

BILL ANALYSIS

C.S.H.B. 2875
By: Harper-Brown
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Recent legislation required the Department of Public Safety and the Texas Department of Motor Vehicles (TxDMV) to conduct a study regarding feasibility and best practices for using an electronic system to consolidate the inspection and registration of motor vehicles in Texas. Interested parties assert that the result of this study was a recommendation to move to a single certificate system with the registration sticker provided by TxDMV, which would eliminate motor vehicle inspection certificate fraud while reducing costs to Texas. C.S.H.B. 2875 seeks to implement the recommendation from the Consolidated Inspection and Registration System Study.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTIONS 6, 19, 21, 25, 26, 29, 33, and 51, to the Public Safety Commission in SECTION 35, to the Texas Department of Motor Vehicles in SECTION 51, and to the Texas Commission on Environmental Quality in SECTION 51 of this bill.

ANALYSIS

C.S.H.B. 2875 amends the Transportation Code to establish a registration-based system of enforcing motor vehicle inspection requirements. The bill requires the Texas Department of Motor Vehicles (TxDMV) and the Department of Public Safety (DPS) to enter into an agreement regarding the timely submission by DPS of inspection compliance information to TxDMV. The bill requires DPS to maintain an electronic database to which inspection stations are required to electronically submit, after completion of an inspection, the vehicle identification number of the inspected vehicle, an indication of whether the vehicle passed the inspections, and any additional information required by rule by DPS for the type of vehicle inspected. The bill, effective September 1, 2013, requires DPS, not later than January 1, 2014, to create the inspection database and to require inspection stations to submit such information to the database.

C.S.H.B. 2875 requires TxDMV or a county-assessor collector registering any vehicle, before the vehicle may be registered, to verify that the vehicle has a passing report in the DPS inspection database. The bill authorizes the owner of the vehicle, if the database report is not available, to present an inspection certificate issued for the vehicle.

C.S.H.B. 2875 redefines "inspection certificate" as a report printed, manufactured, or made by DPS or an authorized agent of DPS and issued by an inspector or an inspection station for a vehicle that passes the safety and, if applicable, required emissions inspections.

C.S.H.B. 2875 removes, revises, or repeals, as applicable, references in the Code of Criminal Procedure, Education Code, Government Code, Health and Safety Code, Occupations Code, and Transportation Code to the provision, display, and disposition of inspection certificates or inspection verification forms, as appropriate.

C.S.H.B. 2875 amends the Transportation Code to require DPS rules relating to the general one-year inspection period to provide that a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration.

C.S.H.B. 2875, in a provision requiring TxDMV to develop and implement a system of registration to allow an owner of a commercial fleet to register the motor vehicles, semitrailers, and trailers in the fleet, removes the specification and related provisions that the registration is for an extended period of not less than one year or more than eight years.

C.S.H.B. 2875 specifies that established circumstances in which an inspection station or an inspector is prohibited from issuing an inspection certificate also prohibit such an entity from submitting a passing report to the DPS inspection database. The bill authorizes such an entity to submit a passing report for a vehicle to the DPS inspection database, in addition to issuing an inspection certificate, if the vehicle is inspected and found to be in proper and safe condition and in compliance with the applicable statutory provisions, applicable provisions of the bill, and applicable rules. The bill requires DPS to adopt rules relating to submission of a report to the DPS inspection database for a moped.

C.S.H.B. 2875 prohibits an inspection station or inspector from submitting a passing report to the DPS inspection database for a vehicle unless the owner or operator furnishes evidence of financial responsibility at the time of inspection. The bill grants an inspection station immunity from liability for submitting a passing report to the DPS inspection database in reliance on evidence of financial responsibility furnished to the station.

C.S.H.B. 2875 requires the Public Safety Commission to develop and impose requirements necessary to ensure that a passing report is not submitted to the DPS inspection database for a vehicle unless the vehicle has passed a motor vehicle emissions inspection at a facility authorized and certified by DPS.

C.S.H.B. 2875 requires DPS by rule to require an inspection station to issue an inspection certificate to the owner or operator of each vehicle inspected by the station that passes the required inspections and authorizes DPS to adopt rules regarding the issuance of inspection certificates, including rules providing for the format and safekeeping of the certificates. The bill requires DPS to provide to inspection stations equipment and supplies necessary to comply with these provisions.

C.S.H.B. 2875 removes provisions relating to the inspection verification form required for the registration of a vehicle being brought into Texas by a person other than a manufacturer or importer.

C.S.H.B. 2875 specifies circumstances under which submitting a report or a passing report, as applicable, to the DPS inspection database is considered a violation that presents a threat to public health, safety, or welfare and constitutes a revocation or suspension of certification as an inspection station or an inspector.

C.S.H.B. 2875 requires each inspection station to set a reasonable maximum fee for inspection of a motor vehicle and removes statutory provisions relating to specified inspection fees and an inspection verification form, an inspection station payment to DPS, and advance payments to DPS for inspection certificates. The bill requires \$5.50 out of each inspection fee to be remitted to the state under the bill's provisions relating to collection of the fee during registration. The bill requires the commission by rule to establish a statewide recommended maximum inspection fee, not to exceed \$17.50, that an inspection station may charge for inspection of a motor vehicle and sets out provisions relating to an inspection station that sets an inspection fee exceeding the recommended maximum inspection fee.

C.S.H.B. 2875 requires TxDMV or a county assessor-collector that registers a motor vehicle that

is subject to an inspection fee to collect at the time of registration of the motor vehicle the portion of the inspection fee that is required to be remitted to the state and to remit the fee to the comptroller of public accounts. The bill revises applicable statutory provisions to reflect the collection of these fees during registration.

C.S.H.B. 2875 requires an inspection station to post, in an area of the station that is accessible to and frequented by the public, a sign or placard stating the maximum fee the inspection station may charge for a vehicle safety inspection and the maximum fee the inspection station may charge for an emissions test, if required.

C.S.H.B. 2875 makes general offense provisions relating to the fraudulent issuance of an inspection certificate also apply to the fraudulent submission of report or passing report, as applicable, to the DPS inspection database and revises provisions relating to specific offenses to reflect the bill's changes relating to a registration-based system of enforcement.

