

By: Pickett

H.B. No. 2202

A BILL TO BE ENTITLED

AN ACT

relating to the disposition of fees collected by or on behalf of the Texas Department of Motor Vehicles; authorizing fees.

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

SECTION 1. Section 232.014(b), Family Code, is amended to read as follows:

(b) A fee collected by the Texas Department of Motor Vehicles shall be deposited to the credit of the Texas Department of Motor Vehicles fund. A fee collected by ~~[or]~~ the Department of Public Safety shall be deposited to the credit of the state highway fund.

SECTION 2. Section 2301.156, Occupations Code, is amended to read as follows:

Sec. 2301.156. DEPOSIT OF REVENUE. Notwithstanding any other law to the contrary, all money collected by the board under this chapter shall be deposited in the state treasury to the credit of the Texas Department of Motor Vehicles ~~[state-highway]~~ fund.

SECTION 3. Section 2301.801(c), Occupations Code, is amended to read as follows:

(c) Notwithstanding any other law to the contrary, a civil penalty recovered under this chapter shall be deposited in the state treasury to the credit of the Texas Department of Motor Vehicles ~~[state-highway]~~ fund.

SECTION 4. Section 501.0234(b), Transportation Code, is

1 amended to read as follows:

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

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

5 (2) for which the title has been surrendered in
6 exchange for:

7 (A) a salvage vehicle title or salvage record of
8 title issued under this chapter;

9 (B) a nonrepairable vehicle title or
10 nonrepairable vehicle record of title issued under this chapter or
11 Subchapter D, Chapter 683; or

12 (C) an ownership document issued by another state
13 that is comparable to a document described by Paragraph (A) or (B);

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

15 (4) purchased by a commercial fleet buyer who is a
16 full-service deputy authorized by rules adopted under Section
17 520.0071 [~~520.008~~] and who utilizes the dealer title application
18 process developed to provide a method to submit title transactions
19 to the county in which the commercial fleet buyer is a full-service
20 deputy.

21 SECTION 5. Section 501.033(c), Transportation Code, is
22 amended to read as follows:

23 (c) A fee of \$2 must accompany each application under this
24 section to be deposited in the Texas Department of Motor Vehicles
25 [~~state highway~~] fund.

26 SECTION 6. Section 501.076(c), Transportation Code, is
27 amended to read as follows:

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

3 (1) the person may be a person who has been deputized
4 ~~[appointed by the commissioners court as a deputy]~~ to perform
5 vehicle registration functions as authorized by rules adopted under
6 Section 520.0071 ~~[520.0091]~~, a licensed vehicle auction company
7 holding a wholesale general distinguishing number under Section
8 503.022, a person who has a permit similar to one of the foregoing
9 that is issued by the state in which the owner is located, or
10 another person authorized by law to execute title documents in the
11 state in which the owner executes the documents; and

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

19 SECTION 7. Section 501.097(d), Transportation Code, is
20 amended to read as follows:

21 (d) The fee collected under Subsection (a)(1) shall be
22 credited to the Texas Department of Motor Vehicles ~~[state highway]~~
23 fund to defray the costs of administering this subchapter and the
24 costs to the department for issuing the title.

25 SECTION 8. Section 501.134(a), Transportation Code, is
26 amended to read as follows:

27 (a) If a printed title is lost or destroyed, the owner or

lienholder disclosed on the title may obtain, in the manner provided by this section and department rule, a certified copy of the lost or destroyed title directly from the department by applying in a manner prescribed by the department and paying a fee of \$2. A fee collected under this subsection shall be deposited to the credit of the Texas Department of Motor Vehicles [~~state highway~~] fund and may be spent only as provided by Section 501.138.

SECTION 9. Section 501.138(c), Transportation Code, is amended to read as follows:

(c) Of the amount received under Subsection (b)(2), the department shall deposit:

(1) \$5 in the general revenue fund; and

(2) \$3 to the credit of the Texas Department of Motor Vehicles [~~state highway~~] fund to recover the expenses necessary to administer this chapter.

SECTION 10. Section 501.148(b), Transportation Code, is amended to read as follows:

(b) The county assessor-collector shall report and remit the balance of the fees collected to the department on Monday of each week as other fees are required to be reported and remitted. The department shall deposit the remitted fees in the state treasury to the credit of the Texas Department of Motor Vehicles fund.

