; or

56-32 (4) a vehicle registered or to be registered:

56-33 (A) with a temporary registration permit;

56-34 (B) under Section 502.433 [~~502.163~~]; or

56-35 (C) under Section 502.435 [~~502.188~~].

56-36 (h) The department may adopt rules to administer this
56-37 section.

56-38 (i) The department may issue specially designed license
56-39 plates for token trailers.

56-40 (j) A person may register a semitrailer under this section
56-41 [~~for a registration period of five consecutive years~~] if the
56-42 person:

56-43 (1) applies to the department for [~~the five-year~~]
56-44 registration;

56-45 (2) provides proof of the person's eligibility to
56-46 register the vehicle under this subsection as required by the
56-47 department; and

56-48 (3) pays a fee of \$15, plus any applicable fee under
56-49 Section 502.401 [~~502.172~~], for each year included in the
56-50 registration period.

56-51 [~~(k) If during the five-year registration period for a
56-52 vehicle registered under Subsection (j) the amount of a fee imposed
56-53 under that subsection is increased, the owner of the vehicle is
56-54 liable to the department for the amount of the increase. If the
56-55 amount of a fee is decreased, the owner of the vehicle is not
56-56 entitled to a refund.~~]

56-57 [(1) In this section:

56-58 [(1) "~~Combined gross weight~~" means the empty weight of
56-59 the truck-tractor or commercial motor vehicle combined with the
56-60 empty weight of the heaviest semitrailer used or to be used in
56-61 combination with the truck-tractor or commercial motor vehicle plus
56-62 the heaviest net load to be carried on the combination during the
56-63 registration year.

56-64 [(2) "~~Empty weight~~" means the unladen weight of the
56-65 truck-tractor or commercial motor vehicle and semitrailer
56-66 combination fully equipped, as certified by a public weigher or
56-67 license and weight inspector of the Department of Public Safety.

56-68 [(3) "~~Token trailer~~" means a semitrailer that:

56-69 [(A) has a gross weight of more than 6,000

57-1 ~~pounds, and~~
 57-2 ~~[(B) is operated in combination with a truck or a~~
 57-3 ~~truck-tractor that has been issued:~~
 57-4 ~~[(i) an apportioned license plate,~~
 57-5 ~~[(ii) a combination license plate, or~~
 57-6 ~~[(iii) a forestry vehicle license plate.~~
 57-7 ~~[(4) "Apportioned license plate" means a license plate~~
 57-8 ~~issued in lieu of truck license plates or combination license~~
 57-9 ~~plates to a motor carrier in this state who proportionally~~
 57-10 ~~registers a vehicle owned by the carrier in one or more other~~
 57-11 ~~states.~~
 57-12 ~~[(5) "Combination license plate" means a license plate~~
 57-13 ~~issued for a truck or truck-tractor that:~~
 57-14 ~~[(A) has a manufacturer's rated carrying~~
 57-15 ~~capacity of more than one ton; and~~
 57-16 ~~[(B) is used or intended to be used in~~
 57-17 ~~combination with a semitrailer that has a gross weight of more than~~
 57-18 ~~6,000 pounds.]~~
 57-19 SECTION 128. Section 502.165, Transportation Code, as
 57-20 effective September 1, 2011, is transferred to Subchapter F,
 57-21 Chapter 502, Transportation Code, redesignated as Section 502.256,
 57-22 Transportation Code, and amended to read as follows:
 57-23 Sec. 502.256 [~~502.165~~]. FEE: ROAD TRACTOR. The fee for a
 57-24 registration year for registration of a road tractor is the fee
 57-25 prescribed by weight as certified by a public weigher or a license
 57-26 and weight inspector of the Department of Public Safety under
 57-27 Section 502.252 [~~502.161~~] or 502.253 [~~502.162~~], as applicable.
 57-28 SECTION 129. The heading to Subchapter G, Chapter 502,
 57-29 Transportation Code, is amended to read as follows:
 57-30 SUBCHAPTER G. ADDITIONAL FEES [~~TEMPORARY REGISTRATION~~]
 57-31 SECTION 130. Section 502.1705, Transportation Code, as
 57-32 effective September 1, 2011, is transferred to Subchapter G,
 57-33 Chapter 502, Transportation Code, redesignated as Section 502.356,
 57-34 Transportation Code, and amended to read as follows:
 57-35 Sec. 502.356 [~~502.1705~~]. [~~ADDITIONAL FEE FOR~~] AUTOMATED
 57-36 REGISTRATION AND TITLING [~~TITLE~~] SYSTEM. (a) In addition to other
 57-37 registration fees for a license plate or set of license plates or
 57-38 other device used as the registration insignia, a fee of \$1 shall be
 57-39 collected.
 57-40 (b) The department may use money collected under this
 57-41 section to provide for or enhance:
 57-42 (1) automated on-premises and off-premises
 57-43 registration; and
 57-44 (2) services related to the titling of vehicles.
 57-45 SECTION 131. Section 502.1715, Transportation Code, as
 57-46 amended by Chapters 892 (S.B. 1670) and 1108 (H.B. 2337), Acts of
 57-47 the 79th Legislature, Regular Session, 2005, is transferred to
 57-48 Subchapter G, Chapter 502, Transportation Code, redesignated as
 57-49 Section 502.357, Transportation Code, and reenacted and amended to
 57-50 read as follows:
 57-51 Sec. 502.357 [~~502.1715~~]. FINANCIAL RESPONSIBILITY
 57-52 [~~ADDITIONAL FEE FOR CERTAIN DEPARTMENT~~] PROGRAMS. (a) In addition
 57-53 to other fees imposed for registration of a motor vehicle, at the
 57-54 time of application for registration or renewal of registration of
 57-55 a motor vehicle for which the owner is required to submit evidence
 57-56 of financial responsibility under Section 502.046 [~~502.153~~], the
 57-57 applicant shall pay a fee of \$1. In addition to other fees imposed
 57-58 for registration of a motor vehicle, at the time of application for
 57-59 registration of a motor vehicle that is subject to Section
 57-60 501.0234, the applicant shall pay a fee of \$1. Fees collected under
 57-61 this section shall be remitted weekly to the department.
 57-62 (b) Fees collected under this section shall be deposited to
 57-63 the credit of the state highway fund. Subject to appropriations,
 57-64 the money shall be used by the Department of Public Safety to:
 57-65 (1) support the Department of Public Safety's
 57-66 reengineering of the driver's license system to provide for the
 57-67 issuance by the Department of Public Safety of a driver's license or
 57-68 personal identification certificate, to include use of image
 57-69 comparison technology;

58-1 (2) establish and maintain a system to support the
58-2 driver responsibility program under Chapter 708; and

58-3 (3) make lease payments to the master lease purchase
58-4 program for the financing of the driver's license reengineering
58-5 project.

58-6 (c) Fees collected under this section shall be deposited to
58-7 the credit of the state highway fund. Subject to appropriation, the
58-8 money may be used by the Department of Public Safety, the Texas
58-9 Department of Insurance, the Department of Information Resources,
58-10 and the department to carry out Subchapter N, Chapter 601.

58-11 (d) The Department of Public Safety, the Texas Department of
58-12 Insurance, the Department of Information Resources, and the
58-13 department shall jointly adopt rules and develop forms necessary to
58-14 administer this section.

58-15 SECTION 132. Section 502.1675, Transportation Code, is
58-16 transferred to Subchapter G, Chapter 502, Transportation Code,
58-17 redesignated as Section 502.358, Transportation Code, and amended
58-18 to read as follows:

58-19 Sec. 502.358 [~~502.1675~~]. TEXAS EMISSIONS REDUCTION PLAN
58-20 SURCHARGE. (a) In addition to the registration fees charged under
58-21 Section 502.255 [~~502.167~~], a surcharge is imposed on the
58-22 registration of a truck-tractor or commercial motor vehicle under
58-23 that section in an amount equal to 10 percent of the total fees due
58-24 for the registration of the truck-tractor or commercial motor
58-25 vehicle under that section.

58-26 (b) The county tax assessor-collector shall remit the
58-27 surcharge collected under this section to the comptroller at the
58-28 time and in the manner prescribed by the comptroller for deposit in
58-29 the Texas emissions reduction plan fund.

58-30 (c) This section expires August 31, 2019.

58-31 SECTION 133. Section 502.171, Transportation Code, is
58-32 transferred to Subchapter G, Chapter 502, Transportation Code,
58-33 redesignated as Section 502.359, Transportation Code, and amended
58-34 to read as follows:

58-35 Sec. 502.359 [~~502.171~~]. ADDITIONAL FEE FOR CERTAIN
58-36 VEHICLES USING DIESEL MOTOR. (a) The registration fee under this
58-37 chapter for a motor vehicle other than a passenger car, a truck with
58-38 a gross vehicle weight [~~manufacturer's rated carrying capacity~~] of
58-39 18,000 pounds [~~two tons~~] or less, or a vehicle registered in
58-40 combination under Section 502.255 [~~502.167~~] is increased by 11
58-41 percent if the vehicle has a diesel motor.

58-42 (b) ~~The [A county assessor-collector shall show on the]~~
58-43 registration receipt for a motor vehicle, other than a passenger
58-44 car or a truck with a gross vehicle weight [~~manufacturer's rated~~
58-45 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less, must show
58-46 that the vehicle has a diesel motor.

58-47 (c) The department may adopt rules to administer this
58-48 section.

58-49 SECTION 134. The heading to Subchapter H, Chapter 502,
58-50 Transportation Code, is amended to read as follows:

58-51 SUBCHAPTER H. OPTIONAL FEES [~~OFFENSES AND PENALTIES~~]

58-52 SECTION 135. Section 502.172, Transportation Code, is
58-53 transferred to Subchapter H, Chapter 502, Transportation Code,
58-54 redesignated as Section 502.401, Transportation Code, and amended
58-55 to read as follows:

58-56 Sec. 502.401 [~~502.172~~]. OPTIONAL COUNTY FEE FOR ROAD AND
58-57 BRIDGE FUND. (a) The commissioners court of a county by order may
58-58 impose an additional fee, not to exceed \$10, for registering a
58-59 vehicle in the county.

58-60 (b) A vehicle that may be registered under this chapter
58-61 without payment of a registration fee may be registered in a county
58-62 imposing a fee under this section without payment of the additional
58-63 fee.

58-64 (c) A fee imposed under this section may take effect only on
58-65 January 1 of a year. The county must adopt the order and notify the
58-66 department not later than September 1 of the year preceding the year
58-67 in which the fee takes effect.

58-68 (d) A fee imposed under this section may be removed. The
58-69 removal may take effect only on January 1 of a year. A county may

59-1 remove the fee only by:

- 59-2 (1) rescinding the order imposing the fee; and
- 59-3 (2) notifying the department not later than September
- 59-4 1 of the year preceding the year in which the removal takes effect.

59-5 (e) The county assessor-collector of a county imposing a fee
 59-6 under this section shall collect the additional fee for a vehicle
 59-7 when other fees imposed under this chapter are collected.

59-8 (f) The department shall collect the additional fee on a
 59-9 vehicle that is owned by a resident of a county imposing a fee under
 59-10 this section ~~and~~ that ~~[, under this chapter,]~~ must be registered
 59-11 directly with the department. The department shall send all fees
 59-12 collected for a county under this subsection to the county
 59-13 treasurer to be credited to the county road and bridge fund.

59-14 (g) The department shall adopt rules ~~[and develop forms]~~
 59-15 necessary to administer registration ~~[by mail]~~ for a vehicle being
 59-16 registered in a county imposing a fee under this section.

59-17 SECTION 136. Section 502.1725, Transportation Code, is
 59-18 transferred to Subchapter H, Chapter 502, Transportation Code,
 59-19 redesignated as Section 502.402, Transportation Code, and amended
 59-20 to read as follows:

59-21 Sec. 502.402 ~~[502.1725]~~. OPTIONAL COUNTY FEE FOR
 59-22 TRANSPORTATION PROJECTS. (a) This section applies only to a
 59-23 county:

- 59-24 (1) that borders the United Mexican States;
- 59-25 (2) that has a population of more than 300,000; and
- 59-26 (3) in which the largest municipality has a population
- 59-27 of less than 300,000.

59-28 (b) The commissioners court of a county by order may impose
 59-29 an additional fee, not to exceed \$10, for ~~[registering]~~ a vehicle
 59-30 registered in the county.

59-31 (c) A vehicle that may be registered under this chapter
 59-32 without payment of a registration fee may be registered ~~[in a county~~
 59-33 ~~imposing a fee]~~ under this section without payment of the
 59-34 additional fee.

59-35 (d) A fee imposed under this section may take effect ~~[only~~
 59-36 ~~on January 1 of a year. The county must adopt the order]~~ and
 59-37 ~~[notify the department not later than September 1 of the year~~
 59-38 ~~preceding the year in which the fee takes effect.~~

59-39 ~~[(e) A fee imposed under this section may] be removed in~~
 59-40 accordance with the requirements of Section 502.401 ~~[. The removal~~
 59-41 ~~may take effect only on January 1 of a year. A county may remove the~~
 59-42 ~~fee only by:~~

- 59-43 ~~[(1) rescinding the order imposing the fee; and~~
- 59-44 ~~[(2) notifying the department not later than September~~
- 59-45 ~~1 of the year preceding the year in which the removal takes effect].~~

59-46 (e) ~~[(f)]~~ The ~~[county assessor-collector of a county~~
 59-47 ~~imposing a fee under this section shall collect the]~~ additional fee
 59-48 shall be collected for a vehicle when other fees imposed under this
 59-49 chapter are collected. The ~~[county shall send the]~~ fee revenue
 59-50 collected shall be sent to the regional mobility authority of the
 59-51 county to fund long-term transportation projects in the county.

59-52 (f) ~~[(g) The department shall collect the additional fee on~~
 59-53 ~~a vehicle that is owned by a resident of a county imposing a fee~~
 59-54 ~~under this section and that, under this chapter, must be registered~~
 59-55 ~~directly with the department. The department shall send all fees~~
 59-56 ~~collected for a county under this subsection to the regional~~
 59-57 ~~mobility authority of the county to fund long-term transportation~~
 59-58 ~~projects in the county.~~

59-59 ~~[(h)]~~ The department shall adopt rules ~~[and develop forms]~~
 59-60 necessary to administer registration ~~[by mail]~~ for a vehicle being
 59-61 registered in a county imposing a fee under this section.

59-62 SECTION 137. Section 502.173, Transportation Code, is
 59-63 transferred to Subchapter H, Chapter 502, Transportation Code,
 59-64 redesignated as Section 502.403, Transportation Code, and amended
 59-65 to read as follows:

59-66 Sec. 502.403 ~~[502.173]~~. OPTIONAL COUNTY FEE FOR CHILD
 59-67 SAFETY. (a) The commissioners court of a county that has a
 59-68 population greater than 1.3 million and in which a municipality
 59-69 with a population of more than one million is primarily located may

60-1 impose by order an additional fee of not less than 50 cents or more
 60-2 than \$1.50 for ~~registering~~ a vehicle registered in the county.
 60-3 The commissioners court of any other county may impose by order an
 60-4 additional fee of not more than \$1.50 for registering a vehicle in
 60-5 the county.

60-6 (b) A vehicle that may be registered under this chapter
 60-7 without payment of a registration fee may be registered ~~[in a county~~
 60-8 ~~imposing a fee under this section]~~ without payment of the
 60-9 additional fee.