C.S.H.B. 2875 amends the Health and Safety Code to require DPS by rule to adopt procedures for submitting reports to the DPS inspection database following an emissions inspection.

C.S.H.B. 2875, effective September 1, 2013, requires TxDMV, DPS, and the Texas Commission on Environmental Quality, not later than January 1, 2014, to adopt rules necessary to implement the changes to statutory provisions made by the bill.

C.S.H.B. 2875 repeals the following provisions of the Transportation Code:

- Section 548.053(c)
- Section 548.255
- Section 548.257
- Section 548.602
- Section 548.603(e)(2)
- Section 548.603(f), as added by Chapter 1069 (S.B. 1856), Acts of the 75th Legislature, Regular Session, 1997
- Section 548.605

EFFECTIVE DATE

Except as otherwise provided, January 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2875 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Article 45.003, Code of Criminal Procedure, is amended.	SECTION 1. Same as introduced version.
SECTION 2. Section 51.207(d), Education Code, is amended.	SECTION 2. Same as introduced version.
SECTION 3. Section 103.0213,	SECTION 3. Same as introduced version.

Government Code, is amended.

SECTION 4. Section 382.0622(a), Health and Safety Code, is amended to read as follows:

- (a) Clean Air Act fees consist of:
- (1) fees collected by the commission under Sections 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided by law;
 - (2) ~~a portion [\$2] of each advance payment collected by the Department of Public Safety for inspection certificates for vehicles other than mopeds under Section 548.501, Transportation Code, in an amount to be determined by the Department of Public Safety;~~ and
 - (3) fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

SECTION 5. Section 382.202(d), Health and Safety Code, is amended.

~~No equivalent provision.~~

SECTION 6. Sections 382.220(b) and (d), Health and Safety Code, are amended to read as follows:

- (b) A program under this section must be implemented in consultation with the commission and may include a program to:
- (1) expand and enhance the AirCheck Texas Repair and Replacement Assistance Program;
 - (2) develop and implement programs or systems that remotely determine vehicle emissions and notify the vehicle's operator;
 - (3) develop and implement projects to implement the commission's smoking vehicle program;
 - (4) ~~develop and implement projects for~~

SECTION 4. Section 382.0622(a), Health and Safety Code, is amended to read as follows:

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- (1) fees collected by the commission under Sections 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided by law;
 - (2) \$2 of each fee ~~[advance payment] collected for inspections of [by the Department of Public Safety for inspection certificates for]~~ vehicles other than mopeds under Section 548.501, Transportation Code; and
 - (3) fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

SECTION 5. Same as introduced version.

SECTION 6. Section 382.205(d), Health and Safety Code, is amended to read as follows:

- (d) The Department of Public Safety of the State of Texas by rule shall adopt:
- (1) testing procedures in accordance with motor vehicle emissions testing equipment specifications; and
 - (2) procedures for issuing or denying an emissions inspection certificate and submitting reports to the inspection database described by Section 548.251, Transportation Code, following an emissions inspection.

SECTION 7. Sections 382.220(b) and (d), Health and Safety Code, are amended to read as follows:

- (b) A program under this section must be implemented in consultation with the commission and may include a program to:
- (1) expand and enhance the AirCheck Texas Repair and Replacement Assistance Program;
 - (2) develop and implement programs or systems that remotely determine vehicle emissions and notify the vehicle's operator;
 - (3) develop and implement projects to implement the commission's smoking vehicle program;
 - (4) ~~develop and implement projects for~~

~~coordinating with local law enforcement officials to reduce the use of counterfeit state inspection stickers by providing local law enforcement officials with funds to identify vehicles with counterfeit state inspection stickers and to carry out appropriate actions;~~

~~(5)~~ develop and implement programs to enhance transportation system improvements; or

~~(5)~~ ~~(6)~~ develop and implement new air control strategies designed to assist local areas in complying with state and federal air quality rules and regulations.

(d) Fees collected under Sections 382.202 and 382.302 may be used, in an amount not to exceed \$5 million per fiscal year, for projects described by Subsection (b). The fees shall be made available only to counties participating in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement programs created under Section 382.209 and only on a matching basis, whereby the commission provides money to a county in the same amount that the county dedicates to a project authorized by Subsection (b).

~~[The commission may reduce the match requirement for a county that proposes to develop and implement independent test facility fraud detection programs, including the use of remote sensing technology for coordinating with law enforcement officials to detect, prevent, and prosecute the use of counterfeit state inspection stickers.]~~

SECTION 7. Sections 2308.253(d) and (e), Occupations Code, are amended.

No equivalent provision.

No equivalent provision.

coordinating with local law enforcement officials to reduce the use of counterfeit state inspection certificates ~~[stickers]~~ by providing local law enforcement officials with funds to identify vehicles with counterfeit state inspection certificates ~~[stickers]~~ and to carry out appropriate actions;

(5) develop and implement programs to enhance transportation system improvements; or

(6) develop and implement new air control strategies designed to assist local areas in complying with state and federal air quality rules and regulations.

(d) Fees collected under Sections 382.202 and 382.302 may be used, in an amount not to exceed \$5 million per fiscal year, for projects described by Subsection (b). The fees shall be made available only to counties participating in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement programs created under Section 382.209 and only on a matching basis, whereby the commission provides money to a county in the same amount that the county dedicates to a project authorized by Subsection (b).

The commission may reduce the match requirement for a county that proposes to develop and implement independent test facility fraud detection programs, including the use of remote sensing technology for coordinating with law enforcement officials to detect, prevent, and prosecute the use of counterfeit state inspection certificates ~~[stickers]~~.

SECTION 8. Same as introduced version.