SECTION 11. Section 501.178, Transportation Code, is amended to read as follows:

Sec. 501.178. DISPOSITION OF FEES. All fees collected under this subchapter shall be deposited to the credit of the Texas

1 Department of Motor Vehicles [~~state-highway~~] fund.

2 SECTION 12. Section 502.058, Transportation Code, is
3 amended by adding Subsection (c) to read as follows:

4 (c) A fee collected under Subsection (a) shall be deposited
5 to the credit of the Texas Department of Motor Vehicles fund.

6 SECTION 13. Section 502.060, Transportation Code, is
7 amended by adding Subsection (e) to read as follows:

8 (e) The portion of the fee sent to the department under
9 Subsection (d) shall be deposited to the credit of the Texas
10 Department of Motor Vehicles fund.

11 SECTION 14. Section 502.094(h), Transportation Code, is
12 amended to read as follows:

13 (h) The department may establish one or more escrow accounts
14 in the Texas Department of Motor Vehicles [~~state-highway~~] fund for
15 the prepayment of a 72-hour permit or a 144-hour permit. Any fee
16 established by the department for the administration of this
17 subsection shall be administered as required by an agreement
18 entered into by the department.

19 SECTION 15. Section 502.146(a), Transportation Code, is
20 amended to read as follows:

21 (a) The department shall issue specialty license plates to a
22 vehicle described by Subsection (b) or (c). The fee for the license
23 plates is \$5 and shall be deposited to the credit of the Texas
24 Department of Motor Vehicles fund.

25 SECTION 16. Section 502.191, Transportation Code, is
26 amended by adding Subsection (f) to read as follows:

27 (f) The department may not collect a fee under Subsection

1 (c) or (d) if the department collects a fee under Section 502.1911.

2 SECTION 17. Subchapter E, Chapter 502, Transportation Code,
3 is amended by adding Section 502.1911 to read as follows:

4 Sec. 502.1911. REGISTRATION PROCESSING AND HANDLING FEE.

5 (a) The department may collect a fee, in addition to other
6 registration fees for the issuance of a license plate, a set of
7 license plates, or another device used as the registration
8 insignia, to cover the expenses of collecting those registration
9 fees, including a service charge for registration by mail.

10 (b) The board by rule shall set the fee in an amount that:

11 (1) includes the fee established under Section
12 502.356(a); and

13 (2) is sufficient to cover the expenses associated
14 with collecting registration fees by:

15 (A) the department;

16 (B) a county tax assessor-collector;

17 (C) a private entity with which a county tax
18 assessor-collector contracts under Section 502.197; or

19 (D) a deputy assessor-collector that is
20 deputized in accordance with board rule under Section 520.0071.

21 (c) The county tax assessor-collector, a private entity
22 with which a county tax assessor-collector contracts under Section
23 502.197, or a deputy assessor-collector may retain a portion of the
24 fee collected under Subsection (b) as provided by board rule.
25 Remaining amounts collected under this section shall be deposited
26 to the credit of the Texas Department of Motor Vehicles fund.

27 SECTION 18. Section 502.192, Transportation Code, is

1 amended to read as follows:

2 Sec. 502.192. TRANSFER FEE. The purchaser of a used motor
3 vehicle shall pay, in addition to any fee required under Chapter 501
4 for the transfer of title, a transfer fee of \$2.50 for the transfer
5 of the registration of the motor vehicle. The county
6 assessor-collector may retain as commission for services provided
7 under this subchapter half of each transfer fee collected. The
8 portion of each transfer fee not retained by the county
9 assessor-collector shall be deposited to the credit of the Texas
10 Department of Motor Vehicles fund.

11 SECTION 19. Sections 502.197(a) and (b), Transportation
12 Code, are amended to read as follows:

13 (a) A county assessor-collector may retain ~~[collect]~~ a
14 service charge in the amount determined by the board under Section
15 502.1911 ~~[of \$1]~~ from each applicant registering a vehicle by
16 mail. The service charge shall be used to pay the costs of handling
17 and postage to mail the registration receipt and insignia to the
18 applicant.

19 (b) With the approval of the commissioners court of a
20 county, a county assessor-collector may contract with a private
21 entity to enable an applicant for registration to use an electronic
22 off-premises location. A private entity may retain an amount
23 determined by the board under Section 502.1911 ~~[charge an applicant~~
24 ~~not more than \$1]~~ for the service provided.

25 SECTION 20. Sections 502.198(a), (c), and (d),
26 Transportation Code, are amended to read as follows:

27 (a) Except as provided by Sections 502.058, 502.060,

1 502.1911, 502.192, 502.1982, and 502.357, this section applies to
2 all fees collected by a county assessor-collector under this
3 chapter.