60-10 (c) A fee imposed under this section may take effect ~~[only~~
 60-11 ~~on January 1 of a year. The county must adopt the order]~~ and ~~[notify~~
 60-12 ~~the department not later than September 10 of the year preceding the~~
 60-13 ~~year in which the fee takes effect.~~

60-14 ~~[(d) A fee imposed under this section may]~~ be removed in
 60-15 accordance with the provisions of Section 502.401. ~~[The removal~~
 60-16 ~~may take effect only on January 1 of a year. A county may remove the~~
 60-17 ~~fee only by:~~

60-18 ~~[(1) rescinding the order imposing the fee; and~~

60-19 ~~[(2) notifying the department not later than September~~
 60-20 ~~1 of the year preceding the year in which the removal takes effect.]~~

60-21 (d) ~~[(e)]~~ The ~~[county assessor-collector of a county~~
 60-22 ~~imposing a fee under this section shall collect the]~~ additional fee
 60-23 shall be collected for a vehicle when other fees imposed under this
 60-24 chapter are collected.

60-25 (e) ~~[(f)]~~ A county imposing a fee under this section may
 60-26 deduct for administrative costs an amount of not more than 10
 60-27 percent of the revenue it receives from the fee. The county may
 60-28 also deduct from the fee revenue an amount proportional to the
 60-29 percentage of county residents who live in unincorporated areas of
 60-30 the county. After making the deductions provided for by this
 60-31 subsection, the county shall send the remainder of the fee revenue
 60-32 to the municipalities in the county according to their population.

60-33 (f) ~~[(g)]~~ A municipality with a population greater than
 60-34 850,000 shall deposit revenue from a fee imposed under this
 60-35 subsection to the credit of the child safety trust fund created
 60-36 under Section 106.001, Local Government Code. A municipality with
 60-37 a population less than 850,000 shall use revenue from a fee imposed
 60-38 under this section in accordance with Article 102.014(g), Code of
 60-39 Criminal Procedure.

60-40 (g) ~~[(h)]~~ After deducting administrative costs, a county
 60-41 may use revenue from a fee imposed under this section only for a
 60-42 purpose permitted by Article 102.014(g) ~~[Subsection (g), Article~~
 60-43 ~~102.014]~~, Code of Criminal Procedure.

60-44 SECTION 138. Section 502.174, Transportation Code, is
 60-45 transferred to Subchapter H, Chapter 502, Transportation Code,
 60-46 redesignated as Section 502.404, Transportation Code, and amended
 60-47 to read as follows:

60-48 Sec. 502.404 ~~[502.174]~~. VOLUNTARY ASSESSMENT FOR YOUNG
 60-49 FARMER LOAN GUARANTEES. (a) When a person registers a commercial
 60-50 motor vehicle under Section 502.433 ~~[502.163]~~, the person shall pay
 60-51 a voluntary assessment of \$5.

60-52 (b) The county assessor-collector shall send an assessment
 60-53 collected under this section to the comptroller, at the time and in
 60-54 the manner prescribed by the Texas Agricultural Finance Authority,
 60-55 for deposit in the Texas agricultural fund.

60-56 (c) The Texas Agricultural Finance Authority shall
 60-57 prescribe procedures under which an assessment collected under this
 60-58 section may be refunded. The county assessor-collector of the
 60-59 county in which an assessment is collected shall:

60-60 (1) implement the refund procedures; and

60-61 (2) provide notice of those procedures to a person
 60-62 paying an assessment at the time of payment.

60-63 SECTION 139. Section 502.1745, Transportation Code, is
 60-64 transferred to Subchapter H, Chapter 502, Transportation Code,
 60-65 redesignated as Section 502.405, Transportation Code, and amended
 60-66 to read as follows:

60-67 Sec. 502.405 ~~[502.1745]~~. DONOR EDUCATION, AWARENESS, AND
 60-68 REGISTRY PROGRAM ~~[VOLUNTARY FEE]~~. (a) The department shall
 60-69 provide to each county assessor-collector the educational

61-1 materials for prospective donors provided as required by the Donor
 61-2 Education, Awareness, and Registry Program of Texas under Chapter
 61-3 49, Health and Safety Code. The [A county assessor-collector shall
 61-4 ~~make the]~~ educational materials shall be made available in each
 61-5 office authorized to accept applications for registration of motor
 61-6 vehicles.

61-7 (b) A person may elect to pay [county assessor-collector
 61-8 ~~shall collect]~~ an additional fee of \$1 for the registration or
 61-9 renewal of registration of a motor vehicle to pay the costs of the
 61-10 Donor Education, Awareness, and Registry Program of Texas,
 61-11 established under Chapter 49, Health and Safety Code, and of the
 61-12 Texas Organ, Tissue, and Eye Donor Council, established under
 61-13 Chapter 113, Health and Safety Code [~~, if the person registering or~~
 61-14 ~~renewing the registration of a motor vehicle opts to pay the~~
 61-15 ~~additional fee]~~. Notwithstanding any other provision of this
 61-16 chapter, [~~the county assessor-collector shall remit]~~ all fees
 61-17 collected under this subsection shall be remitted to the
 61-18 comptroller, who shall maintain the identity of the source of the
 61-19 fees.

61-20 (c) Three percent of all money collected under this section
 61-21 may be appropriated only to the department to administer this
 61-22 section.

61-23 SECTION 140. The heading to Subchapter I, Chapter 502,
 61-24 Transportation Code, is amended to read as follows:

61-25 SUBCHAPTER I. ALTERNATE REGISTRATION FEES [~~TRANSFER AND REMOVAL~~
 61-26 ~~OF LICENSE PLATES FOR THE SALE OR TRANSFER OF USED VEHICLES]~~

61-27 SECTION 141. Section 502.164, Transportation Code, is
 61-28 transferred to Subchapter I, Chapter 502, Transportation Code, and
 61-29 redesignated as Section 502.431, Transportation Code, to read as
 61-30 follows:

61-31 Sec. 502.431 [502.164]. FEE: MOTOR VEHICLE USED
 61-32 EXCLUSIVELY TO TRANSPORT AND SPREAD FERTILIZER. The fee for a
 61-33 registration year for registration of a motor vehicle designed or
 61-34 modified and used exclusively to transport to the field and spread
 61-35 fertilizer, including agricultural limestone, is \$75.

61-36 SECTION 142. Section 502.1586, Transportation Code, is
 61-37 transferred to Subchapter I, Chapter 502, Transportation Code,
 61-38 redesignated as Section 502.432, Transportation Code, and amended
 61-39 to read as follows:

61-40 Sec. 502.432 [502.1586]. [REGISTRATION PERIOD FOR
 61-41 ~~TRUCK-TRACTOR OR COMMERCIAL MOTOR]~~ VEHICLE TRANSPORTING SEASONAL
 61-42 AGRICULTURAL PRODUCTS. (a) The department shall provide for a
 61-43 monthly registration period for a truck-tractor or a commercial
 61-44 motor vehicle [~~that~~]:

61-45 (1) that is used exclusively to transport a seasonal
 61-46 agricultural product; [and]

61-47 (2) that would otherwise be registered for a vehicle
 61-48 registration year; and

61-49 (3) for which the owner can show proof of payment of
 61-50 the heavy vehicle use tax or exemption.

61-51 (b) The department shall [~~adopt forms for registration~~
 61-52 ~~under this section. An applicant must indicate the number of months~~
 61-53 ~~registration is applied for.~~

61-54 [~~(c) The department shall design,~~] prescribe [~~, and~~
 61-55 ~~furnish]~~ a registration receipt that is valid until the expiration
 61-56 of the designated registration period.

61-57 (c) [~~(d)~~] The registration fee for a registration under
 61-58 this section is computed at a rate of one-twelfth the annual
 61-59 registration fee under Section 502.253 [502.162], 502.255
 61-60 [502.163], or 502.433 [502.167], as applicable, multiplied by the
 61-61 number of months in the registration period specified in the
 61-62 application for the registration, which may not be less than one
 61-63 month or longer than six months.

61-64 (d) [~~(e) A person issued a registration under this section~~
 61-65 ~~commits an offense if the person, during the registration period~~
 61-66 ~~for the truck-tractor or commercial motor vehicle, uses the~~
 61-67 ~~truck-tractor or commercial motor vehicle for a purpose other than~~
 61-68 ~~to transport a seasonal agricultural product.~~

61-69 [(f) A truck-tractor or commercial motor vehicle may not be

62-1 ~~registered under this section for a registration period that is~~
62-2 ~~less than one month or longer than six months.~~

62-3 [~~g~~] For purposes of this section, "to transport a seasonal
62-4 agricultural product" includes any transportation activity
62-5 necessary for the production, harvest, or delivery of an
62-6 agricultural product that is produced seasonally.

62-7 SECTION 143. Section 502.163, Transportation Code, is
62-8 transferred to Subchapter I, Chapter 502, Transportation Code,
62-9 redesignated as Section 502.433, Transportation Code, and amended
62-10 to read as follows:

62-11 Sec. 502.433 [~~502.163~~]. FEE: COMMERCIAL FARM MOTOR VEHICLE
62-12 [~~USED PRIMARILY FOR FARM PURPOSES; OFFENSE~~]. (a) The registration
62-13 fee for a commercial motor vehicle as a farm vehicle is 50 percent
62-14 of the applicable fee under Section 502.253 [~~502.162~~] if the
62-15 vehicle's owner will use the vehicle for commercial purposes only
62-16 to transport:

62-17 (1) the person's own poultry, dairy, livestock,
62-18 livestock products, timber in its natural state, or farm products
62-19 to market or another place for sale or processing;

62-20 (2) laborers from their place of residence to the
62-21 owner's farm or ranch; or

62-22 (3) without charge, materials, tools, equipment, or
62-23 supplies from the place of purchase or storage to the owner's farm
62-24 or ranch exclusively for the owner's use or for use on the farm or
62-25 ranch.

62-26 (b) A commercial motor vehicle may be registered under this
62-27 section despite its use for transporting without charge the owner
62-28 or a member of the owner's family:

62-29 (1) to attend church or school;

62-30 (2) to visit a doctor for medical treatment or
62-31 supplies; or

62-32 (3) for other necessities of the home or family.

62-33 (c) Subsection (b) does not permit the use of a vehicle
62-34 registered under this section in connection with gainful employment
62-35 other than farming or ranching.

62-36 (d) The department shall provide distinguishing license
62-37 plates for a vehicle registered under this section.

62-38 [~~e~~] ~~The owner of a commercial motor vehicle registered~~
62-39 ~~under this section commits an offense if the person uses or permits~~
62-40 ~~to be used the vehicle for a purpose other than one permitted by~~
62-41 ~~this section. Each use or permission for use in violation of this~~
62-42 ~~section is a separate offense.~~

62-43 [~~f~~] ~~An offense under this section is a misdemeanor~~
62-44 ~~punishable by a fine of not less than \$25 or more than \$200.]~~

62-45 SECTION 144. Section 502.351, Transportation Code, is
62-46 transferred to Subchapter I, Chapter 502, Transportation Code,
62-47 redesignated as Section 502.434, Transportation Code, and amended
62-48 to read as follows:

62-49 Sec. 502.434 [~~502.351~~]. FARM VEHICLES: EXCESS WEIGHT.

62-50 (a) The owner of a registered commercial motor vehicle,
62-51 truck-tractor, trailer, or semitrailer may obtain a short-term
62-52 permit to haul loads of a weight more than that for which the
62-53 vehicle is registered by paying an additional fee before the
62-54 additional weight is hauled to transport:

62-55 (1) the person's own seasonal agricultural products to
62-56 market or another point for sale or processing;

62-57 (2) seasonal laborers from their place of residence to
62-58 a farm or ranch; or

62-59 (3) materials, tools, equipment, or supplies, without
62-60 charge, from the place of purchase or storage to a farm or ranch
62-61 exclusively for use on the farm or ranch.

62-62 (b) A permit may not be issued under this section for a
62-63 period that is less than one month or that:

62-64 (1) is greater than one year; or

62-65 (2) extends beyond the expiration of the registration
62-66 year for the vehicle.

62-67 (c) A permit issued under this section for a quarter must be
62-68 for a calendar quarter.

62-69 (d) The fee for a permit under this section is a percentage

63-1 of the difference between the registration fee otherwise prescribed
63-2 [~~by this chapter~~] for the vehicle and the annual fee for the desired
63-3 weight, as follows:

- 63-4 One month (30 consecutive days) 10 percent
- 63-5 One quarter 30 percent
- 63-6 Two quarters 60 percent
- 63-7 Three quarters 90 percent

63-8 (e) The department shall design, prescribe, and furnish a
63-9 sticker, plate, or other means of indicating the additional weight
63-10 and the registration period for each vehicle registered under this
63-11 section.

63-12 SECTION 145. Section 502.188, Transportation Code, is
63-13 transferred to Subchapter I, Chapter 502, Transportation Code,
63-14 redesignated as Section 502.435, Transportation Code, and amended
63-15 to read as follows:

63-16 Sec. 502.435 [~~502.188~~]. CERTAIN SOIL CONSERVATION
63-17 EQUIPMENT. (a) The owner of a truck-tractor, semitrailer, or
63-18 low-boy trailer used on a highway exclusively to transport the
63-19 owner's soil conservation machinery or equipment used in clearing
63-20 real property, terracing, or building farm ponds, levees, or
63-21 ditches may register the vehicle for a fee equal to 50 percent of
63-22 the fee otherwise prescribed by this chapter for the vehicle.

63-23 (b) An owner may register only one truck-tractor and only
63-24 one semitrailer or low-boy trailer under this section.

63-25 (c) An owner [~~applying for registration under this section~~]
63-26 must certify [~~submit a statement~~] that the vehicle is to be used
63-27 only as provided by Subsection (a).

63-28 (d) The registration receipt issued for a vehicle
63-29 registered under this section must be carried in or on the vehicle
63-30 and [shall] state the nature of the operation for which the vehicle
63-31 may be used. [~~The receipt must be carried at all times in or on the~~
63-32 ~~vehicle to permit ready inspection.~~]

63-33 (e) A vehicle to which this section applies that is operated
63-34 on a public highway in violation of this section is considered to be
63-35 operated while unregistered and is immediately subject to the
63-36 applicable registration fees and penalties prescribed by this
63-37 chapter.

63-38 SECTION 146. Chapter 502, Transportation Code, is amended
63-39 by adding Subchapter J to read as follows:

63-40 SUBCHAPTER J. REGISTRATIONS EXEMPT FROM FEES

63-41 SECTION 147. Section 502.201, Transportation Code, as
63-42 effective September 1, 2011, is transferred to Subchapter J,
63-43 Chapter 502, Transportation Code, as added by this Act,
63-44 redesignated as Section 502.451, Transportation Code, and amended
63-45 to read as follows:

63-46 Sec. 502.451 [~~502.201~~]. [~~LICENSE PLATES FOR~~] EXEMPT
63-47 VEHICLES. (a) Before license plates are issued or delivered to
63-48 the owner of a vehicle that is exempt by law from payment of
63-49 registration fees, the department must approve the application for
63-50 registration. The department may not approve an application if
63-51 there is the appearance that:

63-52 (1) the vehicle was transferred to the owner or
63-53 purported owner:

63-54 (A) for the sole purpose of evading the payment
63-55 of registration fees; or

63-56 (B) in bad faith; or

63-57 (2) the vehicle is not being used in accordance with
63-58 the exemption requirements.

63-59 (b) The department shall revoke the registration of a
63-60 vehicle issued license plates under this section and may recall the
63-61 plates if the vehicle is no longer:

63-62 (1) owned and operated by the person whose ownership
63-63 of the vehicle qualified the vehicle for the exemption; or

63-64 (2) used in accordance with the exemption
63-65 requirements.