SECTION 9. The heading to Section 502.0023, Transportation Code, is amended to read as follows:

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

SECTION 10. Sections 502.0023(a) and (b), Transportation Code, are amended to read as follows:

(a) The ~~[Notwithstanding—Section 502.044(e), the]~~ department shall develop

SECTION 8. Section 502.047, Transportation Code, is amended to read as follows:

Sec. 502.047. REGISTRATION-BASED ENFORCEMENT OF MOTOR VEHICLE [EMISSIONS] INSPECTION [AND MAINTENANCE] REQUIREMENTS. (a) The department and the Department of Public Safety shall ensure compliance with the motor vehicle inspection requirements under Chapter 548, including compliance with the motor vehicle emissions inspection and maintenance program under Subchapter F of that chapter, through a vehicle registration-based enforcement system [~~inspection sticker-based enforcement system except as provided by this section or Section 548.3011. Subsections (b)-(e) apply only if the United States Environmental Protection Agency determines that the state has not demonstrated, as required by 40 C.F.R. Section 51.361, that sticker-based enforcement of the program is more effective than registration-based enforcement and gives the Texas Commission on Environmental Quality or the governor written notification that the reregistration-based enforcement of the program, as described by those subsections, will be required. If Subsections (b)-(e) are made applicable as provided by this subsection, the department shall terminate reregistration-based enforcement of the~~

and implement a system of registration to allow an owner of a commercial fleet to register the motor vehicles, semitrailers, and trailers in the commercial fleet [~~for an extended registration period of not less than one year or more than eight years. The owner may select the number of years for registration under this section within that range and register the commercial fleet for that period. Payment for all registration fees for the entire registration period selected is due at the time of registration].~~

(b) A system of fleet [~~extended~~] registration under this section must allow the owner of a commercial fleet to register:

- (1) an entire commercial fleet in the county of the owner's residence or principal place of business; or
- (2) the motor vehicles in a commercial fleet that are operated most regularly in the same county.

SECTION 11. Section 502.047, Transportation Code, is amended to read as follows:

Sec. 502.047. REGISTRATION-BASED ENFORCEMENT OF MOTOR VEHICLE [EMISSIONS] INSPECTION [AND MAINTENANCE] REQUIREMENTS. (a) The department and the Department of Public Safety shall ensure compliance with the motor vehicle inspection requirements under Chapter 548, including compliance with the motor vehicle emissions inspection and maintenance program under Subchapter F of that chapter, through a vehicle registration-based enforcement system [~~inspection sticker-based enforcement system except as provided by this section or Section 548.3011. Subsections (b)-(e) apply only if the United States Environmental Protection Agency determines that the state has not demonstrated, as required by 40 C.F.R. Section 51.361, that sticker-based enforcement of the program is more effective than registration-based enforcement and gives the Texas Commission on Environmental Quality or the governor written notification that the reregistration-based enforcement of the program, as described by those subsections, will be required. If Subsections (b)-(e) are made applicable as provided by this subsection, the department shall terminate~~

~~program under those subsections on the date the United States Environmental Protection Agency gives the Texas Commission on Environmental Quality or a person the commission designates written notification that reregistration-based enforcement is not required for the state implementation plan].~~

(b) A motor vehicle may not be registered if the department receives from the ~~[Texas Commission on Environmental Quality or the]~~ Department of Public Safety notification that the registered owner of the vehicle has not complied with ~~[Subchapter F,]~~ Chapter 548.

(c) A motor vehicle may not be registered if the vehicle was denied registration under Subsection (b) unless verification is received that the registered vehicle owner is in compliance with ~~[Subchapter F,]~~ Chapter 548.

(d) The department and the Department of Public Safety shall enter into an agreement regarding the timely submission by the Department of Public Safety of inspection compliance information to the department.

(d-1) The department, the Texas Commission on Environmental Quality, and the Department of Public Safety shall enter an agreement regarding the responsibilities for costs associated with implementing this section.

(e) A county tax assessor-collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to provide verification of the person's compliance with ~~[Subchapter F,]~~ Chapter 548.

SECTION 9. Section 502.059(c), Transportation Code, is amended.

SECTION 10. The heading to Section 521.3465, Transportation Code is amended.

SECTION 11. Section 521.3465(a), Transportation Code, is amended to read as follows:

(a) A license is automatically suspended on final conviction of the license holder of:

(1) an offense under Section ~~502.409(a)(4);~~ or

(2) an offense under Section 548.603(a)(1) that involves a fictitious ~~[safety]~~ inspection certificate.

~~reregistration-based enforcement of the program under those subsections on the date the United States Environmental Protection Agency gives the Texas Commission on Environmental Quality or a person the commission designates written notification that reregistration-based enforcement is not required for the state implementation plan].~~

(b) A motor vehicle may not be registered if the department receives from the ~~Texas Commission on Environmental Quality or the~~ Department of Public Safety notification that the registered owner of the vehicle has not complied with ~~[Subchapter F,]~~ Chapter 548.

(c) A motor vehicle may not be registered if the vehicle was denied registration under Subsection (b) unless verification is received that the registered vehicle owner is in compliance with ~~[Subchapter F,]~~ Chapter 548.

(d) The department and the Department of Public Safety shall enter into an agreement regarding the timely submission by the Department of Public Safety of inspection compliance information to the department.

(d-1) The department, the Texas Commission on Environmental Quality, and the Department of Public Safety shall enter an agreement regarding the responsibilities for costs associated with implementing this section.

(e) A county tax assessor-collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to provide verification of the person's compliance with ~~[Subchapter F,]~~ Chapter 548.

SECTION 12. Same as introduced version.

SECTION 13. Same as introduced version.

SECTION 14. Section 521.3465(a), Transportation Code, is amended to read as follows:

(a) A license is automatically suspended on final conviction of the license holder of:

(1) an offense under Section ~~502.409(a)(4);~~ ~~[502.409(a)(4)];~~ or

(2) an offense under Section 548.603(a)(1) that involves a fictitious ~~[safety]~~ inspection certificate.

SECTION 12. Section 521.3466(a), Transportation Code, is amended.

SECTION 13. Section 548.001, Transportation Code, is amended.

SECTION 14. Section 548.004(c), Transportation Code, is amended.

No equivalent provision.

SECTION 15. Section 548.101, Transportation Code, is amended to read as follows:

Sec. 548.101. GENERAL ONE-YEAR INSPECTION PERIOD. Except as provided by Section 548.102, the department shall require an annual inspection. The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration and not later than the date of expiration of the vehicle's registration.

SECTION 16. The heading to Section 548.102, Transportation Code, is amended to read as follows:

Sec. 548.102. ~~[TWO-YEAR]~~ INITIAL INSPECTION PERIOD FOR PASSENGER CAR OR LIGHT TRUCK.

SECTION 17. Section 548.102(a), Transportation Code, is amended to read as follows:

SECTION 15. Same as introduced version.

SECTION 16. Same as introduced version.

