

By: Flynn

H.B. No. 3724

A BILL TO BE ENTITLED

AN ACT

relating to the certification of inspectors and inspection stations for the compulsory inspection of motor vehicles and the enforcement of that program; authorizing fees.

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

SECTION 1. Section 548.404, Transportation Code, is amended to read as follows:

Sec. 548.404. APPLICATION FOR CERTIFICATION AS INSPECTOR.

(a) An application for certification as an inspector shall:

(1) be made on a form prescribed and provided by the department; ~~and~~

(2) state:

(A) the name of the applicant;

(B) the address of the applicant's residence and place of employment;

(C) the applicant's driver's license number; and

(D) other information required by the department; and

(3) include a complete and legible set of fingerprints of the applicant provided in a manner prescribed by the department.

(b) The department may return an application as incomplete if the applicant fails to provide the information described by Subsection (a).

SECTION 2. Section 548.506, Transportation Code, is amended

1 to read as follows:

2           Sec. 548.506. FEE FOR CERTIFICATION AS INSPECTOR. An  
3 applicant for certification as an inspector must submit with the  
4 applicant's first application a fee in an amount set by the  
5 department [~~of \$25~~] for certification until August 31 of the  
6 even-numbered year following the date of certification. To be  
7 certified after August 31 of that year, the applicant must pay [~~\$25~~  
8 ~~as~~] a certificate fee in an amount set by the department for each  
9 subsequent two-year period.

10           SECTION 3. Section 548.507, Transportation Code, is amended  
11 to read as follows:

12           Sec. 548.507. FEE FOR CERTIFICATION AS INSPECTION STATION.  
13 (a) Except as provided by Subsection (b) or (c), after an  
14 applicant for certification as an inspection station is notified  
15 that the application will be approved, the applicant must pay a fee  
16 in an amount set by the department [~~of \$100~~] for certification until  
17 August 31 of the odd-numbered year after the date of  
18 appointment. To be certified after August 31 of that year, the  
19 applicant must pay a fee in an amount set by the department [~~of~~  
20 ~~\$100~~] for certification for each subsequent two-year period.

21           (b) If an applicant for certification as an inspection  
22 station has been convicted of a violation of this chapter relating  
23 to an emissions inspection under Subchapter F, after notification  
24 that the application will be approved, the applicant must pay a fee  
25 of \$500 for certification until August 31 of the odd-numbered year  
26 after the date of appointment. To be certified after August 31 of  
27 that year, the applicant must pay a fee in an amount set by the

1 department [~~of \$100~~] for certification for each subsequent two-year  
2 period.

3 (c) If an applicant for certification as an inspection  
4 station has been convicted of two or more violations of this chapter  
5 relating to an emissions inspection under Subchapter F, after  
6 notification that the application will be approved, the applicant  
7 must pay a fee of \$1,500 for certification until August 31 of the  
8 odd-numbered year after the date of appointment. To be certified  
9 after August 31 of that year, the applicant must pay a fee in an  
10 amount set by the department [~~of \$100~~] for certification for each  
11 subsequent two-year period.

12 SECTION 4. Subchapter H, Chapter 548, Transportation Code,  
13 is amended by adding Section 548.509 to read as follows:

14 Sec. 548.509. INSUFFICIENT PAYMENT. The department may  
15 return an application as incomplete or revoke a certification  
16 issued under Subchapter G if:

17 (1) payment for the applicable certification fee, as  
18 described by this subchapter, is returned by the depository bank or  
19 another bank for any reason considered to be the fault of the  
20 drawer; and

21 (2) reasonable notice and opportunity to submit the  
22 required fee has been provided to the applicant.

23 SECTION 5. Section 548.3065, Transportation Code, is  
24 repealed.

25 SECTION 6. (a) An administrative proceeding under Section  
26 548.3065, Transportation Code, commenced before the effective date  
27 of this Act is governed by the law in effect on the date the

1 proceeding commenced, and that law is continued in effect for that  
2 purpose.

3 (b) The changes in law made by Sections 548.404, 548.506,  
4 and 548.507, Transportation Code, as amended by this Act, in  
5 connection with an application for certification as a vehicle  
6 inspection station or a vehicle inspector apply only to an  
7 application for certification that is filed on or after the  
8 effective date of this Act.

9 SECTION 7. This Act takes effect September 1, 2013.