4 (c) After the credits to the county road and bridge fund
5 equal the total computed under Subsection (b), each Monday the
6 county assessor-collector shall:

7 (1) credit to the county road and bridge fund an amount
8 equal to 50 percent of the net collections made during the preceding
9 week, until the amount so credited for the calendar year equals
10 \$125,000; and

11 (2) send to the department an amount equal to 50
12 percent of those collections for deposit to the credit of the state
13 highway fund.

14 (d) After the credits to the county road and bridge fund
15 equal the total amounts computed under Subsections (b) and (c)(1),
16 each Monday the county assessor-collector shall send to the
17 department all collections made during the preceding week for
18 deposit to the credit of the state highway fund.

19 SECTION 21. Section 502.1982, Transportation Code, is
20 amended to read as follows:

21 Sec. 502.1982. DISPOSITION OF OPTIONAL COUNTY ROAD AND
22 BRIDGE FEE. Each Monday a county assessor-collector shall
23 apportion the collections for the preceding week for a fee imposed
24 under Section 502.401 by:

25 (1) crediting an amount equal to 97 percent of the
26 collections to the county road and bridge fund; and

27 (2) sending to the department for deposit to the

1 credit of the Texas Department of Motor Vehicles fund an amount
2 equal to three percent of the collections to defray the
3 department's costs of administering Section 502.401.

4 SECTION 22. Section 502.1984(a), Transportation Code, is
5 amended to read as follows:

6 (a) A fee required to be sent to the department under this
7 chapter bears interest for the benefit of the state highway fund or
8 the Texas Department of Motor Vehicles fund, as applicable, at an
9 annual rate of 10 percent beginning on the 60th day after the date
10 the county assessor-collector collects the fee.

11 SECTION 23. Section 502.356, Transportation Code, is
12 amended to read as follows:

13 Sec. 502.356. AUTOMATED REGISTRATION AND TITLING SYSTEM.

14 (a) In addition to other registration fees for a license plate or
15 set of license plates or other device used as the registration
16 insignia, a fee of \$1 shall be collected and shall be deposited into
17 the Texas Department of Motor Vehicles fund.

18 (b) The department may use money collected under this
19 section to provide for or enhance the automation of and the
20 necessary infrastructure for:

21 (1) ~~[automated]~~ on-premises and off-premises
22 registration and permitting; ~~[and]~~

23 (2) services related to the titling of vehicles; and

24 (3) licensing and enforcement procedures.

25 SECTION 24. Section 502.405(c), Transportation Code, is
26 amended to read as follows:

27 (c) Three percent of all money collected under this section

1 shall be credited to the Texas Department of Motor Vehicles fund and
2 may be appropriated only to the department to administer this
3 section.

4 SECTION 25. Section 503.007(d), Transportation Code, is
5 amended to read as follows:

6 (d) A fee collected under this section shall be deposited to
7 the credit of the Texas Department of Motor Vehicles [~~state~~
8 ~~highway~~] fund.

9 SECTION 26. Section 503.008(d), Transportation Code, is
10 amended to read as follows:

11 (d) A fee collected under this section shall be deposited to
12 the credit of the Texas Department of Motor Vehicles [~~state~~
13 ~~highway~~] fund.

14 SECTION 27. Section 503.012, Transportation Code, is
15 amended to read as follows:

16 Sec. 503.012. COLLECTED MONEY. Section 403.095, Government
17 Code, does not apply to money received by the department and
18 deposited to the credit of the Texas Department of Motor Vehicles
19 [~~state-highway~~] fund in accordance with this chapter.

20 SECTION 28. Section 503.0615(f), Transportation Code, is
21 amended to read as follows:

22 (f) Of each fee collected by the department under this
23 section:

24 (1) \$1.25 shall be deposited to the credit of the Texas
25 Department of Motor Vehicles [~~state-highway~~] fund to defray the
26 cost of administering this section; and

27 (2) the remainder shall be deposited to the credit of

1 the general revenue fund.

2 SECTION 29. Section 503.0618, Transportation Code, is
3 amended by adding Subsection (e) to read as follows:

4 (e) A fee collected under this section shall be deposited to
5 the credit of the Texas Department of Motor Vehicles fund.

6 SECTION 30. Section 503.063(g), Transportation Code, is
7 amended to read as follows:

8 (g) For each buyer's temporary tag, a dealer shall charge
9 the buyer a registration fee of not more than \$5 as prescribed by
10 the department to be sent to the comptroller for deposit to the
11 credit of the Texas Department of Motor Vehicles [~~state highway~~]
12 fund.