SECTION 17. Same as introduced version.

SECTION 18. Section 548.053(a), Transportation Code, is amended to read as follows:

(a) If an inspection discloses the necessity for adjustment, correction, or repair, an inspection station or inspector may not issue an inspection certificate or submit a passing report to the department's inspection database until the adjustment, correction, or repair is made. The owner of the vehicle may have the adjustment, correction, or repair made by a qualified person of the owner's choice, subject to reinspection. The vehicle shall be reinspected once free of charge within 15 days after the date of the original inspection, not including the date the original inspection is made, at the same inspection station after the adjustment, correction, or repair is made.

SECTION 19. Section 548.101, Transportation Code, is amended to read as follows:

Sec. 548.101. GENERAL ONE-YEAR INSPECTION PERIOD. Except as provided by Section 548.102, the department shall require an annual inspection. The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration.

No equivalent provision.

No equivalent provision.

(a) The initial inspection period is three [~~two~~] years for a passenger car or light truck that:

- (1) is sold in this state;
- (2) has not been previously registered in this or another state; and
- (3) on the date of sale is of the current or preceding model year.

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

SECTION 20. Section 548.103, Transportation Code, is amended to read as follows:

Sec. 548.103. EXTENDED INSPECTION PERIOD FOR CERTAIN VEHICLES. The department may extend the time within which the resident owner of a vehicle that is not in this state when an inspection is required must obtain an inspection [~~certificate~~] in this state.

SECTION 21. Sections 548.104(b), (c), (d), and (e), Transportation Code, are amended to read as follows:

(b) An inspection station or inspector may issue an inspection certificate and submit a passing report for the vehicle to the department's inspection database only if the vehicle is inspected and found to be in proper and safe condition and to comply with this chapter and the rules adopted under this chapter.

(c) An inspection station or inspector may inspect only the equipment required to be inspected by Section 548.051 and may not:

(1) falsely and fraudulently represent to an applicant that equipment required to be inspected must be repaired, adjusted, or replaced before the vehicle will pass inspection; or

(2) require an applicant to have another part of the vehicle or other equipment inspected as a prerequisite for issuance of an inspection certificate and submission of a passing report for the vehicle to the department's inspection database.

(d) An inspection station or inspector may not issue an inspection certificate or submit a passing report for the vehicle to the department's inspection database for a vehicle equipped with:

(1) a carburetion device permitting the use of liquefied gas alone or interchangeably with another fuel, unless a valid liquefied gas tax decal issued by the comptroller is attached to the lower right-hand corner of

No equivalent provision.

the front windshield of the vehicle on the passenger side; or
(2) a sunscreening device prohibited by Section 547.613, except that the department by rule shall provide procedures for issuance of an inspection certificate for a vehicle exempt under Section 547.613(c).
(e) The department shall adopt rules relating to inspection of, ~~and~~ issuance of an inspection certificate for, and submission of a report to the department's inspection database for a moped.

No equivalent provision.

SECTION 22. Section 548.105, Transportation Code, is amended to read as follows:

Sec. 548.105. EVIDENCE OF FINANCIAL RESPONSIBILITY AS PREREQUISITE TO ISSUANCE OF INSPECTION CERTIFICATE.

No equivalent provision.

(a) An inspection station or inspector may not issue an inspection certificate or submit a passing report to the department's inspection database for a vehicle unless the owner or operator furnishes evidence of financial responsibility at the time of inspection. Evidence of financial responsibility may be shown in the manner specified under Section 601.053(a). A personal automobile insurance policy used as evidence of financial responsibility must be written for a term of 30 days or more as required by Article 5.06, Insurance Code.

No equivalent provision.

(b) An inspection station is not liable to a person, including a third party, for issuing an inspection certificate or submitting a passing report to the department's inspection database in reliance on evidence of financial responsibility furnished to the station. An inspection station that is the seller of a motor vehicle may rely on an oral insurance binder.

No equivalent provision.

SECTION 23. The heading to Subchapter E, Chapter 548, Transportation Code, is amended to read as follows:

SUBCHAPTER E. ISSUANCE, RECORDING, AND PROOF OF INSPECTION CERTIFICATES [~~AND VERIFICATION FORMS~~]

SECTION 18. Section 548.251, Transportation Code, is amended to read as follows:
Sec. 548.251. DEPARTMENT TO

SECTION 24. Section 548.251, Transportation Code, is amended to read as follows:
Sec. 548.251. DEPARTMENT TO

PROVIDE INSPECTION CERTIFICATES AND VERIFICATION FORMS.

(a) The department shall provide serially numbered inspection certificates and verification forms to inspection stations.

(b) The department shall maintain an electronic database to which inspection stations may electronically submit the numbers assigned under Subsection (a) to inspection certificates issued by the station.

(c) The department may issue a unique inspection certificate for:

- (1) a commercial motor vehicle inspected under Section 548.201; or
- (2) a vehicle inspected under Subchapter F.

No equivalent provision.

SECTION 19. Section 548.253, Transportation Code, is amended to read as follows:

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~~MAINTAIN DATABASE [PROVIDE INSPECTION CERTIFICATES AND VERIFICATION FORMS].~~

~~The department shall maintain an electronic database to which inspection stations may electronically submit the information required by Section 548.253 [provide serially numbered inspection certificates and verification forms to inspection stations.~~

~~The department may issue a unique inspection certificate for:~~

- ~~[(1) a commercial motor vehicle inspected under Section 548.201; or~~
- ~~[(2) a vehicle inspected under Subchapter F].~~

SECTION 25. Section 548.252, Transportation Code, is amended to read as follows:

Sec. 548.252. ~~ISSUANCE [SAFEKEEPING AND CONTROL] OF INSPECTION CERTIFICATES [AND VERIFICATION FORMS].~~ (a) The department by rule shall require an inspection station to issue an inspection certificate to the owner or operator of each vehicle inspected by the station that passes the inspections required by this chapter.

(b) The department may adopt rules regarding the issuance of inspection certificates, including rules providing for [On being licensed, an inspector or owner of an inspection station shall:

- ~~[(1) provide for] the format and safekeeping of the [inspection] certificates [and verification forms;~~
- ~~[(2) safeguard the certificates and forms against theft, loss, or damage;~~
- ~~[(3) control the sequence of issuance of the certificates and forms; and~~
- ~~[(4) ensure that the certificates and forms are issued in accordance with department rules].~~

(c) The department shall provide to inspection stations equipment and supplies necessary to comply with this section.