63-66 (c) [~~(d)~~] The department shall provide by rule for the
63-67 issuance of specially designated license plates for vehicles that
63-68 are exempt by law. Except as provided by Subsection (f) [~~(g)~~], the
63-69 license plates must bear the word "exempt."

64-1 (d) [~~(e)~~] A license plate under Subsection (c) [~~(d)~~] is not
64-2 issued annually, but remains on the vehicle until:

64-3 (1) the registration is revoked as provided by
64-4 Subsection (b); or

64-5 (2) the plate is lost, stolen, or mutilated.

64-6 (e) [~~(f)~~] A person who operates on a public highway a
64-7 vehicle after the registration has been revoked is liable for the
64-8 penalties for failing to register a vehicle.

64-9 (f) [~~(g)~~] The department shall provide by rule for the
64-10 issuance of regularly designed license plates not bearing the word
64-11 "exempt" for a vehicle that is exempt by law and that is:

64-12 (1) a law enforcement vehicle, if the agency certifies
64-13 to the department that the vehicle will be dedicated to law
64-14 enforcement activities;

64-15 (2) a vehicle exempt from inscription requirements
64-16 under a rule adopted as provided by Section 721.003; or

64-17 (3) a vehicle exempt from inscription requirements
64-18 under an order or ordinance adopted by a governing body of a
64-19 municipality or commissioners court of a county as provided by
64-20 Section 721.005, if the applicant presents a copy of the order or
64-21 ordinance.

64-22 SECTION 148. Section 502.2015, Transportation Code, is
64-23 transferred to Subchapter J, Chapter 502, Transportation Code, as
64-24 added by this Act, redesignated as Section 502.452, Transportation
64-25 Code, and amended to read as follows:

64-26 Sec. 502.452 [~~502.2015~~]. LIMITATION ON ISSUANCE OF EXEMPT
64-27 LICENSE PLATES; SEIZURE OF CERTAIN VEHICLES. (a) The department
64-28 may not issue exempt license plates for a vehicle owned by the
64-29 United States, this state, or a political subdivision of this state
64-30 unless when application is made for registration of the vehicle,
64-31 the person who under Section 502.453 [~~502.202~~] has authority to
64-32 certify to the department that the vehicle qualifies for
64-33 registration under that section also certifies in writing to the
64-34 department that there is printed on each side of the vehicle, in
64-35 letters that are at least two inches high or in an emblem that is at
64-36 least 100 square inches in size, the name of the agency, department,
64-37 bureau, board, commission, or officer of the United States, this
64-38 state, or the political subdivision of this state that has custody
64-39 of the vehicle. The letters or emblem must be of a color
64-40 sufficiently different from the body of the vehicle to be clearly
64-41 legible from a distance of 100 feet.

64-42 (b) The department may not issue exempt license plates for a
64-43 vehicle owned by a person other than the United States, this state,
64-44 or a political subdivision of this state unless, when application
64-45 is made for registration of the vehicle, the person who under
64-46 Section 502.453 [~~502.202~~] has authority to certify to the
64-47 department that the vehicle qualifies for registration under that
64-48 section also certifies in writing to the department that the name of
64-49 the owner of the vehicle is printed on the vehicle in the manner
64-50 prescribed by Subsection (a).

64-51 (c) A peace officer listed in Article 2.12, Code of Criminal
64-52 Procedure, may seize a motor vehicle displaying exempt license
64-53 plates if the vehicle is:

64-54 (1) operated on a public highway; and

64-55 (2) not identified in the manner prescribed by
64-56 Subsection (a) or (b), unless the vehicle is covered by Subsection
64-57 (f).

64-58 (d) A peace officer who seizes a motor vehicle under
64-59 Subsection (c) may require that the vehicle be:

64-60 (1) moved to the nearest place of safety off the
64-61 main-traveled part of the highway; or

64-62 (2) removed and placed in the nearest vehicle storage
64-63 facility designated or maintained by the law enforcement agency
64-64 that employs the peace officer.

64-65 (e) To obtain the release of the vehicle, in addition to any
64-66 other requirement of law, the owner of a vehicle seized under
64-67 Subsection (c) must:

64-68 (1) remedy the defect by identifying the vehicle as
64-69 required by Subsection (a) or (b); or

65-1 (2) agree in writing with the law enforcement agency
65-2 to provide evidence to that agency, before the 10th day after the
65-3 date the vehicle is released, that the defect has been remedied by
65-4 identifying the vehicle as required by Subsection (a) or (b).

65-5 (f) Subsections (a) and (b) do not apply to a vehicle to
65-6 which Section 502.451(f) [~~502.201(g) or 502.206~~] applies.

65-7 (g) For purposes of this section, an exempt license plate is
65-8 a license plate issued by the department that is plainly marked with
65-9 the word "exempt."

65-10 SECTION 149. Section 502.202, Transportation Code, is
65-11 transferred to Subchapter J, Chapter 502, Transportation Code, as
65-12 added by this Act, redesignated as Section 502.453, Transportation
65-13 Code, and amended to read as follows:

65-14 Sec. 502.453 [~~502.202~~]. GOVERNMENT-OWNED VEHICLES; PUBLIC
65-15 SCHOOL BUSES; FIRE-FIGHTING VEHICLES; COUNTY MARINE LAW
65-16 ENFORCEMENT VEHICLES. (a) The owner of a motor vehicle, trailer,
65-17 or semitrailer may annually apply for registration under Section
65-18 502.451 [~~502.201~~] and is exempt from the payment of a registration
65-19 fee under this chapter if the vehicle is:

- 65-20 (1) owned by and used exclusively in the service of:
 - 65-21 (A) the United States;
 - 65-22 (B) this state; or
 - 65-23 (C) a county, municipality, or school district in
65-24 this state;

- 65-25 (2) owned by a commercial transportation company and
65-26 used exclusively to provide public school transportation services
65-27 to a school district under Section 34.008, Education Code;

- 65-28 (3) designed and used exclusively for fire fighting;

- 65-29 (4) owned by a volunteer fire department and used
65-30 exclusively in the conduct of department business; [~~or~~]

- 65-31 (5) privately owned and used by a volunteer
65-32 exclusively in county marine law enforcement activities, including
65-33 rescue operations, under the direction of the sheriff's department;
65-34 or

- 65-35 (6) used by law enforcement under an alias for covert
65-36 criminal investigations.

65-37 (b) An application for registration under this section must
65-38 be made by a person having the authority to certify that the vehicle
65-39 meets the exemption requirements prescribed by Subsection (a). An
65-40 application for registration under this section of a fire-fighting
65-41 vehicle described by Subsection (a)(3) must include a reasonable
65-42 description of the vehicle and of any fire-fighting equipment
65-43 mounted on the vehicle. An application for registration under this
65-44 section of a vehicle described by Subsection (a)(5) must include a
65-45 statement signed by a person having the authority to act for a
65-46 sheriff's department that the vehicle is used exclusively in marine
65-47 law enforcement activities under the direction of the sheriff's
65-48 department.

65-49 SECTION 150. Section 502.203, Transportation Code, is
65-50 transferred to Subchapter J, Chapter 502, Transportation Code, as
65-51 added by this Act, redesignated as Section 502.454, Transportation
65-52 Code, and amended to read as follows:

65-53 Sec. 502.454 [~~502.203~~]. VEHICLES USED BY NONPROFIT
65-54 DISASTER RELIEF ORGANIZATIONS. (a) The owner of a commercial
65-55 motor vehicle, trailer, or semitrailer may apply for registration
65-56 under Section 502.451 [~~502.201~~] and is exempt from the payment of
65-57 the registration fee that would otherwise be required by this
65-58 chapter if the vehicle is owned and used exclusively for
65-59 emergencies by a nonprofit disaster relief organization.

65-60 (b) An application for registration under this section must
65-61 include:

- 65-62 (1) a statement by the owner of the vehicle that the
65-63 vehicle is used exclusively for emergencies and has not been used
65-64 for any other purpose;

- 65-65 (2) a statement signed by an officer of the nonprofit
65-66 disaster relief organization that the vehicle has not been used for
65-67 any purpose other than emergencies and qualifies for registration
65-68 under this section; and

- 65-69 (3) a reasonable description of the vehicle and the

66-1 emergency equipment included in the vehicle.

66-2 (c) An applicant for registration under this section must
66-3 pay a fee of \$5.

66-4 (d) A commercial motor vehicle registered under this
66-5 section must display the name of the organization that owns it on
66-6 each front door.

66-7 (e) A vehicle registered under this section must display at
66-8 all times an appropriate license plate showing the vehicle's
66-9 status.

66-10 (f) A vehicle registered under this section that is used for
66-11 any purpose other than an emergency may not again be registered
66-12 under this section.

66-13 SECTION 151. Section 502.2035, Transportation Code, is
66-14 transferred to Subchapter J, Chapter 502, Transportation Code, as
66-15 added by this Act, and redesignated as Section 502.455,
66-16 Transportation Code, to read as follows:

66-17 Sec. 502.455 [~~502.2035~~]. TRAILERS AND SEMITRAILERS OWNED
66-18 BY RELIGIOUS ORGANIZATIONS. (a) A trailer or semitrailer may be
66-19 registered without payment if the trailer or semitrailer is:

66-20 (1) owned by an organization that qualifies as a
66-21 religious organization under Section 11.20, Tax Code; and

66-22 (2) used primarily for the purpose of transporting
66-23 property in connection with the charitable activities and functions
66-24 of the organization.

66-25 (b) An application for registration under this section must
66-26 include a statement signed by an officer of the religious
66-27 organization stating that the trailer or semitrailer qualifies for
66-28 registration under this section.

66-29 SECTION 152. Section 502.204, Transportation Code, is
66-30 transferred to Subchapter J, Chapter 502, Transportation Code, as
66-31 added by this Act, redesignated as Section 502.456, Transportation
66-32 Code, and amended to read as follows:

66-33 Sec. 502.456 [~~502.204~~]. EMERGENCY SERVICES VEHICLES.

66-34 (a) A vehicle may be registered without payment if:

66-35 (1) the vehicle is owned or leased by an emergency
66-36 medical services provider that:

66-37 (A) is a nonprofit entity; or

66-38 (B) is created and operated by:

66-39 (i) a county;

66-40 (ii) a municipality; or

66-41 (iii) any combination of counties and
66-42 municipalities through a contract, joint agreement, or other method
66-43 provided by Chapter 791, Government Code, or other law authorizing
66-44 counties and municipalities to provide joint programs; and

66-45 (2) the vehicle:

66-46 (A) is authorized under an emergency medical
66-47 services provider license issued by the Department of State [~~Texas~~
66-48 ~~Board of~~] Health Services under Chapter 773, Health and Safety
66-49 Code, and is used exclusively as an emergency medical services
66-50 vehicle; or

66-51 (B) is an emergency medical services chief or
66-52 supervisor vehicle and is used exclusively as an emergency services
66-53 vehicle.

66-54 (b) A vehicle may be registered without payment of a
66-55 registration fee if the vehicle:

66-56 (1) is owned by the Civil Air Patrol, Texas Wing; and

66-57 (2) is used exclusively as an emergency services
66-58 vehicle by members of the Civil Air Patrol, Texas Wing.

66-59 (c) An application for registration under Subsection (a)
66-60 must be accompanied by a copy of the license issued by the
66-61 Department of State [~~Texas Board of~~] Health Services. An
66-62 application for registration of an emergency medical services
66-63 vehicle must include a statement signed by an officer of the
66-64 emergency medical services provider that the vehicle is used
66-65 exclusively as an emergency response vehicle and qualifies for
66-66 registration under this section. An application for registration
66-67 of an emergency medical services chief or supervisor vehicle must
66-68 include a statement signed by an officer of the emergency medical
66-69 services provider stating that the vehicle qualifies for

67-1 registration under this section.

67-2 (d) An application for registration under Subsection (b)
67-3 must include a statement signed by an officer of the Civil Air
67-4 Patrol, Texas Wing, that the vehicle is used exclusively as an
67-5 emergency services vehicle by members of the Civil Air Patrol,
67-6 Texas Wing.

67-7 (e) The department must approve an application for
67-8 registration under this section as provided by Section 502.451
67-9 [~~502.201~~].

67-10 SECTION 153. Section 520.0225, Transportation Code, is
67-11 transferred to Subchapter J, Chapter 502, Transportation Code, as
67-12 added by this Act, redesignated as Section 502.457, Transportation
67-13 Code, and amended to read as follows:

67-14 Sec. 502.457 [~~520.0225~~]. PERSONS ON ACTIVE DUTY IN ARMED
67-15 FORCES OF UNITED STATES. (a) This section applies only to a used
67-16 motor vehicle that is owned by a person who:

67-17 (1) is on active duty in the armed forces of the United
67-18 States;

67-19 (2) is stationed in or has been assigned to another
67-20 nation under military orders; and

67-21 (3) has registered the vehicle or been issued a
67-22 license for the vehicle under the applicable status of forces
67-23 agreement by:

67-24 (A) the appropriate branch of the armed forces of
67-25 the United States; or

67-26 (B) the nation in which the person is stationed
67-27 or to which the person has been assigned.

67-28 (b) The requirement [~~in Section 520.021~~] that a used vehicle
67-29 be registered under the law of this state does not apply to a
67-30 vehicle described by Subsection (a). In lieu of delivering the
67-31 license receipt to the transferee of the vehicle, as required by
67-32 Section 501.0721 [~~520.022~~], the person selling, trading, or
67-33 otherwise transferring a used motor vehicle described by Subsection
67-34 (a) shall deliver to the transferee:

67-35 (1) a letter written on official letterhead by the
67-36 owner's unit commander attesting to the registration of the vehicle
67-37 under Subsection (a)(3); or

67-38 (2) the registration receipt issued by the appropriate
67-39 branch of the armed forces or host nation.

67-40 (c) A registration receipt issued by a host nation that is
67-41 not written in the English language must be accompanied by:

67-42 (1) a written translation of the registration receipt
67-43 in English; and

67-44 (2) an affidavit, in English and signed by the person
67-45 translating the registration receipt, attesting to the person's
67-46 ability to translate the registration receipt into English.

67-47 SECTION 154. Chapter 502, Transportation Code, is amended
67-48 by adding Subchapter K to read as follows:

67-49 SUBCHAPTER K. OFFENSES AND PENALTIES

67-50 SECTION 155. Section 502.401, Transportation Code, is
67-51 transferred to Subchapter K, Chapter 502, Transportation Code, as
67-52 added by this Act, redesignated as Section 502.471, Transportation
67-53 Code, and amended to read as follows:

67-54 Sec. 502.471 [~~502.401~~]. GENERAL PENALTY. (a) A person
67-55 commits an offense if the person violates a provision of this
67-56 chapter and no other penalty is prescribed for the violation.

67-57 (b) This section does not apply to a violation of Section
67-58 502.003, 502.042, 502.197 [~~502.101, 502.109, 502.112, 502.113,~~
67-59 ~~502.114, 502.152, 502.164~~], or 502.431 [~~502.282~~].

67-60 (c) Unless otherwise specified, an [An] offense under this
67-61 section is a misdemeanor punishable by a fine not to exceed \$200.