13 SECTION 31. Section 503.065, Transportation Code, is
14 amended by adding Subsection (f) to read as follows:

15 (f) A fee collected under this section shall be deposited to
16 the credit of the Texas Department of Motor Vehicles fund.

17 SECTION 32. Section 504.002, Transportation Code, is
18 amended to read as follows:

19 Sec. 504.002. GENERAL PROVISIONS. Unless expressly
20 provided by this chapter or by department rule:

21 (1) except for license plates specified as exempt, the
22 fee for issuance of a license plate, including replacement plates,
23 is in addition to each other fee that is paid for at the time of the
24 registration of the motor vehicle and shall be deposited to the
25 credit of the Texas Department of Motor Vehicles [~~state highway~~]
26 fund;

27 (2) if the registration period is greater than 12

1 months, the expiration date of a specialty license plate, symbol,
2 tab, or other device shall be aligned with the registration period,
3 and the specialty plate fee shall be adjusted pro rata, except that
4 if the statutory annual fee for a specialty license plate is \$5 or
5 less, it may not be prorated;

6 (3) the department is the exclusive owner of the
7 design of each license plate;

8 (4) if a license plate is lost, stolen, or mutilated,
9 an application for a replacement plate must be accompanied by the
10 fee prescribed by Section 502.060; and

11 (5) the department shall prepare the designs and
12 specifications of license plates.

13 SECTION 33. Section 504.007(c), Transportation Code, is
14 amended to read as follows:

15 (c) A county assessor-collector shall retain \$2.50 of each
16 fee collected under this section and forward the remainder of the
17 fee to the department for deposit to the credit of the Texas
18 Department of Motor Vehicles fund.

19 SECTION 34. Sections 504.009(b) and (c), Transportation
20 Code, are amended to read as follows:

21 (b) The fee for a single souvenir license plate is \$20. The
22 fee shall be deposited to the credit of the Texas Department of
23 Motor Vehicles [~~state-highway~~] fund unless the souvenir license
24 plate is a replica of a specialty license plate issued under
25 Subchapter G or I for which the fee is deposited to an account other
26 than the Texas Department of Motor Vehicles [~~state-highway~~] fund,
27 in which case:

1 (1) \$10 of the fee for the souvenir license plate shall
2 be deposited to the credit of the designated account; and

3 (2) \$10 of the fee for the souvenir license plate shall
4 be deposited to the credit of the Texas Department of Motor Vehicles
5 ~~[state-highway]~~ fund.

6 (c) If a souvenir license plate issued before November 19,
7 2009, is personalized, the fee for the plate is \$40. Of the fee:

8 (1) \$20 shall be deposited to the credit of the Texas
9 Department of Motor Vehicles ~~[state-highway]~~ fund;

10 (2) \$10 shall be deposited to the credit of the
11 designated account if the souvenir license plate is a replica of a
12 specialty license plate issued under Subchapter G or I for which the
13 fee is deposited to a designated account other than the Texas
14 Department of Motor Vehicles ~~[state-highway]~~ fund; and

15 (3) the remainder shall be deposited to the credit of
16 the general revenue fund.

17 SECTION 35. Section 504.647(b), Transportation Code, is
18 amended to read as follows:

19 (b) The fee shall be deposited to the credit of the Texas
20 Department of Motor Vehicles ~~[state-highway]~~ fund.

21 SECTION 36. Section 504.801(e), Transportation Code, is
22 amended to read as follows:

23 (e) For each fee collected for a license plate issued by the
24 department under this section:

25 (1) \$8 shall be used to reimburse the department for
26 its administrative costs; and

27 (2) the remainder shall be deposited to the credit of:

(A) the specialty license plate fund, which is an account in the general revenue fund, if the sponsor nominated a state agency to receive the funds; or

(B) the Texas Department of Motor Vehicles [~~state highway~~] fund if the sponsor did not nominate a state agency to receive the funds or if there is no sponsor.

SECTION 37. Section 504.851(j), Transportation Code, is amended to read as follows:

(j) From amounts received by the department under the contract described by Subsection (a), the department shall deposit to the credit of the Texas Department of Motor Vehicles [~~state highway~~] fund an amount sufficient to enable the department to recover its administrative costs for all license plates issued under this section, any payments to the vendor under the contract, and any other amounts allocated by law to the Texas Department of Motor Vehicles [~~state highway~~] fund. To the extent that the disposition of other amounts received by the department is governed by another law, those amounts shall be deposited in accordance with the other law. Any additional amount received by the department under the contract shall be deposited to the credit of the general revenue fund.