SECTION 26. Section 548.253, Transportation Code, is amended to read as follows:

13.115.287

Sec. 548.253. INFORMATION TO BE SUBMITTED ~~[RECORDED]~~ ON ISSUANCE OF INSPECTION CERTIFICATE AND VERIFICATION FORM.

An inspection station or inspector, on issuing an inspection certificate and verification form, shall:

(1) electronically submit to the department's inspection database

the number assigned to the certificate [make a record and report as prescribed] by the department under Section 548.251 [of the inspection and certificate issued]; and

(2) electronically submit to the department's database and include in the inspection certificate and verification form any [the] information other than the certificate number required by the department for the type of vehicle inspected.

SECTION 20. Section 548.254, Transportation Code, is amended.

No equivalent provision.

Sec. 548.253. INFORMATION TO BE SUBMITTED ~~[RECORDED]~~ ON COMPLETION ~~[ISSUANCE]~~ OF INSPECTION ~~[CERTIFICATE AND VERIFICATION FORM]~~.

An inspection station or inspector, on completion of [issuing] an inspection [certificate and verification form], shall

electronically submit to the department's inspection database:

(1) the vehicle identification number of the inspected vehicle and an indication of whether the vehicle passed the inspections required by this chapter [make a record and report as prescribed by the department of the inspection and certificate issued]; and

(2) any additional [include in the inspection certificate and verification form the] information required by rule by the department for the type of vehicle inspected.

SECTION 27. Same as introduced version.

SECTION 28. Section 548.256, Transportation Code, is amended to read as follows:

Sec. 548.256. PROOF OF INSPECTION [VERIFICATION FORM] REQUIRED TO REGISTER VEHICLE. [(a)] Before a vehicle [that is brought into this state by a person other than a manufacturer or importer] may be registered, the Texas Department of Motor Vehicles or the county assessor-collector registering the vehicle shall verify that the vehicle has a passing report in the department's inspection database. If the database report is not available, the owner of the vehicle may present an inspection certificate issued for the vehicle [; the owner must have the vehicle inspected and have the inspection station record the following information on a verification form prescribed and provided by the department:

- [(1) the vehicle identification number;
- [(2) the number appearing on the odometer of the vehicle at the time of the inspection, if the vehicle has an odometer; and
- [(3) other information the department

requires].

~~[(b) An inspection station may not issue the verification form unless the vehicle complies with the inspection requirements of this chapter.]~~

No equivalent provision.

SECTION 29. Section 548.258(b), Transportation Code, is amended to read as follows:

(b) The department may adopt rules to require an inspection station to use the state electronic Internet portal to[~~:-~~

~~[(1) purchase inspection certificates; or~~

~~[(2)]~~ send to the department a record, report, or other information required by the department.

SECTION 21. Section 548.301(c), Transportation Code, is amended.

SECTION 30. Same as introduced version.

No equivalent provision.

SECTION 31. Section 548.302, Transportation Code, is amended to read as follows:

Sec. 548.302. COMMISSION TO ADOPT STANDARDS AND REQUIREMENTS.

The commission shall:

(1) adopt standards for emissions-related inspection criteria consistent with requirements of the United States and the conservation commission applicable to a county in which a program is established under this subchapter; and

(2) develop and impose requirements necessary to ensure that an inspection certificate is not issued to a vehicle subject to a program established under this subchapter, and that a passing report is not submitted to the department's inspection database for the vehicle, unless the vehicle has passed a motor vehicle emissions inspection at a facility authorized and certified by the department.

SECTION 22. Section 548.304, Transportation Code, is amended.

SECTION 32. Same as introduced version.

No equivalent provision.

SECTION 33. Section 548.401, Transportation Code, is amended to read as follows:

Sec. 548.401. CERTIFICATION GENERALLY. A person may perform an inspection, ~~[or]~~ issue an inspection certificate, or submit a report to the department's inspection database only if certified to do so by the department under

No equivalent provision.

rules adopted by the department.

SECTION 34. Section 548.407(d), Transportation Code, is amended to read as follows:

(d) The department may provide that a revocation or suspension takes effect on receipt of notice under Subsection (b) if the department finds that the action is necessary to prevent or remedy a threat to public health, safety, or welfare. Violations that present a threat to public health, safety, or welfare include:

(1) issuing an inspection certificate or submitting a report to the department's inspection database with knowledge that the issuance or submission is in violation of this chapter or rules adopted under this chapter;

(2) falsely or fraudulently representing to the owner or operator of a vehicle that equipment inspected or required to be inspected must be repaired, adjusted, or replaced for the vehicle to pass an inspection;

(3) issuing an inspection certificate or submitting a report to the department's inspection database:

(A) without authorization to issue the certificate or submit the report; or

(B) without inspecting the vehicle;

(4) issuing an inspection certificate or submitting a passing report to the department's inspection database for a vehicle with knowledge that the vehicle has not been repaired, adjusted, or corrected after an inspection has shown a repair, adjustment, or correction to be necessary;

(5) knowingly issuing an inspection certificate or submitting a passing report to the department's inspection database:

(A) for a vehicle without conducting an inspection of each item required to be inspected; or

(B) for a vehicle that is missing an item required to be inspected or that has an item required to be inspected that is not in compliance with state law or department rules;

(6) refusing to allow a vehicle's owner to have a qualified person of the owner's choice make a required repair, adjustment, or correction;

(7) charging for an inspection an amount greater than the authorized fee;

(8) a violation of Subchapter F;

- (9) a violation of Section 548.603; or
- (10) a conviction of a felony or a Class A or B misdemeanor that directly relates to or affects the duties or responsibilities of a vehicle inspection station or inspector or a conviction of a similar crime under the jurisdiction of another state or the federal government.

SECTION 23. Section 548.501(b), Transportation Code, is amended to read as follows:

No equivalent provision.

No equivalent provision.

(b) An inspection station shall pay to the department a portion [\$5.50] of each fee charged by the station for an inspection, in an amount determined by the department under Section 548.5045.