67-62 SECTION 156. Section 502.402, Transportation Code, is
67-63 transferred to Subchapter K, Chapter 502, Transportation Code, as
67-64 added by this Act, redesignated as Section 502.472, Transportation
67-65 Code, and amended to read as follows:

67-66 Sec. 502.472 [~~502.402~~]. OPERATION OF VEHICLE UNDER
67-67 IMPROPER REGISTRATION [~~UNREGISTERED MOTOR VEHICLE~~]. [~~(a)~~] A
67-68 person commits an offense if the person operates a motor vehicle
67-69 that has not been registered or registered for a class other than

68-1 that to which the vehicle belongs as required by law. ~~[An offense~~
68-2 ~~under this subsection is a misdemeanor punishable by a fine not to~~
68-3 ~~exceed \$200.]~~

68-4 SECTION 157. Section 502.404, Transportation Code, is
68-5 transferred to Subchapter K, Chapter 502, Transportation Code, as
68-6 added by this Act, redesignated as Section 502.473, Transportation
68-7 Code, and amended to read as follows:

68-8 Sec. 502.473 ~~[502.404]~~. OPERATION OF VEHICLE WITHOUT
68-9 ~~[LICENSE PLATE OR]~~ REGISTRATION INSIGNIA. (a) ~~[A person commits~~
68-10 ~~an offense if the person operates on a public highway during a~~
68-11 ~~registration period a passenger car or commercial motor vehicle~~
68-12 ~~that does not display two license plates, at the front and rear of~~
68-13 ~~the vehicle, that have been:~~

- 68-14 ~~[(1) assigned by the department for the period; or~~
- 68-15 ~~[(2) validated by a registration insignia issued by~~
- 68-16 ~~the department that establishes that the vehicle is registered for~~
- 68-17 ~~the period.~~

68-18 ~~[(b)]~~ A person commits an offense if the person operates on
68-19 a public highway during a registration period a ~~[passenger car or~~
68-20 ~~commercial]~~ motor vehicle~~[, other than a vehicle assigned license~~
68-21 ~~plates for the registration period,]~~ that does not properly display
68-22 the registration insignia issued by the department that establishes
68-23 that the license plates have been validated for the period.

68-24 (b) ~~[(c)]~~ A person commits an offense if the person operates
68-25 on a public highway during a registration period a road tractor,
68-26 motorcycle, trailer, or semitrailer that does not display ~~[a~~
68-27 ~~license plate, attached to the rear of the vehicle, that has been:~~

- 68-28 ~~[(1) assigned by the department for the period; or~~
- 68-29 ~~[(2) validated by]~~ a registration insignia issued by
68-30 the department that establishes that the vehicle is registered for
68-31 the period.

68-32 (c) This section does ~~[(d) Subsections (a) and (b) do]~~ not
68-33 apply to a dealer operating a vehicle as provided by law.

68-34 (d) ~~[(e) An offense under this section is a misdemeanor~~
68-35 ~~punishable by a fine not to exceed \$200.~~

68-36 ~~[(f) A court may dismiss a charge brought under Subsection~~
68-37 ~~(a) if the defendant:~~

- 68-38 ~~[(1) remedies the defect before the defendant's first~~
- 68-39 ~~court appearance; and~~
- 68-40 ~~[(2) pays an administrative fee not to exceed \$10.~~

68-41 ~~[(g)]~~ A court may dismiss a charge brought under Subsection
68-42 (a) ~~[(b)]~~ if the defendant:

- 68-43 (1) shows that ~~[(A)]~~
- 68-44 ~~[(A)]~~ the ~~[passenger car or commercial]~~ motor
68-45 vehicle was issued a registration insignia by the department that
68-46 was attached to the motor vehicle, establishing that ~~[establishes~~
68-47 ~~that]~~ the vehicle was registered for the period during which the
68-48 offense was committed; and

68-49 ~~[(B) the registration insignia described in~~
68-50 ~~Paragraph (A) was attached to the passenger car or commercial motor~~
68-51 ~~vehicle before the defendant's first court appearance; and]~~

- 68-52 (2) pays an administrative fee not to exceed \$10.

68-53 SECTION 158. Subchapter K, Chapter 502, Transportation
68-54 Code, as added by this Act, is amended by adding Section 502.474 to
68-55 read as follows:

68-56 Sec. 502.474. OPERATION OF ONE-TRIP PERMIT VEHICLE. A
68-57 person commits an offense if the person operates a vehicle for which
68-58 a one-trip permit is required without the registration receipt and
68-59 properly displayed temporary tag.

68-60 SECTION 159. Section 502.409, Transportation Code, is
68-61 transferred to Subchapter K, Chapter 502, Transportation Code, as
68-62 added by this Act, redesignated as Section 502.475, Transportation
68-63 Code, and amended to read as follows:

68-64 Sec. 502.475 ~~[502.409]~~. WRONG, FICTITIOUS, ALTERED, OR
68-65 OBSCURED INSIGNIA ~~[LICENSE PLATE]~~. (a) A person commits an
68-66 offense if the person attaches to or displays on a motor vehicle a
68-67 ~~[number plate or]~~ registration insignia that:

- 68-68 (1) is assigned to a different motor vehicle;
- 68-69 (2) is assigned to the vehicle under any other motor

69-1 vehicle law other than by the department;
 69-2 (3) is assigned for a registration period other than
 69-3 the registration period in effect; or
 69-4 (4) is fictitious[+
 69-5 [~~(5) has blurring or reflective matter that~~
 69-6 ~~significantly impairs the readability of the name of the state in~~
 69-7 ~~which the vehicle is registered or the letters or numbers of the~~
 69-8 ~~license plate number at any time;~~
 69-9 [~~(6) has an attached illuminated device or sticker,~~
 69-10 ~~decal, emblem, or other insignia that is not authorized by law and~~
 69-11 ~~that interferes with the readability of the letters or numbers of~~
 69-12 ~~the license plate number or the name of the state in which the~~
 69-13 ~~vehicle is registered; or~~
 69-14 [~~(7) has a coating, covering, protective material, or~~
 69-15 ~~other apparatus that:~~
 69-16 [~~(A) distorts angular visibility or~~
 69-17 ~~detectability;~~
 69-18 [~~(B) alters or obscures one-half or more of the~~
 69-19 ~~name of the state in which the vehicle is registered; or~~
 69-20 [~~(C) alters or obscures the letters or numbers of~~
 69-21 ~~the license plate number or the color of the plate].~~
 69-22 (b) Except as provided by Subsection (d) [~~(f)~~], an offense
 69-23 under Subsection (a) is a misdemeanor punishable by a fine of not
 69-24 more than \$200, unless it is shown at the trial of the offense that
 69-25 the owner knowingly altered or made illegible the letters, numbers,
 69-26 and other identification marks, in which case the offense is a Class
 69-27 B misdemeanor.
 69-28 (c) [~~Subsection (a)(7) may not be construed to apply to:~~
 69-29 [~~(1) a trailer hitch installed on a vehicle in a normal~~
 69-30 ~~or customary manner;~~
 69-31 [~~(2) a transponder, as defined by Section 228.057,~~
 69-32 ~~that is attached to a vehicle in the manner required by the issuing~~
 69-33 ~~authority;~~
 69-34 [~~(3) a wheelchair lift or wheelchair carrier that is~~
 69-35 ~~attached to a vehicle in a normal or customary manner;~~
 69-36 [~~(4) a trailer being towed by a vehicle; or~~
 69-37 [~~(5) a bicycle rack that is attached to a vehicle in a~~
 69-38 ~~normal or customary manner.~~
 69-39 [~~(d)~~] A court may dismiss a charge brought under Subsection
 69-40 (a)(3) [~~, (5), (6), or (7)~~] if the defendant:
 69-41 (1) remedies the defect before the defendant's first
 69-42 court appearance; and
 69-43 (2) pays an administrative fee not to exceed \$10.
 69-44 (d) [~~(f)~~] An offense under Subsection (a)(4) is a Class B
 69-45 misdemeanor.
 69-46 SECTION 160. Subchapter K, Chapter 502, Transportation
 69-47 Code, as added by this Act, is amended by adding Sections 502.476,
 69-48 502.477, 502.478, and 502.479 to read as follows:
 69-49 Sec. 502.476. ANNUAL PERMITS; OFFENSE. A person who
 69-50 violates Section 502.093 commits an offense.
 69-51 Sec. 502.477. NONRESIDENT-OWNED VEHICLES USED TO TRANSPORT
 69-52 AGRICULTURAL PRODUCT; OFFENSE. (a) A person operating a vehicle
 69-53 under a permit issued under Section 502.092 commits an offense if
 69-54 the person transports farm products to a place of market, storage,
 69-55 or processing or a railhead or seaport that is farther from the
 69-56 place of production or point of entry, as appropriate, than the
 69-57 distance provided for in the permit.
 69-58 (b) An offense under this section is a misdemeanor
 69-59 punishable by a fine of not less than \$25 or more than \$200.
 69-60 Sec. 502.478. COMMERCIAL MOTOR VEHICLE USED PRIMARILY FOR
 69-61 AGRICULTURAL PURPOSES; OFFENSE. (a) The owner of a commercial
 69-62 motor vehicle registered under Section 502.433 commits an offense
 69-63 if the person uses or permits the use of the vehicle for a purpose
 69-64 other than one allowed under Section 502.433. Each use or
 69-65 permission of use in violation of this section is a separate
 69-66 offense.
 69-67 (b) An offense under this section is a misdemeanor
 69-68 punishable by a fine of not less than \$25 or more than \$200.
 69-69 Sec. 502.479. SEASONAL AGRICULTURAL VEHICLE; OFFENSE. A

70-1 person issued a registration under Section 502.432 commits an
 70-2 offense if the person, during the registration period, uses the
 70-3 truck-tractor or commercial motor vehicle for a purpose other than
 70-4 to transport a seasonal agricultural product.

70-5 SECTION 161. Section 520.014, Transportation Code, is
 70-6 transferred to Subchapter K, Chapter 502, Transportation Code, as
 70-7 added by this Act, redesignated as Section 502.480, Transportation
 70-8 Code, and amended to read as follows:

70-9 Sec. 502.480 [~~520.014~~]. VIOLATION BY COUNTY
 70-10 ASSESSOR-COLLECTOR; PENALTY. (a) A county assessor-collector
 70-11 commits an offense if the county assessor-collector knowingly
 70-12 accepts an application for the registration of a motor vehicle
 70-13 that:

70-14 (1) has had the original motor number or vehicle
 70-15 identification number removed, erased, or destroyed; and

70-16 (2) does not bear a motor number or vehicle
 70-17 identification number assigned by the department.

70-18 (b) An offense under this section is a misdemeanor
 70-19 punishable by a fine of not less than \$10 and not more than \$50.

70-20 SECTION 162. Chapter 502, Transportation Code, is amended
 70-21 by adding Subchapter L to read as follows:

70-22 SUBCHAPTER L. REGISTRATION AND TRANSFER OF USED VEHICLES

70-23 SECTION 163. Section 502.451, Transportation Code, is
 70-24 transferred to Subchapter L, Chapter 502, Transportation Code, as
 70-25 added by this Act, redesignated as Section 502.491, Transportation
 70-26 Code, and amended to read as follows:

70-27 Sec. 502.491 [~~502.451~~]. TRANSFER OF VEHICLE REGISTRATION
 70-28 [~~AND REMOVAL OF LICENSE PLATES~~]. (a) On the sale or transfer of a
 70-29 motor vehicle [~~to a dealer~~], [~~as defined by Section 503.001, who~~
 70-30 ~~holds a general distinguishing number issued under Chapter 503, the~~
 70-31 ~~dealer shall remove each license plate and~~] the registration
 70-32 insignia issued for the motor vehicle shall be removed.

70-33 [~~(a-1) On a sale or transfer of a motor vehicle to a person~~
 70-34 ~~that does not hold a general distinguishing number issued under~~
 70-35 ~~Chapter 503, the seller or transferor may remove each license plate~~
 70-36 ~~and the registration insignia issued for the motor vehicle.]~~

70-37 (b) [~~A license plate removed from a motor vehicle under~~
 70-38 ~~Subsection (a) or (a-1) must be:~~

70-39 (1) ~~disposed of in the manner specified by the~~
 70-40 ~~department; or~~

70-41 (2) ~~transferred to another vehicle owned by the~~
 70-42 ~~seller or transferor as provided by Section 502.452.~~

70-43 [~~(c)~~] The part of the registration period remaining at the
 70-44 time of the sale or transfer shall continue with the vehicle being
 70-45 sold or transferred and does not transfer with the license plates or
 70-46 registration validation insignia. To continue the remainder of
 70-47 the registration period, the purchaser or transferee must file the
 70-48 documents required under Section 501.145 [~~520.031~~].

70-49 SECTION 164. Section 502.454, Transportation Code, is
 70-50 transferred to Subchapter L, Chapter 502, Transportation Code, as
 70-51 added by this Act, redesignated as Section 502.492, Transportation
 70-52 Code, and amended to read as follows:

70-53 Sec. 502.492 [~~502.454~~]. TEMPORARY TRANSIT PERMIT FOR A
 70-54 VEHICLE PURCHASED [~~IN A PRIVATE PARTY TRANSACTION~~]. (a) A
 70-55 purchaser [~~or transferee~~] may obtain from the department a
 70-56 temporary transit [~~single-trip~~] permit to operate a motor vehicle:

70-57 (1) that is subject to registration in this state;

70-58 (2) from which the license plates and the registration
 70-59 insignia have been removed as authorized by Section 502.491 or
 70-60 504.901 [~~502.451(a-1)~~]; and

70-61 (3) that is not authorized to travel on a public
 70-62 roadway because the required license plates and the registration
 70-63 insignia are not attached to the vehicle.

70-64 (b) The department may issue the permit in accordance with
 70-65 this section.

70-66 (c) A permit issued under this section is valid for one trip
 70-67 between the point of origin and the destination and those
 70-68 intermediate points specified in the permit.

70-69 (d) A permit issued under this section may not be valid for

71-1 longer than a five-day period.

71-2 (e) A person may obtain a permit under this section by
71-3 applying, as [on a form] provided by the department, to the
71-4 department. Application may be made using the department's
71-5 Internet website.

71-6 (f) A person is eligible to receive only one permit under
71-7 this section for a motor vehicle.

71-8 (g) A permit receipt issued under this section must be in
71-9 [on] a manner [form] provided by the department. The receipt must
71-10 contain the information required by this section and shall be
71-11 carried in the vehicle at all times during which it is valid.

71-12 (h) The department may refuse to issue a permit under this
71-13 section for any vehicle if in the department's opinion the
71-14 applicant has been involved in operations that constitute an abuse
71-15 of the privilege granted under this section.

71-16 SECTION 165. The heading to Chapter 504, Transportation
71-17 Code, is amended to read as follows:

71-18 CHAPTER 504. [~~SPECIALTY~~] LICENSE PLATES

71-19 SECTION 166. Subsection (a), Section 504.001,
71-20 Transportation Code, is amended by adding Subdivision (3) to read
71-21 as follows:

71-22 (3) "Purchaser" and "seller" have the meanings
71-23 assigned by Section 501.002.

71-24 SECTION 167. Section 504.004, Transportation Code, is
71-25 redesignated as Section 504.0011, Transportation Code, and amended
71-26 to read as follows:

71-27 Sec. 504.0011 [~~504.004~~]. RULES [~~AND FORMS~~]. The board may
71-28 adopt rules [~~and the department may issue forms~~] to implement and
71-29 administer this chapter.