SECTION 38. Section 520.001, Transportation Code, is amended to read as follows:

Sec. 520.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

(1) "Board" means the board of the Texas Department of Motor Vehicles.

(2) "Department" [~~,"department"~~] means the Texas

Department of Motor Vehicles.

SECTION 39. Section 520.005(c), Transportation Code, is amended to read as follows:

(c) The ~~[Notwithstanding the requirements of Sections 520.008 and 520.0091, the]~~ assessor-collector may license franchised and non-franchised motor vehicle dealers to title and register motor vehicles in accordance with rules adopted under Section 520.004. The county assessor-collector may pay a fee to a motor vehicle dealer independent of or as part of the portion of the fees that would be collected by the county for each title and registration receipt issued.

SECTION 40. Section 520.006(a), Transportation Code, is amended to read as follows:

(a) A county assessor-collector shall retain an amount determined by the board under Section 502.1911 ~~[receive a fee of \$1.90]~~ for each receipt issued under Chapter 502.

SECTION 41. Subchapter A, Chapter 520, Transportation Code, is amended by adding Section 520.0071 to read as follows:

Sec. 520.0071. DEPUTIES. (a) The board by rule shall prescribe:

(1) the classification types of deputies performing titling and registration duties;

(2) the duties and obligations of deputies; and

(3) the type and amount of any bonds that may be required by a county assessor-collector for a deputy to perform titling and registration duties.

(b) A county assessor-collector, with the approval of the

1 commissioners court of the county, may deputize an individual or
2 business entity to perform titling and registration services in
3 accordance with rules adopted under Subsection (a).

4 SECTION 42. Section 520.0093(e), Transportation Code, is
5 amended to read as follows:

6 (e) Under the agreement, the department shall charge an
7 amount not less than the amount of the cost to the department to
8 provide the additional equipment and any related services under the
9 lease. All money collected under the lease shall be deposited to
10 the credit of the Texas Department of Motor Vehicles [~~state~~
11 ~~highway~~] fund.

12 SECTION 43. Section 520.016(c), Transportation Code, is
13 amended to read as follows:

14 (c) This section does not apply to a violation of Section
15 520.006 or a rule adopted under Section 520.0071 [~~520.008,~~
16 ~~520.009, 520.0091, or 520.0092~~].

17 SECTION 44. Sections 621.351(a) and (c), Transportation
18 Code, are amended to read as follows:

19 (a) The department may establish one or more escrow accounts
20 in the Texas Department of Motor Vehicles [~~state highway~~] fund for
21 the prepayment of a fee for a permit issued by the department that
22 authorizes the operation of a vehicle and its load or a combination
23 of vehicles and load exceeding size or weight limitations.

24 (c) The department shall deposit each fee established under
25 this section to the credit of the Texas Department of Motor Vehicles
26 [~~state highway~~] fund. The fees may be appropriated only to the
27 department for purposes of administering this section.

SECTION 45. Section 621.352(a), Transportation Code, is amended to read as follows:

(a) The board by rule may establish fees for the administration of Section 621.003 in an amount that, when added to the other fees collected by the department, does not exceed the amount sufficient to recover the actual cost to the department of administering that section. An administrative fee collected under this section shall be sent to the comptroller for deposit to the credit of the Texas Department of Motor Vehicles [~~state-highway~~] fund and may be appropriated only to the department for the administration of Section 621.003.

SECTION 46. Section 621.353(a), Transportation Code, is amended to read as follows:

(a) The comptroller shall send \$50 of each base fee collected under Section 623.011 for an excess weight permit to the counties of the state, with each county receiving an amount determined according to the ratio of the total number of miles of county roads maintained by the county to the total number of miles of county roads maintained by all of the counties of this state. The comptroller shall deposit \$40 of each base fee, plus each fee collected under Section 623.0112, to the credit of the Texas Department of Motor Vehicles [~~state-highway~~] fund. Money deposited to the credit of that fund under this subsection may be appropriated only to the department to administer this section and Sections 623.011, 623.0111, and 623.0112.

SECTION 47. Section 621.354, Transportation Code, is amended to read as follows:

Sec. 621.354. DISPOSITION OF FEES FOR PERMIT FOR MOVEMENT OF CYLINDRICAL HAY BALES. Of each fee collected under Section 623.017, the ~~[The]~~ department shall deposit:

(1) 90 percent ~~[each fee collected under Section 623.017]~~ in the state treasury to the credit of the state highway fund; and

(2) 10 percent in the state treasury to the credit of the Texas Department of Motor Vehicles fund.