The department may require the station to make an advance payment [of \$5.50] for each inspection certificate provided to the station. If advance payment is made:

- (1) no further payment may be required on issuance of a certificate;
- (2) the inspection station may waive the fee due from the owner of an inspected vehicle who is issued a certificate to which the advance payment applies;
- (3) the department shall refund to the inspection station the advance payment amount [\$5.50] for each unissued certificate that the station returns to the department in accordance with department rules; and
- (4) the conservation commission shall pay to the department an amount determined by the department [\$2] for each unissued certificate that the station returns to the department.

SECTION 35. Section 548.501, Transportation Code, is amended to read as follows:

Sec. 548.501. INSPECTION FEES GENERALLY.

(a) Except as provided by Sections 548.503 and 548.504, each inspection station shall set a reasonable maximum [the] fee for inspection of a motor vehicle [~~other than a moped is \$12.50. The fee for inspection of a moped is \$5.75. The fee for a verification form issued as required by Section 548.256 is \$1~~].

(b) Out of each fee for an inspection \$5.50 shall be remitted to the state under Section 548.509

~~[An inspection station shall pay to the department \$5.50 of each fee for an inspection.~~

~~The department may require the station to make an advance payment of \$5.50 for each inspection certificate provided to the station. If advance payment is made:~~

- ~~[(1) no further payment may be required on issuance of a certificate;~~
- ~~[(2) the inspection station may waive the fee due from the owner of an inspected vehicle who is issued a certificate to which the advance payment applies;~~
- ~~[(3) the department shall refund to the inspection station \$5.50 for each unissued certificate that the station returns to the department in accordance with department rules; and~~
- ~~[(4) the conservation commission shall pay to the department \$2 for each unissued certificate that the station returns to the department].~~

No equivalent provision.

(c) If the maximum inspection fee set by the inspection station exceeds the recommended maximum inspection fee set by the commission under Subsection (e), the inspection station must provide written notice to the commission of the inspection station's maximum inspection fee.

No equivalent provision.

(d) After receiving written notice under Subsection (c), the commission may review an inspection station's maximum inspection fee to determine whether it is reasonable. In determining whether a maximum inspection fee charged by an inspection station is reasonable, the commission may consider the resources required by the inspection station to perform the station's inspection duties under state and federal law. If the commission determines that an inspection fee is not reasonable, the commission may require the inspection station to reduce the amount of the maximum inspection fee the station charges.

No equivalent provision.

(e) The commission by rule shall establish a statewide recommended maximum inspection fee that an inspection station may charge for inspection of a motor vehicle. The recommended maximum inspection fee may not exceed \$17.50.

SECTION 24. Section 548.502, Transportation Code, is amended to read as follows:

Sec. 548.502. INSPECTION BY POLITICAL SUBDIVISION OR STATE AGENCY. A political subdivision or state agency for which the department certifies an inspection station under Section 548.004:

(1) shall pay to the department an advance payment ~~[of \$5.50]~~ for each inspection certificate provided to it, in an amount determined by the department under Section 548.5045; and

(2) may not be required to pay the compulsory inspection fee.

SECTION 36. Section 548.502, Transportation Code, is amended to read as follows:

Sec. 548.502. INSPECTION BY POLITICAL SUBDIVISION OR STATE AGENCY. A political subdivision or state agency for which the department certifies an inspection station under Section 548.004:

(1) shall pay to the state ~~[department an advance payment of]~~ \$5.50 for each inspection under Section 548.509 [certificate provided to it]; and

(2) may not be required to pay the remainder of the [compulsory] inspection fee.

SECTION 25. Section 548.503, Transportation Code, is amended to read as follows:

Sec. 548.503. INITIAL ~~[TWO-YEAR]~~ INSPECTION OF PASSENGER CAR OR

SECTION 37. Section 548.503, Transportation Code, is amended to read as follows:

Sec. 548.503. INITIAL TWO-YEAR INSPECTION OF PASSENGER CAR OR

LIGHT TRUCK. (a) The fee for inspection of a passenger car or light truck under Section 548.102 shall be set by the department by rule on or before September 1 of each year. A fee set by the department under this subsection must be based on the costs of producing certificates, providing inspections, and administering the program, but may not be less than \$34.25 [~~\$21.75~~].

(b) The department shall require an inspection station to make an advance payment [~~of \$14.75~~] for a certificate to be issued under this section, in an amount determined by the department under Section 548.5045. Additional payment may not be required of the station for the certificate. The inspection station may waive the fee due from the owner of the vehicle inspected. A refund for an unissued certificate shall be made in the same manner as provided for other certificate refunds.

SECTION 26. Section 548.504(b), Transportation Code, is amended to read as follows:

~~(b) The inspection station shall pay to the department a portion [\$10] of each fee for inspection of a commercial motor vehicle, in an amount determined by the department under Section 548.5045. The department may require the station to make an advance payment of the amount determined by the department [\$10] for a certificate to be issued under this section. If advance payment is made:~~

- ~~(1) no additional payment may be required of the station for the certificate; and~~
- ~~(2) a refund for an unissued certificate shall be made in the same manner as provided for other certificate refunds.~~

SECTION 27. Subchapter H, Chapter 548, Transportation Code, is amended by adding Section 548.5045 to read as follows:

LIGHT TRUCK. (a) The fee for inspection of a passenger car or light truck under Section 548.102 shall be set by the department by rule on or before September 1 of each year. A fee set by the department under this subsection must be based on the costs of ~~[producing certificates,]~~ providing inspections~~[,]~~ and administering the program, but may not be less than \$21.75.

~~(b) Out of each fee for an inspection under this section \$14.75 shall be remitted to the state under Section 548.509.~~

~~[The department shall require an inspection station to make an advance payment of \$14.75 for a certificate to be issued under this section. Additional payment may not be required of the station for the certificate. The inspection station may waive the fee due from the owner of the vehicle inspected. A refund for an unissued certificate shall be made in the same manner as provided for other certificate refunds.]~~

SECTION 38. Section 548.504(b), Transportation Code, is amended to read as follows:

~~(b) Out of each fee for inspection of a commercial motor vehicle \$10 shall be remitted to the department under Section 548.509~~

~~[The inspection station shall pay to the department \$10 of each fee for inspection of a commercial motor vehicle. The department may require the station to make an advance payment of \$10 for a certificate to be issued under this section. If advance payment is made:~~

- ~~[(1) no additional payment may be required of the station for the certificate; and~~
- ~~[(2) a refund for an unissued certificate shall be made in the same manner as provided for other certificate refunds].~~

~~No equivalent provision.~~

Sec. 548.5045. DETERMINATION OF AMOUNTS REMITTED TO DEPARTMENT. The amount to be remitted to the department under Section 548.501, 548.502, 548.503, or 548.504 must be based on the costs of:
(1) producing certificates; and
(2) administering the inspection program.