71-30 SECTION 168. Section 504.002, Transportation Code, is
71-31 amended to read as follows:

71-32 Sec. 504.002. [~~PROVISIONS OF~~] GENERAL PROVISIONS
71-33 [~~APPLICABILITY~~]. Unless expressly provided by this chapter or by
71-34 department rule:

71-35 (1) except for license plates specified as exempt,
71-36 [any vehicle is eligible to be issued specialty license plates,
71-37 provided that the department may vary the design of a license plate
71-38 to accommodate or reflect its use on a motor vehicle other than a
71-39 passenger car or light truck,

71-40 [(2) an application for specialty license plates must
71-41 be submitted in the manner specified by the department, provided
71-42 that if issuance of a specialty license plate is limited to
71-43 particular persons or motor vehicles, the application must be
71-44 accompanied by evidence satisfactory to the department that the
71-45 applicant or the applicant's vehicle is eligible,

71-46 [(3)] the fee for issuance of a [specialty] license
71-47 plate, including replacement plates, is in addition to each other
71-48 fee that is paid for [or] at the time of the registration of the
71-49 motor vehicle and shall be deposited to the credit of the state
71-50 highway fund;

71-51 (2) if the registration period is greater than 12
71-52 months, the expiration date of a specialty license plate, symbol,
71-53 tab, or other device shall be aligned with the registration period,
71-54 and the specialty plate fee shall be adjusted pro rata, except that
71-55 if the statutory annual fee for a specialty license plate is \$5 or
71-56 less, it may not be prorated;

71-57 (3) [(4) each fee described by this chapter is an
71-58 annual fee, provided that the department may prorate the fee for a
71-59 specialty license plate fee on a monthly basis to align the license
71-60 plate fee to the registration period for the motor vehicle for which
71-61 the license plate was issued, and if a fee is prorated the
71-62 allocation of the fee by this chapter to an account or fund shall be
71-63 prorated in proportion,

71-64 [(5)] the department is the exclusive owner of the
71-65 design of each [specialty] license plate;

71-66 (4) [(6) the director may refuse to issue a specialty
71-67 license plate with a design or alphanumeric pattern that the
71-68 director considers potentially objectionable to one or more members
71-69 of the public and the director's refusal may not be overturned in

72-1 ~~the absence of an abuse of discretion;~~

72-2 ~~[(7) for each specialty license plate that is issued~~
 72-3 ~~through a county tax assessor-collector and for which the~~
 72-4 ~~department is allocated a portion of a fee for administrative~~
 72-5 ~~costs, the department shall credit 50 cents from its administrative~~
 72-6 ~~costs to the county treasurer of the applicable county, who shall~~
 72-7 ~~credit the money to the general fund of the county to defray the~~
 72-8 ~~costs to the county of administering this chapter;~~

72-9 ~~[(8) if a [specialty] license plate is lost, stolen,~~
 72-10 ~~or mutilated, an application for a replacement plate must be~~
 72-11 ~~accompanied by the fee prescribed by Section 502.060~~
 72-12 ~~[502.184(a)(2)];~~

72-13 ~~[(9) if the owner of a motor vehicle for which a~~
 72-14 ~~specialty license plate is issued disposes of the vehicle or for any~~
 72-15 ~~reason ceases to be eligible for that specialty license plate, the~~
 72-16 ~~owner shall return the specialty license plate to the department];~~
 72-17 ~~and~~

72-18 (5) the department shall prepare the designs and
 72-19 specifications of license plates ~~[(10) a person who is issued a~~
 72-20 ~~specialty license plate may not transfer it to another person or~~
 72-21 ~~vehicle without first receiving approval from the department].~~

72-22 SECTION 169. Section 504.103, Transportation Code, is
 72-23 transferred to Subchapter A, Chapter 504, Transportation Code,
 72-24 redesignated as Section 504.005, Transportation Code, and amended
 72-25 to read as follows:

72-26 Sec. 504.005 ~~[504.103]~~. DESIGN AND ALPHANUMERIC PATTERN.

72-27 (a) The department has sole control over the design, typeface,
 72-28 color, and alphanumeric pattern for all ~~[a personalized]~~ license
 72-29 plates ~~[plate]~~.

72-30 (b) The department shall prepare the designs and
 72-31 specifications of license plates and devices selected by the board
 72-32 to be used as a unique identifier.

72-33 (c) The department shall design each license plate to
 72-34 include a design at least one-half inch wide that represents in
 72-35 silhouette the shape of Texas and that appears between letters and
 72-36 numerals. The department may omit the silhouette of Texas from
 72-37 specialty designed license plates.

72-38 (d) To promote highway safety, each license plate shall be
 72-39 made with a reflectorized material that provides effective and
 72-40 dependable brightness for the period for which the plate is issued.

72-41 SECTION 170. Subchapter A, Chapter 504, Transportation
 72-42 Code, is amended by adding Section 504.0051 to read as follows:

72-43 Sec. 504.0051. PERSONALIZED LICENSE PLATES. (a) The
 72-44 department shall issue personalized license plates, including
 72-45 those issued in accordance with the marketing vendor as provided in
 72-46 Subchapter J. The department may not issue more than one set of
 72-47 license plates with the same alphanumeric pattern.

72-48 (b) The department may not issue a replacement set of
 72-49 personalized plates to the same person before the period set by rule
 72-50 unless the applicant for issuance of replacement plates pays the
 72-51 fee required by Section 504.007.

72-52 SECTION 171. Section 502.053, Transportation Code, is
 72-53 transferred to Subchapter A, Chapter 504, Transportation Code,
 72-54 redesignated as Section 504.006, Transportation Code, and amended
 72-55 to read as follows:

72-56 Sec. 504.006 ~~[502.053]~~. COST OF MANUFACTURING ~~[LICENSE~~
 72-57 ~~PLATES OR REGISTRATION INSIGNIA]~~. (a) The department shall
 72-58 reimburse the Texas Department of Criminal Justice for the cost of
 72-59 manufacturing license plates ~~[or registration insignia]~~ as ~~[the~~
 72-60 ~~license plates or insignia and]~~ the invoices ~~[invoice]~~ for the
 72-61 license plates ~~[or insignia]~~ are delivered to the department.

72-62 (b) When manufacturing is started, the Texas Department of
 72-63 Criminal Justice and ~~[7]~~ the department, ~~[and the comptroller],~~
 72-64 after negotiation, shall set the price to be paid for each license
 72-65 plate ~~[or insignia]~~. The price must be determined from:

72-66 (1) the cost of metal, paint, and other materials
 72-67 purchased;

72-68 (2) the inmate maintenance cost per shift ~~[day]~~;

72-69 (3) overhead expenses;

73-1 (4) miscellaneous charges; and
 73-2 (5) a previously agreed upon [~~approved~~] amount of
 73-3 profit for the work.

73-4 [~~(c) The annual profit received by the Texas Department of~~
 73-5 ~~Criminal Justice from all contracts for the manufacturing of~~
 73-6 ~~license plates or related manufacturing may not be less than the~~
 73-7 ~~profit received by the Texas Department of Corrections for~~
 73-8 ~~manufacturing license plates for use in 1974.]~~

73-9 SECTION 172. Section 502.1841, Transportation Code, as
 73-10 effective September 1, 2011, is transferred to Subchapter A,
 73-11 Chapter 504, Transportation Code, redesignated as Section 504.007,
 73-12 Transportation Code, and amended to read as follows:

73-13 Sec. 504.007 [~~502.1841~~]. REPLACEMENT LICENSE PLATES.

73-14 (a) The owner of a registered motor vehicle may obtain replacement
 73-15 license plates for the vehicle by:

73-16 (1) certifying that the replacement plates will not be
 73-17 used on any other vehicle owned or operated by the person making the
 73-18 statement;

73-19 (2) paying a fee of \$6 plus the fee required by Section
 73-20 502.356(a) [~~502.1705(a)~~] for each set of replacement license
 73-21 plates, unless otherwise specified by law; and

73-22 (3) returning to the department each license plate in
 73-23 the owner's possession for which a replacement license plate is
 73-24 obtained.

73-25 (b) Replacement license plates may not be issued except as
 73-26 provided by this section.

73-27 (c) A county assessor-collector shall retain \$2.50 of each
 73-28 fee collected under this section and forward the remainder of the
 73-29 fee to the department.

73-30 (d) The fee required by this section applies to the issuance
 73-31 of license plates for a transferred used vehicle for which the
 73-32 registration and license plates were not transferred under Section
 73-33 504.901 [~~Subchapter I~~].

73-34 (e) Replacement license plates may be used in the
 73-35 registration year in which the plates are issued and during each
 73-36 succeeding year of the registration period as set by rule if the
 73-37 registration insignia is properly displayed on the vehicle.

73-38 (f) Subsection (e) does not apply to the issuance of
 73-39 specialized license plates for limited distribution, including
 73-40 exempt plates for governmental entities and temporary registration
 73-41 plates.

73-42 SECTION 173. Subchapter A, Chapter 504, Transportation
 73-43 Code, is amended by adding Section 504.008 to read as follows:

73-44 Sec. 504.008. SPECIALTY LICENSE PLATES. (a) The
 73-45 department shall prepare the designs and specifications of
 73-46 specialty license plates.

73-47 (b) Any motor vehicle other than a vehicle manufactured for
 73-48 off-highway use only is eligible to be issued specialty license
 73-49 plates, provided that the department may vary the design of a
 73-50 license plate to accommodate or reflect its use on a motor vehicle
 73-51 other than a passenger car or light truck.

73-52 (c) An application for specialty license plates must be
 73-53 submitted in the manner specified by the department, provided that
 73-54 if issuance of a specialty license plate is limited to particular
 73-55 persons or motor vehicles, the application must be accompanied by
 73-56 evidence satisfactory to the department that the applicant or the
 73-57 applicant's vehicle is eligible.

73-58 (d) Each fee described by this chapter is an annual fee,
 73-59 provided that the department may prorate the fee for a specialty
 73-60 license plate fee on a monthly basis to align the license plate fee
 73-61 to the registration month for the motor vehicle for which the
 73-62 license plate was issued, and if a fee is prorated the allocation of
 73-63 the fee by this chapter to an account or fund shall be prorated in
 73-64 proportion.

73-65 (e) The director or the director's designee may refuse to
 73-66 issue a specialty license plate with a design or alphanumeric
 73-67 pattern that the director or designee considers potentially
 73-68 objectionable to one or more members of the public and the director
 73-69 or designee's refusal may not be overturned in the absence of an

74-1 abuse of discretion.

74-2 (f) For each specialty license plate that is issued by a
 74-3 county assessor-collector and for which the department is allocated
 74-4 a portion of the fee for administrative costs, the department shall
 74-5 credit 50 cents from its administrative costs to the county
 74-6 treasurer of the applicable county, who shall credit the money to
 74-7 the general fund of the county to defray the costs to the county of
 74-8 administering this chapter.

74-9 (g) If the owner of a motor vehicle for which a specialty
 74-10 license plate is issued disposes of the vehicle or for any reason
 74-11 ceases to be eligible for that specialty license plate, the owner
 74-12 shall return the specialty license plate to the department.

74-13 (h) A person who is issued a specialty license plate may not
 74-14 transfer the plate to another person or vehicle unless the
 74-15 department approves the transfer.

74-16 SECTION 174. Section 504.003, Transportation Code, is
 74-17 redesignated as Section 504.009, Transportation Code, and amended
 74-18 to read as follows:

74-19 Sec. 504.009 [~~504.003~~]. SOUVENIR LICENSE PLATES. (a) The
 74-20 department may issue a souvenir version of any specialty license
 74-21 plate for any vehicle[~~, including a motorcycle~~].

74-22 (b) The fee for a single souvenir license plate is \$20. The
 74-23 fee shall be deposited to the credit of the state highway fund
 74-24 unless the souvenir license plate is a replica of a specialty
 74-25 license plate issued under Subchapter G or I for which the fee is
 74-26 deposited to an account other than the state highway fund, in which
 74-27 case:

74-28 (1) \$10 of the fee for the souvenir license plate shall
 74-29 be deposited to the credit of the designated account; and

74-30 (2) \$10 of the fee for the souvenir license plate shall
 74-31 be deposited to the credit of the state highway fund.

74-32 (c) If a souvenir license plate issued before September 1,
 74-33 2009, is personalized, the fee for the plate is \$40. Of the fee:

74-34 (1) \$20 shall be deposited to the credit of the state
 74-35 highway fund;

74-36 (2) \$10 shall be deposited to the credit of the
 74-37 designated account if the souvenir license plate is a replica of a
 74-38 specialty license plate issued under Subchapter G or I for which the
 74-39 fee is deposited to a designated account other than the state
 74-40 highway fund; and

74-41 (3) the remainder shall be deposited to the credit of
 74-42 the general revenue fund.

74-43 (c-1) The fee for a souvenir license plate issued on or
 74-44 after September 1, 2009, is the amount established under Section
 74-45 504.851(c).

74-46 (d) A souvenir license plate may not be used on a motor
 74-47 vehicle[~~, including a motorcycle~~] and is not an insignia of
 74-48 registration for a motor vehicle. Each souvenir license plate must
 74-49 be identified by the department in a way that identifies it to law
 74-50 enforcement officers and others as a souvenir license plate.

74-51 (e) A beneficiary of a specialty license plate issued under
 74-52 Subchapter G or I, as designated by the applicable section of those
 74-53 subchapters, may purchase the specialty license plates, in minimum
 74-54 amounts determined by the department [~~boxes of 25~~], for use or
 74-55 resale by the beneficiary. The beneficiary shall pay the required
 74-56 fee per plate, less the amount of the fee that would be deposited to
 74-57 the credit of the designated account.

74-58 SECTION 175. Subchapter A, Chapter 504, Transportation
 74-59 Code, is amended by adding Section 504.010 to read as follows:

74-60 Sec. 504.010. ISSUANCE AND PLACEMENT OF LICENSE PLATE.

74-61 (a) On payment of the prescribed fee, an applicant for motor
 74-62 vehicle registration shall be issued a license plate or set of
 74-63 plates.

74-64 (b) Subject to Section 504.901, the department shall issue
 74-65 only one license plate or set of plates for a vehicle during the
 74-66 registration period set by rule.

74-67 (c) The board may adopt rules regarding the placement of
 74-68 license plates for a motor vehicle, road tractor, motorcycle,
 74-69 trailer, or semitrailer.

75-1 SECTION 176. Subsections (b), (d), and (g), Section
75-2 504.201, Transportation Code, are amended to read as follows:

75-3 (b) The department shall issue specialty license plates for
75-4 a motor vehicle that:

75-5 (1) has a gross vehicle weight [~~manufacturer's rated~~
75-6 ~~carrying capacity~~] of 18,000 pounds [~~two tons~~] or less; and

75-7 (2) is regularly operated for noncommercial use by or
75-8 for the transportation of a person with a permanent disability.

75-9 (d) Except as provided by Subsection (d-1), the initial
75-10 application for specialty license plates under this section must be
75-11 accompanied by a written statement from a physician who is licensed
75-12 to practice medicine in this state or in a state adjacent to this
75-13 state or who is authorized by applicable law to practice medicine in
75-14 a hospital or other health facility of the Department of Veterans
75-15 Affairs. If the applicant has a mobility problem caused by a
75-16 disorder of the foot, the written statement may be issued by a
75-17 person licensed to practice podiatry in this state or a state
75-18 adjacent to this state. In this subsection, "podiatry" has the
75-19 meaning assigned by Section 681.001. The statement must certify
75-20 that the person making the application or on whose behalf the
75-21 application is made is legally blind or has a mobility problem that
75-22 substantially impairs the person's ability to ambulate. The
75-23 statement must also certify whether a mobility problem is temporary
75-24 or permanent. A written statement is not required as acceptable
75-25 medical proof if:

75-26 (1) the person with a disability:

75-27 (A) has had a limb, hand, or foot amputated; or

75-28 (B) must use a wheelchair; and

75-29 (2) the applicant executes a statement [~~and the county~~
75-30 ~~assessor-collector processing the application execute an~~
75-31 ~~affidavit~~] attesting to the person's disability before the county
75-32 assessor-collector.