SECTION 48. Section 623.0111(c), Transportation Code, is amended to read as follows:

(c) Of the fees collected under Subsection (a), the following amounts shall be deposited to the general revenue fund, 90 percent of ~~[and]~~ the remainder shall be deposited to the credit of the state highway fund, and 10 percent of the remainder shall be deposited to the credit of the Texas Department of Motor Vehicles fund:

| Number of Counties Designated | Amount Allocated to General Revenue Fund |
|-------------------------------|--|
| 1-5 | \$125 |
| 6-20 | \$125 |
| 21-40 | \$345 |
| 41-60 | \$565 |
| 61-80 | \$785 |
| 81-100 | \$900 |
| 101-254 | \$1,000 |

SECTION 49. Sections 623.014(c) and (d), Transportation Code, are amended to read as follows:

(c) The department shall issue the prorated credit if the person:

(1) pays the fee adopted by the board ~~[department]~~; and

(2) provides the department with:

(A) the original permit; or

(B) if the original permit does not exist, written evidence in a form approved by the department that the vehicle has been destroyed or is permanently inoperable.

(d) The fee adopted by the board ~~[department]~~ under Subsection (c)(1) may not exceed the cost of issuing the credit. A fee collected by the department under Subsection (c)(1) shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

SECTION 50. Sections 623.0711(g) and (h), Transportation Code, are amended to read as follows:

(g) An application for a permit under this section must be accompanied by the permit fee established by the department, in consultation with the commission, for the permit, not to exceed \$9,000. The department shall send each fee to the comptroller, who shall ~~[for]~~ deposit:

(1) 90 percent of the fee to the credit of the state highway fund; and

(2) 10 percent of the fee to the credit of the Texas Department of Motor Vehicles fund.

(h) In addition to the fee established under Subsection (g), the commission rules must authorize the department to collect a

consolidated permit payment for a permit under this section in an amount not to exceed 15 percent of the fee established under Subsection (g), of which:

(1) 90 percent shall ~~[to]~~ be deposited to the credit of the state highway fund; and

(2) 10 percent shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

SECTION 51. Section 623.076, Transportation Code, is amended by amending Subsections (a-1) and (c) and adding Subsection (b-1) to read as follows:

(a-1) The following amounts collected under Subsection (a) shall be deposited to the general revenue fund, 90 percent of ~~[and]~~ the remainder shall be deposited to the credit of the state highway fund, and 10 percent of the remainder shall be deposited to the credit of the Texas Department of Motor Vehicles fund:

| Amount of Fee | Amount Allocated to General Revenue Fund |
|---------------------------|--|
| \$60 (single-trip permit) | \$30 |
| \$120 (30-day permit) | \$60 |
| \$180 | \$90 |
| \$240 | \$120 |
| \$270 | \$135 |

(b-1) The department shall deposit a fee collected under Subsection (b)(3) to the credit of the Texas Department of Motor Vehicles fund.

(c) An application for a permit under Section 623.071(c)(3) or (d) must be accompanied by the permit fee established by the board, in consultation with the commission, for the permit, not to

1 exceed \$7,000. Of each fee collected under this subsection, the
2 department shall send:

3 (1) the first \$1,000 to the comptroller for deposit to
4 the credit of the general revenue fund; and

5 (2) any amount in excess of \$1,000 to the comptroller,
6 who shall ~~[for]~~ deposit:

7 (A) 90 percent of the excess to the credit of the
8 state highway fund; and

9 (B) 10 percent of the excess to the credit of the
10 Texas Department of Motor Vehicles fund.

11 SECTION 52. Section 623.077(b), Transportation Code, is
12 amended to read as follows:

13 (b) The department shall send each fee collected under
14 Subsection (a) to the comptroller, who shall ~~[for]~~ deposit:

15 (1) 90 percent of the fee to the credit of the state
16 highway fund; and

17 (2) 10 percent of the fee to the credit of the Texas
18 Department of Motor Vehicles fund.

19 SECTION 53. Sections 623.096(a) and (c), Transportation
20 Code, are amended to read as follows:

21 (a) The department shall collect a fee of \$40 for each
22 permit issued under this subchapter. Of each fee, \$19.70 shall be
23 deposited to the credit of the general revenue fund and of the
24 remainder:

25 (1) 90 percent shall be deposited to the credit of the
26 state highway fund; and

27 (2) 10 percent shall be deposited to the credit of the

1 Texas Department of Motor Vehicles fund.

2 (c) The department may establish an escrow account within
3 the Texas Department of Motor Vehicles fund for the payment of
4 permit fees.