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

SECTION 39. Section 548.505(a), Transportation Code, is amended to read as follows:

(a) The department by rule may impose an inspection fee for a vehicle inspected under Section 548.301(a) in addition to the fee provided by Section 548.501, 548.502, 548.503, or 548.504. A fee imposed under this subsection must be based on the costs of:

- (1) ~~producing certificates;~~
- ~~(2)~~ providing inspections; and
- ~~(2)~~ ~~(3)~~ administering the program.

SECTION 40. Section 548.508, Transportation Code, is amended to read as follows:

Sec. 548.508. DISPOSITION OF FEES. Except as provided by Sections 382.0622 and 382.202, Health and Safety Code, and Section 548.5055, each fee remitted to the comptroller ~~collected by the department~~ under this subchapter shall be deposited to the credit of the Texas mobility fund.

SECTION 41. Subchapter H, Chapter 548, Transportation Code, is amended by adding Section 548.509 to read as follows:

Sec. 548.509. COLLECTION OF FEE DURING REGISTRATION. The Texas Department of Motor Vehicles or a county assessor-collector that registers a motor vehicle that is subject to an inspection fee under this chapter shall collect at the time of registration of the motor vehicle the portion of the inspection fee that is required to be remitted to the state. The Texas Department of Motor Vehicles or the county assessor-collector shall remit the fee to the comptroller.

SECTION 42. Subchapter H, Chapter 548, Transportation Code, is amended by adding Section 548.510 to read as follows:

Sec. 548.510. SIGNS DISPLAYING FEES. An inspection station shall post, in

SECTION 28. Section 548.601(a), Transportation Code, is amended to read as follows:

(a) A person, including an inspector or an inspection station, commits an offense if the person:

(1) submits an inspection certificate number to the department's inspection database or issues an inspection certificate with knowledge that the issuance is in violation of this chapter or rules adopted under this chapter;

(2) falsely or fraudulently represents to the owner or operator of a vehicle that equipment inspected or required to be inspected must be repaired, adjusted, or replaced for the vehicle to pass an inspection;

(3) misrepresents:

(A) material information in an application in violation of Section 548.402 or 548.403; or

(B) information filed with the department under this chapter or as required by department rule;

(4) submits an inspection certificate number to the department's inspection database or issues an inspection certificate:

(A) without authorization to issue the certificate; or

(B) without inspecting the vehicle;

(5) submits an inspection certificate number to the department's inspection database or issues an inspection certificate for a vehicle with knowledge that the vehicle has not been repaired, adjusted, or corrected after an inspection has shown a repair, adjustment, or correction to be necessary;

(6) knowingly submits an inspection certificate number to the department's inspection database or issues an inspection certificate:

(A) for a vehicle without conducting an inspection of each item required to be

an area of the station that is accessible to and frequented by the public, a sign or placard stating:

(1) the maximum fee the inspection station may charge for a vehicle safety inspection; and

(2) the maximum fee the inspection station may charge for an emissions test, if required.

SECTION 43. Section 548.601(a), Transportation Code, is amended to read as follows:

(a) A person, including an inspector or an inspection station, commits an offense if the person:

(1) issues an inspection certificate or submits a report to the department's inspection database with knowledge that the issuance or submission is in violation of this chapter or rules adopted under this chapter;

(2) falsely or fraudulently represents to the owner or operator of a vehicle that equipment inspected or required to be inspected must be repaired, adjusted, or replaced for the vehicle to pass an inspection;

(3) misrepresents:

(A) material information in an application in violation of Section 548.402 or 548.403; or

(B) information filed with the department under this chapter or as required by department rule;

(4) issues an inspection certificate or submits a report to the department's inspection database:

(A) without authorization to issue the certificate or submit the report; or

(B) without inspecting the vehicle;

(5) issues an inspection certificate or submits a passing report to the department's inspection database for a vehicle with knowledge that the vehicle has not been repaired, adjusted, or corrected after an inspection has shown a repair, adjustment, or correction to be necessary;

(6) knowingly issues an inspection certificate or submits a passing report to the department's inspection database:

(A) for a vehicle without conducting an inspection of each item required to be

inspected; or

(B) for a vehicle that is missing an item required to be inspected or that has an item required to be inspected that is not in compliance with state law or department rules;

(7) refuses to allow a vehicle's owner to have a qualified person of the owner's choice make a required repair, adjustment, or correction;

(8) charges for an inspection an amount greater than the authorized fee; or

(9) performs an act prohibited by or fails to perform an act required by this chapter or a rule adopted under this chapter.

SECTION 29. Sections 548.603(a) and (c), Transportation Code, are amended to read as follows:

(a) A person commits an offense if the person:

(1) presents [~~displays or causes or permits to be displayed~~] an inspection certificate or insurance document knowing that the certificate or document is counterfeit, tampered with, altered, fictitious, issued for another vehicle, [~~issued for a vehicle failing to meet all emissions inspection requirements,~~] or issued in violation of:

(A) this chapter, rules adopted under this chapter, or other law of this state; or

(B) a law of another state, the United States, the United Mexican States, a state of the United Mexican States, Canada, or a province of Canada;

(2) [~~transfers an inspection certificate from a windshield or location to another windshield or location;~~

~~(3)]~~ with intent to circumvent the emissions inspection requirements seeks an inspection of a vehicle at a station not certified to perform an emissions inspection if the person knows that the vehicle is required to be inspected under Section 548.301; or

~~(3) [(4)] knowingly does not comply with an emissions inspection requirement for a vehicle[; or~~

~~[(5) displays on a vehicle an inspection certificate that was obtained knowing that the vehicle does not meet all emissions inspection requirements for the vehicle].~~

No equivalent provision.

inspected; or

(B) for a vehicle that is missing an item required to be inspected or that has an item required to be inspected that is not in compliance with state law or department rules;

(7) refuses to allow a vehicle's owner to have a qualified person of the owner's choice make a required repair, adjustment, or correction;

(8) charges for an inspection an amount greater than the authorized fee; or

(9) performs an act prohibited by or fails to perform an act required by this chapter or a rule adopted under this chapter.