75-33 (g) In addition to a license plate issued under this
75-34 section, an eligible person is entitled to be issued a set of the
75-35 license plates for each motor vehicle owned by the person that has a
75-36 gross vehicle weight [~~carrying capacity~~] of 18,000 pounds [~~two~~
75-37 ~~tons~~] or less and is equipped with special equipment that:

75-38 (1) is designed to allow a person who has lost the use
75-39 of one or both of the person's legs to operate the vehicle; and

75-40 (2) is not standard equipment on that type of vehicle
75-41 for use by a person who has use of both legs.

75-42 SECTION 177. Section 504.202, Transportation Code, is
75-43 amended by amending Subsections (b) and (f) and adding Subsection
75-44 (i) to read as follows:

75-45 (b) A veteran of the United States armed forces is entitled
75-46 to register, for the person's own use, motor vehicles under this
75-47 section if:

75-48 (1) the person has suffered, as a result of military
75-49 service:

75-50 (A) at least a 50 percent service-connected
75-51 disability; or

75-52 (B) a 40 percent service-connected disability
75-53 because of the amputation of a lower extremity;

75-54 (2) the person receives compensation from the United
75-55 States because of the disability; and

75-56 (3) the motor vehicle:

75-57 (A) is owned by the person; and

75-58 (B) has a gross vehicle weight [~~manufacturer's~~
75-59 ~~rated carrying capacity~~] of 18,000 pounds [~~two tons~~] or less.

75-60 (f) The fee for the first set of license plates is \$3. There
75-61 is no fee for each additional set of license plates. [~~If a license~~
75-62 ~~plate is lost, stolen, or mutilated, on payment of a \$1 fee the~~
75-63 ~~department shall issue a set of replacement plates.~~]

75-64 (i) A license plate with the letters "DV" may be
75-65 personalized with up to four characters.

75-66 SECTION 178. Subsection (b), Section 504.203,
75-67 Transportation Code, is amended to read as follows:

75-68 (b) An application for license plates under this section
75-69 must be accompanied by a written statement acknowledged [~~signed~~] by

76-1 the administrator or manager of the institution, facility, or
 76-2 retirement community certifying that the institution, facility, or
 76-3 retirement community regularly transports, as a part of the
 76-4 services that the institution, facility, or retirement community
 76-5 provides, one or more eligible persons who reside in the
 76-6 institution, facility, or retirement community. The department
 76-7 shall determine the eligibility of the institution, facility, or
 76-8 retirement community on the evidence the applicant provides.

76-9 SECTION 179. Section 504.3011, Transportation Code, is
 76-10 amended to read as follows:

76-11 Sec. 504.3011. DESIGN OF CERTAIN LICENSE PLATES FOR THE
 76-12 MILITARY. [~~(a) License plates issued under Section 504.303 must~~
 76-13 ~~at a minimum bear a color depiction of the emblem of the appropriate~~
 76-14 ~~branch of the United States armed forces.~~

76-15 [~~(b) License plates issued under Section 504.308(a) or~~
 76-16 ~~504.315(e), (f), or (g) must at a minimum bear a color depiction of~~
 76-17 ~~the appropriate medal.~~

76-18 [~~(c)~~] The department shall design military license plates
 76-19 that bear a color depiction of the emblem of the appropriate branch
 76-20 of the United States armed forces or a color depiction of the
 76-21 appropriate medal as provided by the United States Department of
 76-22 Defense [~~to which this section applies in consultation with~~
 76-23 ~~veterans organizations~~].

76-24 SECTION 180. Subsection (d), Section 504.315,
 76-25 Transportation Code, is amended to read as follows:

76-26 (d) The department shall issue specialty license plates for
 76-27 survivors of the attack on Pearl Harbor on December 7, 1941. The
 76-28 license plates must include the words "Pearl Harbor Survivor." [~~and~~
 76-29 ~~must be consecutively numbered.~~] A person is eligible if the
 76-30 person:

- 76-31 (1) served in the United States armed forces;
- 76-32 (2) was stationed in the Hawaiian Islands on December
 76-33 7, 1941; and
- 76-34 (3) survived the attack on Pearl Harbor on December 7,
 76-35 1941.

76-36 SECTION 181. Subchapter E, Chapter 504, Transportation
 76-37 Code, is amended by adding Section 504.400 to read as follows:

76-38 Sec. 504.400. FEES FOR CERTAIN RESTRICTED PLATES. The
 76-39 department shall issue, without charge, not more than three sets of
 76-40 specialty license plates under this subchapter.

76-41 SECTION 182. Subsections (a) and (c), Section 504.401,
 76-42 Transportation Code, are amended to read as follows:

76-43 (a) The department shall issue [~~without charge~~] specialty
 76-44 license plates that include the words "State Official" to a state
 76-45 official. [~~The license plates must include the words "State~~
 76-46 ~~Official."~~]

76-47 (c) The registration remains [~~license plates remain~~] valid
 76-48 until December 31 of each year.

76-49 SECTION 183. Subsection (a), Section 504.402,
 76-50 Transportation Code, is amended to read as follows:

76-51 (a) The department shall issue [~~without charge~~] specialty
 76-52 license plates to [~~for~~] members of congress, which [~~License~~
 76-53 ~~plates issued under this section~~] must include the words "U.S.
 76-54 Congress."

76-55 SECTION 184. Subsection (a), Section 504.403,
 76-56 Transportation Code, is amended to read as follows:

76-57 (a) The department shall issue [~~without charge~~] specialty
 76-58 license plates for a current or visiting state or federal judge.
 76-59 The license plates must include the words "State Judge" or "U.S.
 76-60 Judge," as appropriate.

76-61 SECTION 185. Subdivision (2), Subsection (d), Section
 76-62 504.403, Transportation Code, is amended to read as follows:

- 76-63 (2) "State judge" means:
 - 76-64 (A) a justice of the supreme court;
 - 76-65 (B) a judge of the court of criminal appeals;
 - 76-66 (C) a judge of a court of appeals of this state;
 - 76-67 (D) a district court judge;
 - 76-68 (E) a presiding judge of an administrative
 76-69 judicial district; or

(F) a statutory county court judge.

SECTION 186. Subsection (a), Section 504.404, Transportation Code, is amended to read as follows:

(a) The department shall issue ~~[without charge]~~ specialty license plates to ~~[for]~~ current federal administrative law judges that ~~[. The license plates shall]~~ bear the words "U.S. A. L. Judge."

SECTION 187. Subsection (a), Section 504.405, Transportation Code, is amended to read as follows:

(a) The department shall issue ~~[without charge]~~ specialty license plates for current county judges of this state that ~~[. The license plates shall]~~ bear the words "County Judge."

SECTION 188. Section 504.406, Transportation Code, is amended to read as follows:

Sec. 504.406. TEXAS CONSTABLES. The department shall issue ~~[without charge]~~ specialty license plates for Texas constables that ~~[. The license plates shall]~~ bear the words "Texas Constable."

SECTION 189. Section 504.412, Transportation Code, is redesignated as Section 504.4061, Transportation Code, and amended to read as follows:

Sec. 504.4061 ~~[504.412]~~. FOREIGN ORGANIZATION VEHICLES. (a) The department shall issue specialty license plates for an instrumentality established by a foreign government recognized by the United States before January 1, 1979, that is without official representation or diplomatic relations with the United States. The license plates must include the words "Foreign Organization" and shall remain valid for seven ~~[five]~~ years.

(b) A person entitled to specialty license plates under this section may register the vehicle without payment of any fee paid for or at the time of registration.

SECTION 190. Section 504.509, Transportation Code, as effective September 1, 2011, is transferred to Subchapter E, Chapter 504, Transportation Code, and redesignated as Section 504.415, Transportation Code, to read as follows:

Sec. 504.415 ~~[504.509]~~. VEHICLES CARRYING MOBILE AMATEUR RADIO EQUIPMENT. The department shall issue specialty license plates for a person who holds an amateur radio station license issued by the Federal Communications Commission and who operates receiving and transmitting mobile amateur radio equipment. The license plates shall include the person's amateur call letters as assigned by the Federal Communications Commission. A person may register more than one vehicle equipped with mobile amateur radio equipment under this section, and the department shall issue license plates that include the same amateur call letters for each vehicle.

SECTION 191. The heading to Subchapter F, Chapter 504, Transportation Code, is amended to read as follows:

SUBCHAPTER F. SPECIALTY LICENSE PLATES WITH RESTRICTED DISTRIBUTION AND REGULAR LICENSE PLATE FEES ~~[FOR CERTAIN VEHICLES]~~

SECTION 192. Subsection (g), Section 504.502, Transportation Code, is amended to read as follows:

(g) A person entitled to specialty license plates or to department approval under this section may register the vehicle without payment of any fees paid for or at the time of registration except the fee for the license plate. ~~[An owner of a vehicle registered under this subsection who violates this section commits an offense. An offense under this section is a misdemeanor punishable by a fine of not less than \$5 or more than \$200.]~~

SECTION 193. Section 504.503, Transportation Code, is amended to read as follows:

Sec. 504.503. MUNICIPAL, MOTOR, AND PRIVATE BUSES. ~~[(a)]~~ The department shall issue without charge specialty license plates for municipal buses, motor buses, and private buses. The license plates must include the words "City Bus," "Motor Bus," or "Private Bus," as appropriate.

~~[(b) In this section, "private bus" means a bus that:~~

~~[(1) is not operated for hire; and~~

~~[(2) is not classified as a municipal bus or a motor~~

~~bus.]~~

78-1 SECTION 194. The heading to Section 504.506, Transportation
78-2 Code, is amended to read as follows:

78-3 Sec. 504.506. [~~CERTAIN~~] LOG LOADER VEHICLES.

78-4 SECTION 195. Sections 504.407 and 504.408, Transportation
78-5 Code, are transferred to Subchapter F, Chapter 504, Transportation
78-6 Code, and redesignated as Sections 504.511 and 504.512,
78-7 Transportation Code, to read as follows:

78-8 Sec. 504.511 [~~504.407~~]. PEACE OFFICERS WOUNDED OR KILLED IN
78-9 LINE OF DUTY. (a) The department shall issue specialty license
78-10 plates for:

78-11 (1) a person wounded in the line of duty as a peace
78-12 officer; or

78-13 (2) a surviving spouse, parent, brother, sister, or
78-14 adult child, including an adopted child or stepchild, of a person
78-15 killed in the line of duty as a peace officer.

78-16 (b) License plates issued under this section must include
78-17 the words "To Protect and Serve" above an insignia depicting a
78-18 yellow rose superimposed over the outline of a badge.

78-19 (c) The fee for issuance of the license plates is \$20.

78-20 (d) In this section, "peace officer" has the meaning
78-21 assigned by Section 1.07, Penal Code.

78-22 Sec. 504.512 [~~504.408~~]. GOLD STAR MOTHER, SPOUSE, OR FAMILY
78-23 MEMBER. (a) The department shall issue a specialty license plate
78-24 for the mother, surviving spouse, or immediate family member of a
78-25 person who died while serving in the United States armed
78-26 forces. License plates issued under this section must include the
78-27 words "Gold Star Mother," "Gold Star Spouse," or "Gold Star Family"
78-28 and a gold star. A person may not be issued more than one set of the
78-29 license plates at a time.

78-30 (a-1) In this section "immediate family member" means the
78-31 parent, child, or sibling of a person who died while serving in the
78-32 United States armed forces.

78-33 (b) The fee for issuance of the license plates is \$10.

78-34 SECTION 196. Section 504.409, Transportation Code, as
78-35 effective September 1, 2011, and as amended by Chapters 1136 (H.B.
78-36 2553) and 1381 (S.B. 1616), Acts of the 81st Legislature, Regular
78-37 Session, 2009, is transferred to Subchapter F, Chapter 504,
78-38 Transportation Code, redesignated as Section 504.513,
78-39 Transportation Code, and reenacted and amended to read as follows:

78-40 Sec. 504.513 [~~504.409~~]. FIREFIGHTERS. (a) The department
78-41 shall issue specialty license plates for:

78-42 (1) volunteer firefighters certified by:

78-43 (A) the Texas Commission on Fire Protection; or

78-44 (B) the State Firemen's and Fire Marshals'
78-45 Association of Texas; and

78-46 (2) fire protection personnel as that term is defined
78-47 by Section 419.021, Government Code.

78-48 (b) [~~(c)~~] A person may be issued not more than three sets of
78-49 license plates.

78-50 SECTION 197. Sections 504.410 and 504.411, Transportation
78-51 Code, are transferred to Subchapter F, Chapter 504, Transportation
78-52 Code, redesignated as Sections 504.514 and 504.515, Transportation
78-53 Code, and amended to read as follows:

78-54 Sec. 504.514 [~~504.410~~]. EMERGENCY MEDICAL SERVICES
78-55 PERSONNEL. (a) The department shall issue specialty license
78-56 plates for emergency medical services personnel certified by the
78-57 [~~Texas~~] Department of State Health Services under Subchapter C,
78-58 Chapter 773, Health and Safety Code.

78-59 (b) The fee for issuance of the license plates is \$8.

78-60 (c) A person may be issued only one set of the license
78-61 plates.

78-62 Sec. 504.515 [~~504.411~~]. HONORARY CONSULS. (a) The
78-63 department shall issue specialty license plates for a person who is
78-64 an honorary consul authorized by the United States to perform
78-65 consular duties. License plates issued under this section must
78-66 include the words "Honorary Consul."

78-67 (b) The fee for issuance of the license plates is \$40.

78-68 SECTION 198. Subchapter F, Chapter 504, Transportation
78-69 Code, is amended by adding Section 504.516 to read as follows:

79-1 Sec. 504.516. RENTAL TRAILER OR TRAVEL TRAILER FEE:
 79-2 TRAILER OR SEMITRAILER. (a) The department may issue specially
 79-3 designed license plates for rental trailers and travel trailers
 79-4 that include, as appropriate, the words "rental trailer" or "travel
 79-5 trailer."

79-6 (b) In this section:
 79-7 (1) "Rental fleet" means vehicles that are designated
 79-8 in the manner prescribed by the department as a rental fleet.

79-9 (2) "Rental trailer" means a utility trailer.
 79-10 (3) "Travel trailer" has the meaning assigned by
 79-11 Section 501.002.

79-12 SECTION 199. Subsection (a), Section 504.614,
 79-13 Transportation Code, is amended to read as follows:

79-14 (a) The department may issue specialty license plates that
 79-15 include the name and insignia of a professional sports team located
 79-16 in this state. The department shall design the license plates in
 79-17 consultation with the professional sports team and may enter a
 79-18 trademark license with the professional sports team or its league
 79-19 to implement this section. A license plate may be issued under this
 79-20 section only for a professional sports team that:

79-21 (1) certifies to the department that the requirements
 79-22 of Section 504.702 are met [it has determined that at least 3,500
 79-23 persons will apply for the plates]; and

79-24 (2) plays its home games in a facility constructed or
 79-25 operated, in whole or in part, with public funds.

79-26 SECTION 200. Section 504.615, Transportation Code, is
 79-27 amended by amending Subsections (a) and (e) and adding Subsection
 79-28 (d-1) to read as follows:

79-29 (a) The department shall issue specialty license plates
 79-30 that include the name and insignia of a college. The department
 79-31 shall design the license plates in consultation with the applicable
 79-32 college. The department may issue a license plate under this
 79-33 section only for a college that certifies to the department that the
 79-34 requirements of Section 504.702 are met [it has determined that at
 79-35 least 1,500 persons will apply for the plates].

79-36 (d-1) If the fee is for the issuance of license plates for a
 79-37 college described by Subsection (e)(3), the money:

79-38 (1) shall be deposited to the credit of the Texas
 79-39 Higher Education Coordinating Board; and

79-40 (2) is supplementary and is not income for purposes of
 79-41 reducing general revenue appropriations to that board.