5 SECTION 54. Section 623.124(b), Transportation Code, is
6 amended to read as follows:

7 (b) The department shall send each fee collected under this
8 section to the comptroller. Of each fee received from the
9 department, the comptroller shall deposit:

10 (1) \$7.50 to the credit of the general revenue fund;
11 and

12 (2) of the remainder:

13 (A) 90 percent [~~\$7.50~~] to the credit of the state
14 highway fund; and

15 (B) 10 percent to the credit of the Texas
16 Department of Motor Vehicles fund.

17 SECTION 55. Section 623.147, Transportation Code, is
18 amended to read as follows:

19 Sec. 623.147. DEPOSIT OF FEE IN STATE HIGHWAY FUND AND IN
20 TEXAS DEPARTMENT OF MOTOR VEHICLES FUND. A fee collected under this
21 subchapter shall be deposited as follows:

22 (1) 90 percent to the credit of the state highway fund;
23 and

24 (2) 10 percent to the credit of the Texas Department of
25 Motor Vehicles fund.

26 SECTION 56. Section 623.182(b), Transportation Code, is
27 amended to read as follows:

(b) The department shall send each fee collected under this subchapter to the comptroller. Of each fee received from the department, the comptroller shall deposit \$50 to the credit of the general revenue fund and of the remainder the department shall deposit:

(1) 90 percent [~~\$50~~] to the credit of the state highway fund; and

(2) 10 percent to the credit of the Texas Department of Motor Vehicles fund.

SECTION 57. Section 623.197, Transportation Code, is amended to read as follows:

Sec. 623.197. DEPOSIT OF FEE IN STATE HIGHWAY FUND AND IN TEXAS DEPARTMENT OF MOTOR VEHICLES FUND. A fee collected under this subchapter shall be deposited as follows:

(1) 90 percent to the credit of the state highway fund; and

(2) 10 percent to the credit of the Texas Department of Motor Vehicles fund.

SECTION 58. Section 623.273, Transportation Code, is amended by adding Subsection (e) to read as follows:

(e) Money collected by the department under Subsection (d) shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

SECTION 59. Section 643.004(b), Transportation Code, is amended to read as follows:

(b) The department may establish one or more escrow accounts in the Texas Department of Motor Vehicles [~~state highway~~] fund for

the prepayment of a fee under this chapter. Prepaid fees and any fees established by the department for the administration of this section shall be:

(1) administered under an agreement approved by the department; and

(2) deposited to the credit of the Texas Department of Motor Vehicles [~~state-highway~~] fund to be appropriated only to the department for the purposes of administering this chapter.

SECTION 60. Section 645.002(c), Transportation Code, is amended to read as follows:

(c) The department may establish one or more escrow accounts in the Texas Department of Motor Vehicles [~~state-highway~~] fund for the prepayment of a fee under this chapter. A prepaid fee or any fee established by the department for the administration of this section shall be:

(1) administered under an agreement approved by the department; and

(2) deposited to the credit of the Texas Department of Motor Vehicles [~~state-highway~~] fund to be appropriated only to the department for the purposes of administering this chapter.

SECTION 61. Section 646.001, Transportation Code, is amended to read as follows:

Sec. 646.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

(1) "Department" means the Texas Department of Motor Vehicles.

(2) "Motor [~~motor~~] transportation broker" means a person who:

1 (A) [~~(1)~~] sells, offers for sale, provides, or
2 negotiates for the transportation of cargo by a motor carrier
3 operated by another person; or

4 (B) [~~(2)~~] aids or abets a person in performing an
5 act described by Paragraph (A) [~~Subdivision (1)~~].

6 SECTION 62. Sections 646.003(a) and (c), Transportation
7 Code, are amended to read as follows:

8 (a) A person may not act as a motor transportation broker
9 unless the person provides a bond to the department [~~Texas~~
10 ~~Department of Motor Vehicles~~].

11 (c) The department may charge the broker a bond review fee
12 in an amount not to exceed the cost of reviewing the bond. The
13 department shall deposit a fee collected under this subsection to
14 the credit of the Texas Department of Motor Vehicles fund.

15 SECTION 63. Section 681.005, Transportation Code, is
16 amended to read as follows:

17 Sec. 681.005. DUTIES OF COUNTY ASSESSOR-COLLECTOR. Each
18 county assessor-collector shall send to the department each fee
19 collected under Section 681.003, to be deposited in the Texas
20 Department of Motor Vehicles [~~state-highway~~] fund to defray the
21 cost of providing the disabled parking placard.