SECTION 44. Sections 548.603(a), (b), and (c), Transportation Code, are amended to read as follows:

(a) A person commits an offense if the person:

(1) presents [~~displays or causes or permits to be displayed~~] an inspection certificate or insurance document knowing that the certificate or document is counterfeit, tampered with, altered, fictitious, issued for another vehicle, [~~issued for a vehicle failing to meet all emissions inspection requirements,~~] or issued in violation of:

(A) this chapter, rules adopted under this chapter, or other law of this state; or

(B) a law of another state, the United States, the United Mexican States, a state of the United Mexican States, Canada, or a province of Canada;

(2) [~~transfers an inspection certificate from a windshield or location to another windshield or location;~~

~~(3)]~~ with intent to circumvent the emissions inspection requirements seeks an inspection of a vehicle at a station not certified to perform an emissions inspection if the person knows that the vehicle is required to be inspected under Section 548.301; or

~~(3) [(4)] knowingly does not comply with an emissions inspection requirement for a vehicle[; or~~

~~[(5) displays on a vehicle an inspection certificate that was obtained knowing that the vehicle does not meet all emissions inspection requirements for the vehicle].~~

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

(1) makes or possesses, with the intent to sell, circulate, or pass, a counterfeit inspection certificate or insurance document; or

(2) possesses any part of a stamp, dye, plate, negative, machine, or other device that is used or designated for use in making a counterfeit ~~[inspection certificate or]~~ insurance document.

(c) The owner of a vehicle commits an offense if the owner knowingly allows the vehicle to be registered using as proof of compliance with this chapter ~~[or operated while the vehicle displays]~~ an inspection certificate described by ~~[in violation of]~~ Subsection (a).

(c) The owner of a vehicle commits an offense if the owner knowingly allows the vehicle to be registered using as proof of compliance with this chapter ~~[or operated while the vehicle displays]~~ an inspection certificate described by ~~[in violation of]~~ Subsection (a).

SECTION 30. Section 548.6035(a), Transportation Code, is amended to read as follows:

SECTION 45. Section 548.6035(a), Transportation Code, is amended to read as follows:

(a) A person commits an offense if, in connection with a required emissions inspection of a motor vehicle, the person knowingly:

(a) A person commits an offense if, in connection with a required emissions inspection of a motor vehicle, the person knowingly:

(1) submits an inspection certificate number to the department's inspection database or issues ~~[places or causes to be placed on a motor vehicle]~~ an inspection certificate, if:

(1) submits a passing report to the department's inspection database ~~[places or causes to be placed on a motor vehicle an inspection certificate,]~~ if:

(A) the vehicle does not meet the emissions requirements established by the department; or

(A) the vehicle does not meet the emissions requirements established by the department; or

(B) the person has not inspected the vehicle;

(B) the person has not inspected the vehicle;

(2) manipulates an emissions test result;

(2) manipulates an emissions test result;

(3) uses or causes to be used emissions data from another motor vehicle as a substitute for the motor vehicle being inspected; or

(3) uses or causes to be used emissions data from another motor vehicle as a substitute for the motor vehicle being inspected; or

(4) bypasses or circumvents a fuel cap test.

(4) bypasses or circumvents a fuel cap test.

SECTION 31. Section 623.011(d), Transportation Code, is amended.

SECTION 46. Same as introduced version.

SECTION 32. Section 683.051, Transportation Code, is amended.

SECTION 47. Same as introduced version.

SECTION 33. Section 683.071, Transportation Code, as amended by Chapters 720 (H.B. 787) and 753 (H.B. 1376), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended.

SECTION 48. Same as introduced version.

SECTION 34. The following statutes are repealed:

SECTION 49. Same as introduced version.

- (1) Section 548.053(c), Transportation Code;
- (2) Section 548.255, Transportation Code;
- (3) Section 548.257, Transportation Code;
- (4) Section 548.602, Transportation Code;
- (5) Section 548.603(e)(2), Transportation Code;
- (6) Section 548.603(f), Transportation Code, as added by Chapter 1069 (S.B. 1856), Acts of the 75th Legislature, Regular Session, 1997; and
- (7) Section 548.605, Transportation Code.

SECTION 35. (a) Except as otherwise provided by this section, this Act takes effect September 1, 2015.

(b) Not later than January 1, 2014, the Department of Motor Vehicles, the Department of Public Safety of the State of Texas, and the Texas Commission on Environmental Quality shall adopt rules necessary to implement the changes in law made by this Act.

(c) Sections 548.251 and 548.253, Transportation Code, as amended by this Act, take effect January 1, 2014.

No equivalent provision.

(d) Article 45.003, Code of Criminal Procedure, Section 103.0213, Government Code, and Sections 521.3465, 548.603, and 548.6035, Transportation Code, as amended by this Act, apply only to an offense committed on or after January 1, 2015. An offense committed before January 1, 2015, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before January 1, 2015, if any element of the offense occurred before that date.

SECTION 52. (a) Except as otherwise provided by Subsection (b) of this section, this Act takes effect January 1, 2015.

(b) Section 51 of this Act takes effect September 1, 2013.

SECTION 51. (a) Not later than January 1, 2014, the Texas Department of Motor Vehicles, the Texas Department of Public Safety, and the Texas Commission on Environmental Quality shall adopt rules necessary to implement the changes in law made by this Act.

No equivalent provision.

(b) Not later than January 1, 2014, the Department of Public Safety shall create the database described by Section 548.251, Transportation Code, as amended by this Act, and require inspection stations to submit to the database the information required by Section 548.253, Transportation Code, as amended by this Act.

SECTION 50. Article 45.003, Code of Criminal Procedure, Section 103.0213, Government Code, and Sections 521.3465, 548.603, and 548.6035, Transportation Code, as amended by this Act, apply only to an offense committed on or after January 1, 2015. An offense committed before January 1, 2015, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before January 1, 2015, if any element of the offense occurred before that date.