79-42 (e) In this section, "college" means:

79-43 (1) an institution of higher education as defined by
 79-44 Section 61.003, Education Code; ~~or~~

79-45 (2) a private college or university described by
 79-46 Section 61.222, Education Code; or

79-47 (3) a college or university that is not located in this
 79-48 state.

79-49 SECTION 201. Subsection (a), Section 504.616,
 79-50 Transportation Code, is amended to read as follows:

79-51 (a) The department shall issue specialty license plates
 79-52 including the words "Texas Reads" that ["Texas Reads." The
 79-53 department shall design the license plates to] incorporate one or
 79-54 more submissions from middle school students in a competition
 79-55 conducted by the department.

79-56 SECTION 202. The heading to Section 504.642, Transportation
 79-57 Code, is amended to read as follows:

79-58 Sec. 504.642. TEXAS COUNCIL OF [COUNTY] CHILD WELFARE
 79-59 BOARDS [BOARD] LICENSE PLATES.

79-60 SECTION 203. Subsection (a), Section 504.642,
 79-61 Transportation Code, is amended to read as follows:

79-62 (a) The department shall issue Texas Council of [County]
 79-63 Child Welfare Boards specialty license plates. The department
 79-64 shall design the license plates in consultation with the Texas
 79-65 Council of Child Welfare Boards, Inc.

79-66 SECTION 204. Subsection (a), Section 504.647,
 79-67 Transportation Code, is amended to read as follows:

79-68 (a) The department shall issue Fight Terrorism specialty
 79-69 license plates that [The license plates shall] include a

80-1 pentagon-shaped border surrounding:

80-2 (1) the date "9-11-01" with the likeness of the World
80-3 Trade Center towers forming the "11";

80-4 (2) the likeness of the United States flag; and

80-5 (3) the words "Fight Terrorism."

80-6 SECTION 205. Section 504.413, Transportation Code, is
80-7 transferred to Subchapter G, Chapter 504, Transportation Code, and
80-8 redesignated as Section 504.659, Transportation Code, to read as
80-9 follows:

80-10 Sec. 504.659 [~~504.413~~]. MEMBERS OF AMERICAN LEGION.

80-11 (a) The department shall issue specialty license plates for
80-12 members of the American Legion. The license plates shall include
80-13 the words "Still Serving America" and the emblem of the American
80-14 Legion. The department shall design the license plates in
80-15 consultation with the American Legion.

80-16 (b) The fee for the license plates is \$30.

80-17 (c) After deduction of \$8 to reimburse the department for
80-18 its administrative costs, the remainder of the fee for issuance of
80-19 the license plates shall be deposited to the credit of the American
80-20 Legion, Department of Texas account in the state treasury. Money in
80-21 the account may be used only by the Texas Veterans Commission in
80-22 making grants to the American Legion Endowment Fund for
80-23 scholarships and youth programs sponsored by the American Legion,
80-24 Department of Texas.

80-25 SECTION 206. Section 504.702, Transportation Code, is
80-26 amended by amending Subsection (b) and adding Subsections (e) and
80-27 (f) to read as follows:

80-28 (b) The department may manufacture the specialty license
80-29 plates only if a request for manufacture of the license plates is
80-30 filed with the department. The request must be:

80-31 (1) made in [~~on~~] a manner prescribed [~~form adopted~~] by
80-32 the department;

80-33 (2) filed before the fifth anniversary of the
80-34 effective date of the law that authorizes the issuance of the
80-35 specialty license plates; and

80-36 (3) accompanied by[+]

80-37 [~~(A)~~] a deposit of \$8,000 [~~+~~ or

80-38 [~~(B)~~ ~~applications for issuance of at least 1,900~~
80-39 ~~sets of the license plates plus the fees for issuance of that number~~
80-40 ~~of sets~~].

80-41 (e) The department may issue license plates under:

80-42 (1) Section 504.614 for a particular professional
80-43 sports team only if \$8,000 has been deposited with the department
80-44 for that sports team; or

80-45 (2) Section 504.615 for a particular institution of
80-46 higher education or private college or university only if \$8,000
80-47 has been deposited with the department for that institution,
80-48 college, or university.

80-49 (f) Money deposited with the department under Subsection
80-50 (b)(3) or (e) shall be returned by the department to the person who
80-51 made the deposit after 800 sets of plates have been issued.

80-52 SECTION 207. Subsection (a), as effective September 1,
80-53 2011, and Subsection (b), Section 504.801, Transportation Code, are
80-54 amended to read as follows:

80-55 (a) The department may create new specialty license plates
80-56 on its own initiative or on receipt of an application from a
80-57 potential sponsor. A new specialty license plate created under
80-58 this section must comply with each requirement of Section 504.702
80-59 unless the license is created by the department on its own
80-60 initiative. The department may permit a specialty license plate
80-61 created under this section to be personalized. The redesign of an
80-62 existing specialty license plate at the request of a sponsor shall
80-63 be treated like the issuance of a new specialty license plate[~~+~~
80-64 ~~except that the department may require a nonrefundable design fee~~].

80-65 (b) Any nonprofit entity [~~person~~] may submit an application
80-66 to the department to sponsor a new specialty license plate [~~by~~
80-67 ~~submitting an application to the department~~]. An application may
80-68 nominate a state agency to receive funds derived from the issuance
80-69 of the license plates. The application may also identify uses to

81-1 which those funds should be appropriated.

81-2 SECTION 208. Section 504.851, Transportation Code, is
81-3 amended by adding Subsection (m) to read as follows:

81-4 (m) If the vendor ceases operation:

81-5 (1) the program may be operated temporarily by the
81-6 department under new agreements with the plate sponsors until
81-7 another vendor is selected and commences operation; and

81-8 (2) the vendor's share of the revenue shall be
81-9 deposited to the credit of the general revenue fund.

81-10 SECTION 209. Subsection (d), Section 504.853,
81-11 Transportation Code, is amended to read as follows:

81-12 (d) The department may not issue a replacement set of
81-13 personalized license plates to the same person before the period
81-14 set by rule [~~sixth anniversary of the date of issuance~~] unless the
81-15 applicant for issuance of replacement plates pays an additional fee
81-16 of \$30.

81-17 SECTION 210. Chapter 504, Transportation Code, is amended
81-18 by adding Subchapter K to read as follows:

81-19 SUBCHAPTER K. TRANSFER AND REMOVAL OF LICENSE PLATES

81-20 Sec. 504.901. TRANSFER AND REMOVAL OF LICENSE PLATES.

81-21 (a) On the sale or transfer of a motor vehicle to a dealer who
81-22 holds a general distinguishing number issued under Chapter 503, the
81-23 dealer shall remove each license plate issued for the motor
81-24 vehicle. A person may use the license plates removed from a motor
81-25 vehicle on a new motor vehicle purchased from a dealer after the
81-26 person obtains the department's approval of a title and
81-27 registration application.

81-28 (b) On the sale or transfer of a motor vehicle to a person
81-29 who does not hold a general distinguishing number issued under
81-30 Chapter 503, the seller may remove each license plate issued for the
81-31 motor vehicle. The license plates may be transferred to another
81-32 vehicle titled in the seller's name if the seller obtains:

81-33 (1) the department's approval of an application to
81-34 transfer the license plates; and

81-35 (2) a new registration insignia for the motor vehicle.

81-36 (c) A license plate removed from a motor vehicle that is not
81-37 transferred to another motor vehicle must be disposed of in a manner
81-38 specified by the department.

81-39 (d) To be eligible for transfer, license plates must be
81-40 appropriate for the class of vehicle to which the plates are being
81-41 transferred.

81-42 SECTION 211. Chapter 504, Transportation Code, is amended
81-43 by adding Subchapter L to read as follows:

81-44 SUBCHAPTER L. OFFENSES AND PENALTIES

81-45 Sec. 504.941. ANTIQUE VEHICLES; OFFENSE. (a) A person who
81-46 violates Section 504.502 commits an offense. An offense under this
81-47 section is a misdemeanor punishable by a fine of not less than \$5 or
81-48 more than \$200.

81-49 (b) It is an affirmative defense to prosecution under this
81-50 section that at the time of the offense the vehicle was en route to
81-51 or from a location for the purpose of routine maintenance of the
81-52 vehicle.

81-53 Sec. 504.942. LOG LOADER VEHICLES; PENALTIES. A vehicle
81-54 operated in violation of Section 504.506 is considered to be
81-55 operated or moved while unregistered and is immediately subject to
81-56 the applicable fees and penalties prescribed by this chapter.

81-57 Sec. 504.943. OPERATION OF VEHICLE WITHOUT LICENSE PLATE.

81-58 (a) Except as provided by Subsection (b), a person commits an
81-59 offense if the person operates on a public highway, during a
81-60 registration period, a motor vehicle that does not display two
81-61 license plates that:

81-62 (1) have been assigned by the department for the
81-63 period; and

81-64 (2) comply with department rules regarding the
81-65 placement of license plates.

81-66 (b) A person commits an offense if the person operates on a
81-67 public highway during a registration period a road tractor,
81-68 motorcycle, trailer, or semitrailer that does not display a license
81-69 plate that:

82-1 (1) has been assigned by the department for the
 82-2 period; and

82-3 (2) complies with department rules regarding the
 82-4 placement of license plates.

82-5 (c) This section does not apply to a dealer operating a
 82-6 vehicle as provided by law.

82-7 (d) A court may dismiss a charge brought under Subsection
 82-8 (a)(1) if the defendant:

82-9 (1) remedies the defect before the defendant's first
 82-10 court appearance; and

82-11 (2) pays an administrative fee not to exceed \$10.

82-12 SECTION 212. Section 502.408, Transportation Code, is
 82-13 transferred to Subchapter L, Chapter 504, Transportation Code, as
 82-14 added by this Act, redesignated as Section 504.944, Transportation
 82-15 Code, and amended to read as follows:

82-16 Sec. 504.944 [~~502.408~~]. OPERATION OF VEHICLE WITH WRONG
 82-17 LICENSE PLATE. [~~(a)~~] A person commits an offense if the person
 82-18 operates, or as the owner permits another to operate, on a public
 82-19 highway a motor vehicle that has attached to it a number plate or
 82-20 registration insignia issued for a different vehicle. An offense
 82-21 under this section [~~subsection~~] is a misdemeanor punishable by a
 82-22 fine not to exceed \$200.

82-23 SECTION 213. Subchapter L, Chapter 504, Transportation
 82-24 Code, as added by this Act, is amended by adding Section 504.945 to
 82-25 read as follows:

82-26 Sec. 504.945. WRONG, FICTITIOUS, ALTERED, OR OBSCURED
 82-27 LICENSE PLATE. (a) A person commits an offense if the person
 82-28 attaches to or displays on a motor vehicle a license plate that:

82-29 (1) is issued for a different motor vehicle;

82-30 (2) is issued for the vehicle under any other motor
 82-31 vehicle law other than by the department;

82-32 (3) is assigned for a registration period other than
 82-33 the registration period in effect;

82-34 (4) is fictitious;

82-35 (5) has blurring or reflective matter that
 82-36 significantly impairs the readability of the name of the state in
 82-37 which the vehicle is registered or the letters or numbers of the
 82-38 license plate number at any time;

82-39 (6) has an attached illuminated device or sticker,
 82-40 decal, emblem, or other insignia that is not authorized by law and
 82-41 that interferes with the readability of the letters or numbers of
 82-42 the license plate number or the name of the state in which the
 82-43 vehicle is registered; or

82-44 (7) has a coating, covering, protective substance, or
 82-45 other material that:

82-46 (A) distorts angular visibility or
 82-47 detectability;

82-48 (B) alters or obscures one-half or more of the
 82-49 name of the state in which the vehicle is registered; or

82-50 (C) alters or obscures the letters or numbers of
 82-51 the license plate number or the color of the plate.

82-52 (b) Except as provided by Subsection (e), an offense under
 82-53 Subsection (a) is a misdemeanor punishable by a fine of not more
 82-54 than \$200, unless it is shown at the trial of the offense that the
 82-55 owner knowingly altered or made illegible the letters, numbers, and
 82-56 other identification marks, in which case the offense is a Class B
 82-57 misdemeanor.

82-58 (c) Subsection (a)(7) may not be construed to apply to:

82-59 (1) a trailer hitch installed on a vehicle in a normal
 82-60 or customary manner;

82-61 (2) a transponder, as defined by Section 228.057, that
 82-62 is attached to a vehicle in the manner required by the issuing
 82-63 authority;

82-64 (3) a wheelchair lift or wheelchair carrier that is
 82-65 attached to a vehicle in a normal or customary manner;

82-66 (4) a trailer being towed by a vehicle; or

82-67 (5) a bicycle or motorcycle rack that is attached to a
 82-68 vehicle in a normal or customary manner.

82-69 (d) A court may dismiss a charge brought under Subsection

83-1 (a)(3), (5), (6), or (7) if the defendant:

83-2 (1) remedies the defect before the defendant's first
83-3 court appearance; and

83-4 (2) pays an administrative fee not to exceed \$10.

83-5 (e) An offense under Subsection (a)(4) is a Class B
83-6 misdemeanor.

83-7 SECTION 214. Subchapter A, Chapter 520, Transportation
83-8 Code, is amended by adding Sections 520.003 and 520.004 to read as
83-9 follows:

83-10 Sec. 520.003. RULES; WAIVER OF FEES. The department may
83-11 adopt rules to administer this chapter, including rules that waive
83-12 the payment of fees if a dealer has gone out of business and the
83-13 applicant can show that fees were paid to the dealer.

83-14 Sec. 520.004. DEPARTMENT RESPONSIBILITIES. The department
83-15 has jurisdiction over the registration and titling of, and the
83-16 issuance of license plates to, motor vehicles in compliance with
83-17 the applicable statutes. The board of the department by rule:

83-18 (1) shall provide services that are reasonable,
83-19 adequate, and efficient;

83-20 (2) shall establish standards for uniformity and
83-21 service quality for counties and dealers licensed under Section
83-22 520.005; and

83-23 (3) may conduct public service education campaigns
83-24 related to the department's functions.

83-25 SECTION 215. Section 501.137, Transportation Code, is
83-26 transferred to Subchapter A, Chapter 520, Transportation Code,
83-27 redesignated as Section 520.005, Transportation Code, and amended
83-28 to read as follows:

83-29 Sec. 520.005 [501.137]. DUTY AND RESPONSIBILITIES OF
83-30 COUNTY ASSESSOR-COLLECTOR. (a) Each county assessor-collector
83-31 shall comply with Chapter 501 [this chapter].

83-32 (b) An assessor-collector who fails or refuses to comply
83-33 with Chapter 501 [this chapter] is liable on the
83-34 assessor-collector's official bond for resulting damages suffered
83-35 by any person.

83-36 (c) Notwithstanding the requirements of Sections 520.008
83-37 and 520.0091, the assessor-collector may license franchised and
83-38 non-franchised motor vehicle dealers to title and register motor
83-39 vehicles in accordance with rules adopted under Section 520.004.
83-40 The county assessor-collector may pay a fee to a motor vehicle
83-41 dealer independent of or as part of the portion of the fees that
83-42 would be collected by the county for each title and registration
83-43 receipt issued.