22 SECTION 64. Section 683.052(d), Transportation Code, is
23 amended to read as follows:

24 (d) The application must be accompanied by a fee of \$2,
25 unless the application is made by a unit of government. Fees
26 collected under this subsection shall be deposited to the credit of
27 the Texas Department of Motor Vehicles [~~state-highway~~] fund.

SECTION 65. Section 1001.007(b), Transportation Code, is amended to read as follows:

(b) Money collected by the department under this section shall be deposited to the credit of the Texas Department of Motor Vehicles [~~state-highway~~] fund for use by the department in supporting the department's operations and the administration of the department's functions.

SECTION 66. Section 1001.009(d), Transportation Code, is amended to read as follows:

(d) Revenue generated from the collection of discount or service charges under Subsection (c) shall be deposited to the credit of the Texas Department of Motor Vehicles [~~state-highway~~] fund for use by the department in supporting the department's operations and the administration of the department's functions.

SECTION 67. Chapter 1001, Transportation Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. TEXAS DEPARTMENT OF MOTOR VEHICLES FUND

Sec. 1001.151. TEXAS DEPARTMENT OF MOTOR VEHICLES FUND.

(a) The Texas Department of Motor Vehicles fund is a special fund in the treasury outside the general revenue fund and the state highway fund.

(b) Except as provided by Subsection (c), and unless otherwise dedicated by the Texas Constitution, the fund consists of:

(1) money appropriated by the legislature to the department;

(2) money allocated to pay fund accounting costs and

1 related liabilities of the fund;

2 (3) gifts, grants, and donations received by the
3 department;

4 (4) money required by law to be deposited to the fund;

5 (5) interest earned on money in the fund; and

6 (6) other revenue received by the department.

7 (c) Money appropriated to the department for Automobile
8 Burglary and Theft Prevention Authority purposes and other revenue
9 collected or received by the Automobile Burglary and Theft
10 Prevention Authority may not be deposited into the fund.

11 Sec. 1001.152. USE OF MONEY IN FUND. Money that is required
12 to be deposited in the state treasury to the credit of the Texas
13 Department of Motor Vehicles fund may be used by the department
14 only:

15 (1) to support the department's operations and the
16 administration and enforcement of the department's functions; or

17 (2) to pay the accounting costs and related
18 liabilities for the fund, including fringe benefits, workers'
19 compensation, and unemployment compensation.

20 Sec. 1001.153. APPLICABILITY OF OTHER LAW. Subchapter D,
21 Chapter 316, Government Code, and Section 403.095, Government Code,
22 do not apply to the fund created under Section 1001.151.

23 SECTION 68. Sections 520.008, 520.009, 520.0091, and
24 520.0092, Transportation Code, are repealed.

25 SECTION 69. (a) On September 1, 2013, existing revenue from
26 fees collected or received by the Texas Department of Motor
27 Vehicles and any other revenue dedicated to the Texas Department of

1 Motor Vehicles shall be transferred to and deposited in the fund
2 established under Section 1001.151, Transportation Code, as added
3 by this Act.

4 (b) Money deposited to the credit of the Texas Department of
5 Motor Vehicles fund that is, on September 1, 2013, being used as
6 collateral or a source of payment for the repayment of any loans,
7 bonds, credit agreements, public securities, or other obligations
8 remains subject to being used as collateral or a source of payment
9 for those obligations. An obligation described by this subsection
10 must first be paid from the state highway fund. The Texas
11 Department of Motor Vehicles fund is subject to the obligation only
12 to the extent the state highway fund is depleted at the time the
13 obligation matures and becomes due.

14 (c) A deputy appointed under Section 520.0091,
15 Transportation Code, on or before August 31, 2013, may continue to
16 perform the services authorized under Sections 520.008, 520.009,
17 520.0091, and 520.0092, Transportation Code, until the Texas
18 Department of Motor Vehicles Board adopts rules regarding the types
19 of deputies authorized to perform titling and registration duties
20 under Section 520.0071, Transportation Code, as added by this Act.

21 SECTION 70. (a) Except as provided by Subsection (b) of
22 this section, this Act takes effect September 1, 2013.

23 (b) Sections 502.197(a) and (b) and 520.006, Transportation
24 Code, as amended by this Act, take effect on the date the board of
25 the Texas Department of Motor Vehicles adopts the registration
26 processing and handling fee under Section 502.1911, Transportation
27 Code, as added by this Act.