83-44 SECTION 216. Section 502.109, Transportation Code, is
83-45 transferred to Subchapter A, Chapter 520, Transportation Code,
83-46 redesignated as Section 520.006, Transportation Code, and amended
83-47 to read as follows:

83-48 Sec. 520.006 [502.109]. COMPENSATION OF ASSESSOR-COLLECTOR.
83-49 (a) A county assessor-collector shall receive a fee of \$1.90 for
83-50 each receipt issued under Chapter 502 [this chapter. If the
83-51 assessor-collector may be compensated by fees, a fee received is
83-52 compensation for services under this chapter. The
83-53 assessor-collector shall deduct the fee weekly from the gross
83-54 collections made under this chapter].

83-55 (a-1) A county collecting fees on behalf of a county that
83-56 has been declared as a disaster area for purposes of Section 501.023
83-57 or 502.040 may retain the commission for fees collected, but shall
83-58 allocate the fees to the county declared as a disaster area.

83-59 (b) A county assessor-collector who is compensated under
83-60 this section shall pay the entire expense of issuing registration
83-61 receipts and license plates under Chapter 501 or 502 [this chapter]
83-62 from the compensation allowed under this section.

83-63 SECTION 217. Section 502.111, Transportation Code, is
83-64 transferred to Subchapter A, Chapter 520, Transportation Code,
83-65 redesignated as Section 520.007, Transportation Code, and amended
83-66 to read as follows:

83-67 Sec. 520.007 [502.111]. COUNTY BRANCH OFFICES. (a) The
83-68 commissioners court of a county may authorize the county
83-69 assessor-collector to:

84-1 (1) establish a suboffice or branch office for vehicle
 84-2 registration at one or more locations in the county other than the
 84-3 county courthouse; or

84-4 (2) appoint a deputy to register vehicles in the same
 84-5 manner and with the same authority as though done in the office of
 84-6 the assessor-collector.

84-7 (b) The report of vehicles registered through a suboffice or
 84-8 branch office shall be made through the office of the county
 84-9 assessor-collector.

84-10 SECTION 218. Section 502.114, Transportation Code, is
 84-11 transferred to Subchapter A, Chapter 520, Transportation Code,
 84-12 redesignated as Section 520.008, Transportation Code, and amended
 84-13 to read as follows:

84-14 Sec. 520.008 [~~502.114~~]. FULL-SERVICE DEPUTIES. (a) A
 84-15 full-service deputy appointed under Section 520.0091 [~~502.112~~]
 84-16 shall accept any application for registration, registration
 84-17 renewal, or title transfer that the county assessor-collector may
 84-18 accept.

84-19 (b) A full-service deputy may charge and retain an
 84-20 additional motor vehicle registration fee not to exceed \$5 for each
 84-21 motor vehicle registration issued.

84-22 (c) A county assessor-collector may delegate to a
 84-23 full-service deputy, in the manner selected by the
 84-24 assessor-collector, the authority to use data processing equipment
 84-25 and software provided by the department for use in the titling and
 84-26 registration of motor vehicles. The department may not limit a
 84-27 county assessor-collector's ability to delegate the
 84-28 assessor-collector's functions regarding the titling and
 84-29 registration of motor vehicles to a qualified full-service deputy
 84-30 in the manner the assessor-collector considers appropriate.

84-31 SECTION 219. Section 502.113, Transportation Code, is
 84-32 transferred to Subchapter A, Chapter 520, Transportation Code,
 84-33 redesignated as Section 520.009, Transportation Code, and amended
 84-34 to read as follows:

84-35 Sec. 520.009 [~~502.113~~]. LIMITED-SERVICE DEPUTIES. (a) A
 84-36 limited-service deputy appointed under Section 520.0091 [~~502.112~~]
 84-37 may only accept registration renewals [~~renewal cards~~] provided by
 84-38 the department and may not prepare or accept an application for
 84-39 title transfer.

84-40 (b) The county assessor-collector may pay a limited-service
 84-41 deputy an amount not to exceed the fee the assessor-collector could
 84-42 collect under Section 520.006(a) [~~502.109(a)~~] for each
 84-43 registration receipt issued. The commissioners court of the county
 84-44 may permit a limited-service deputy to charge and retain an
 84-45 additional fee not to exceed \$1 for each registration receipt
 84-46 issued by the deputy.

84-47 SECTION 220. Section 502.112, Transportation Code, is
 84-48 transferred to Subchapter A, Chapter 520, Transportation Code, and
 84-49 redesignated as Section 520.0091, Transportation Code, to read as
 84-50 follows:

84-51 Sec. 520.0091 [~~502.112~~]. DEPUTY ASSESSOR-COLLECTORS.

84-52 (a) A county assessor-collector, with the approval of the
 84-53 commissioners court of the county, may deputize an individual or
 84-54 business entity to:

84-55 (1) issue motor vehicle registration receipts as a
 84-56 limited-service deputy; or

84-57 (2) issue motor vehicle registration receipts and
 84-58 prepare or accept applications for title transfers as a
 84-59 full-service deputy.

84-60 (b) An individual or business entity is eligible to be
 84-61 deputized as a limited-service deputy if the person:

84-62 (1) is trained to issue registration receipts by the
 84-63 county assessor-collector; and

84-64 (2) posts a bond payable to the county
 84-65 assessor-collector:

84-66 (A) in an amount determined by the
 84-67 assessor-collector; and

84-68 (B) conditioned on the person's proper
 84-69 accounting and remittance of all fees the person collects.

85-1 (c) An individual or business entity is eligible to be
85-2 deputized as a full-service deputy if the person:

- 85-3 (1) meets the requirements of Subsection (b); and
- 85-4 (2) has experience in title transfers.

85-5 (d) A person deputized under this section shall keep a
85-6 separate account of the fees collected and a record of daily
85-7 receipts.

85-8 SECTION 221. Section 501.136, Transportation Code, is
85-9 transferred to Subchapter A, Chapter 520, Transportation Code,
85-10 redesignated as Section 520.0092, Transportation Code, and amended
85-11 to read as follows:

85-12 Sec. 520.0092 [~~501.136~~]. ACTS BY DEPUTY COUNTY
85-13 ASSESSOR-COLLECTOR. A deputy county assessor-collector, other
85-14 than a limited service deputy appointed under Section 520.0091
85-15 [~~502.112~~], may perform the duties of an assessor-collector under
85-16 Chapter 501 [~~this chapter~~].

85-17 SECTION 222. Section 520.002, Transportation Code, is
85-18 redesignated as Section 520.0093, Transportation Code, and amended
85-19 to read as follows:

85-20 Sec. 520.0093 [~~520.002~~]. LEASE OF ADDITIONAL COMPUTER
85-21 EQUIPMENT. (a) This section applies only to the lease of
85-22 equipment to a county for the operation of the automated
85-23 registration and titling [~~title~~] system in addition to the
85-24 equipment provided by the department at no cost to the county under
85-25 a formula prescribed by the department.

85-26 (b) On the request of the tax assessor-collector of a
85-27 county, the department may enter into an agreement with the
85-28 commissioners court of that county under which the department
85-29 leases additional equipment to the county for the use of the tax
85-30 assessor-collector in operating the automated registration and
85-31 titling [~~title~~] system in that county.

85-32 (c) A county may install equipment leased under this section
85-33 at offices of the county or of an agent of the county.

85-34 (d) Equipment leased under this section:
85-35 (1) remains the property of the department; and
85-36 (2) must be used primarily for the automated
85-37 registration and titling [~~title~~] system.

85-38 (e) Under the agreement, the department shall charge [~~the~~
85-39 ~~county~~] an amount not less than the amount of the cost to the
85-40 department to provide the additional equipment and any related
85-41 services under the lease. All money collected under the lease shall
85-42 be deposited to the credit of the state highway fund.

85-43 SECTION 223. The heading to Subchapter B, Chapter 520,
85-44 Transportation Code, is amended to read as follows:

85-45 SUBCHAPTER B. ADMINISTRATIVE PROVISIONS [~~MOTOR NUMBER RECORD~~
85-46 ~~REQUIREMENTS~~]

85-47 SECTION 224. Subchapter B, Chapter 520, Transportation
85-48 Code, is amended by adding Section 520.015 to read as follows:

85-49 Sec. 520.015. INFORMATION CONSOLIDATION STUDY. (a) In
85-50 consultation with the Department of Public Safety, the department
85-51 shall conduct a study on the consolidation of similar information
85-52 that is collected separately by each agency. The study should
85-53 include recommendations that sufficiently protect the privacy of
85-54 the public and the security and integrity of information provided.

85-55 (b) The study must be completed not later than September 1,
85-56 2012.

85-57 SECTION 225. Section 520.036, Transportation Code, is
85-58 transferred to Subchapter B, Chapter 520, Transportation Code,
85-59 redesignated as Section 520.016, Transportation Code, and amended
85-60 to read as follows:

85-61 Sec. 520.016 [~~520.036~~]. GENERAL PENALTY. (a) A person
85-62 commits an offense if the person violates this subchapter in a
85-63 manner for which a specific penalty is not provided.

85-64 (b) An offense under this section is a misdemeanor
85-65 punishable by a fine of not less than \$50 and not more than \$200.

85-66 (c) This section does not apply to a violation of Section
85-67 520.006, 520.008, 520.009, 520.0091, or 520.0092.

85-68 SECTION 226. Subdivision (5), Section 520.051,
85-69 Transportation Code, is amended to read as follows:

86-1 (5) "Title service record" means the written or
86-2 electronic record for each transaction in which a motor vehicle
86-3 title service receives compensation.

86-4 SECTION 227. Section 548.052, Transportation Code, is
86-5 amended to read as follows:

86-6 Sec. 548.052. VEHICLES NOT SUBJECT TO INSPECTION. This
86-7 chapter does not apply to:

86-8 (1) a trailer, semitrailer, pole trailer, or mobile
86-9 home moving under or bearing a current factory-delivery license
86-10 plate or current in-transit license plate;

86-11 (2) a vehicle moving under or bearing a paper dealer
86-12 in-transit tag, machinery license, disaster license, parade
86-13 license, prorate tab, one-trip permit, vehicle temporary transit
86-14 permit, antique license, temporary 24-hour permit, or permit
86-15 license;

86-16 (3) a trailer, semitrailer, pole trailer, or mobile
86-17 home having an actual gross weight or registered gross weight of
86-18 4,500 pounds or less;

86-19 (4) farm machinery, road-building equipment, a farm
86-20 trailer, or a vehicle required to display a slow-moving-vehicle
86-21 emblem under Section 547.703;

86-22 (5) a former military vehicle, as defined by Section
86-23 504.502 [~~502.275~~];

86-24 (6) a vehicle qualified for a tax exemption under
86-25 Section 152.092, Tax Code; or

86-26 (7) a vehicle for which a certificate of title has been
86-27 issued but that is not required to be registered.

86-28 SECTION 228. Section 681.005, Transportation Code, is
86-29 amended to read as follows:

86-30 Sec. 681.005. DUTIES OF COUNTY ASSESSOR-COLLECTOR. Each
86-31 county assessor-collector shall send to the department[+]

86-32 [~~(1)~~] each fee collected under Section 681.003, to be
86-33 deposited in the state highway fund to defray the cost of providing
86-34 the disabled parking placard[~~, and~~

86-35 [~~(2) a copy of each application for a disabled parking~~
86-36 ~~placard~~].

86-37 SECTION 229. Subsection (a-1), Section 681.012,
86-38 Transportation Code, is amended to read as follows:

86-39 (a-1) A peace officer may seize a disabled parking placard
86-40 from a person who operates a vehicle on which a disabled parking
86-41 placard is displayed if the peace officer determines by inspecting
86-42 the person's driver's license or personal identification
86-43 certificate that the disabled parking placard does not contain the
86-44 first four digits of the driver's license number or personal
86-45 identification certificate number and the initials of:

86-46 (1) the person operating the vehicle; [~~or~~]

86-47 (2) the applicant on behalf of a person being
86-48 transported by the vehicle; or

86-49 (3) a person being transported by the vehicle.

86-50 SECTION 230. Subsection (c), Section 386.251, Health and
86-51 Safety Code, is amended to read as follows:

86-52 (c) The fund consists of:

86-53 (1) the amount of money deposited to the credit of the
86-54 fund under:

86-55 (A) Section 386.056;

86-56 (B) Sections 151.0515 and 152.0215, Tax Code; and

86-57 (C) Sections 501.138, 502.358 [~~502.1675~~], and
86-58 548.5055, Transportation Code; and

86-59 (2) grant money recaptured under Section 386.111(d)
86-60 and Chapter 391.

86-61 SECTION 231. Section 2302.204, Occupations Code, is amended
86-62 to read as follows:

86-63 Sec. 2302.204. CASUAL SALES. This chapter does not apply to
86-64 a person who purchases fewer than five [~~three~~] nonrepairable motor
86-65 vehicles or salvage motor vehicles from a salvage vehicle dealer,
86-66 an insurance company or salvage pool operator in a casual sale at
86-67 auction, except that:

86-68 (1) the board shall adopt rules as necessary to
86-69 regulate casual sales by salvage vehicle dealers, insurance

87-1 companies, or salvage pool operators and to enforce this section;
87-2 and

87-3 (2) a salvage vehicle dealer, insurance company, or
87-4 salvage pool operator who sells a motor vehicle in a casual sale
87-5 shall comply with those rules and Subchapter E, Chapter 501,
87-6 Transportation Code.

87-7 SECTION 232. The following provisions of the Transportation
87-8 Code are repealed:

- 87-9 (1) Sections 501.026 and 501.075;
- 87-10 (2) Sections 501.094 and 501.133;
- 87-11 (3) Subsections (e), (f), and (i), Section 501.134;
- 87-12 (4) Sections 502.0074, 502.0075, 502.008, 502.104,
87-13 502.105, 502.1535, 502.154, 502.175, 502.177, 502.206, 502.271,
87-14 502.2862, and 502.2971;
- 87-15 (5) Sections 502.403 and 502.405;
- 87-16 (6) Subsection (c), Section 502.407;
- 87-17 (7) Subsection (c), Section 502.412;
- 87-18 (8) Sections 502.452, 502.453, 502.455, and 502.456;
- 87-19 (9) Subsection (h), Section 504.201;
- 87-20 (10) Subsection (b), Section 504.316;
- 87-21 (11) Subsection (b), Section 504.401;
- 87-22 (12) Subsection (b), Section 504.402;
- 87-23 (13) Subsection (b), Section 504.403;
- 87-24 (14) Subsection (b), Section 504.404;
- 87-25 (15) Subsection (b), Section 504.405;
- 87-26 (16) Subsection (j), Section 504.502;
- 87-27 (17) Subsection (f), Section 504.506;
- 87-28 (18) Subsection (c), Section 504.507;
- 87-29 (19) Subsection (d), Section 504.508;
- 87-30 (20) Sections 504.624, 504.629, 504.634, 504.643,
87-31 504.649, 504.650, 504.653, 504.655, and 504.701;
- 87-32 (21) Subsection (c), Section 504.702;
- 87-33 (22) Sections 520.013 and 520.034; and
- 87-34 (23) the headings to Subchapters C and D, Chapter 520.

87-35 SECTION 233. (a) The change in law made by this Act applies
87-36 only to an offense committed on or after January 1, 2012.

87-37 (b) An offense committed before January 1, 2012, is covered
87-38 by the law in effect when the offense was committed, and the former
87-39 law is continued in effect for that purpose. For purposes of this
87-40 subsection, an offense was committed before January 1, 2012, if any
87-41 element of the offense was committed before that date.

87-42 SECTION 234. To the extent of any conflict, this Act
87-43 prevails over another Act of the 82nd Legislature, Regular Session,
87-44 2011, relating to nonsubstantive additions to and corrections in
87-45 enacted codes.

87-46 SECTION 235. This Act takes effect January 1, 2012.

87-47

* * * * *