

BILL ANALYSIS

C.S.H.B. 2701
By: Pickett
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Periodically, statutes governing state agencies are reviewed to determine the changes necessary to improve the agency's ability to fulfill its statutory functions, and this review often results in an omnibus bill. As such an omnibus bill, C.S.H.B. 2701 amends provisions relating to the regulation of motor vehicles by the Texas Department of Motor Vehicles.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTIONS 32, 34, and 40 of this bill and the Department of Public Safety in SECTIONS 32 and 40 of this bill.

ANALYSIS

C.S.H.B. 2701 amends the Occupations Code to remove the requirement to include certain specified information on an application for a manufacturer's, distributor's, converter's, or representative's license to sell or lease motor vehicles. The bill authorizes a motor vehicle dealer to sell, offer to sell, including by consignment, or exchange an antique motor vehicle that is at least 25 years of age or a special interest vehicle at a public auction. The bill removes the prohibition against the board of the Texas Department of Motor Vehicles (TxDMV) or a person delegated power from the board from issuing an order requiring a manufacturer, converter, or distributor to make a refund or to replace a motor vehicle, except under certain conditions. The bill removes a proposal for decision and recommendation for a final order in a proceeding relating to a motor vehicle warranty not issued before the 151st day after the date a complaint is filed as a condition requiring TxDMV to provide written notice to certain parties to the proceedings of the complainant's right to file a civil action. The bill removes the requirement that the board or the board's delegate extend the 150-day period under certain circumstances and name the person responsible for paying the cost of any refund or replacement. The bill removes the authorization of the board or the board's delegate to terminate the lease of a leased vehicle and apportion allowances or refunds.

C.S.H.B. 2701 specifies that the information filed under statutory provisions relating to the sale or lease of motor vehicles that is not a public record and is not subject to release until a complaint is resolved by a final order is information filed with TxDMV instead of information filed with the board. The bill includes the wilful omission of material information in any application or other information filed regarding the sale or lease of a motor vehicle among the conditions under which TxDMV is authorized to deny an application for a license to sell or lease

motor vehicles, revoke or suspend such a license, place on probation a person whose license has been suspended, or reprimand a license holder. The bill adds a hearings examiner as an alternative signatory in a contested case hearing concerning a vehicle defect or warranty final order or decision for the implementation and enforcement of the sale or lease of a motor vehicle. The bill removes the requirement that the board or the board's delegate order a nonprevailing party in a case regarding a motor vehicle warranty to reimburse the amount of the case filing fee and instead requires the nonprevailing party to reimburse such an amount.

C.S.H.B. 2701 amends the Transportation Code to increase from less than 40 feet to less than 45 feet the required length of a vehicle considered to be a travel trailer for purposes of the Certificate of Title Act. The bill specifies that the trailer or semitrailer used only for the transportation of farm products if the products are not transported for hire to which the act does not apply is a farm trailer or farm semitrailer with a gross vehicle weight of 34,000 pounds or less used for such purpose. The bill establishes that an autocycle, as defined by the bill, is considered to be a motorcycle for purposes of issuing a title under the Certificate of Title Act and for purposes of vehicle registration. The bill expands the information required in a motor vehicle title issued by TxDMV to include the legal name, city, and state of each seller at the first sale or a subsequent sale of the vehicle. The bill specifies that the remittance of any required motor vehicle sales tax on sale of a motor vehicle by a person who holds a general distinguishing number shall occur at the time the person files for title.

C.S.H.B. 2701 removes the authorization of TxDMV to issue a title for a farm semitrailer with a gross weight of more than 4,000 pounds if the farm semitrailer is eligible for registration and all other requirements for issuance of a title are met and instead authorizes TxDMV to issue a title for a farm trailer or farm semitrailer with a gross vehicle weight of 34,000 pounds or less if all requirements for issuance of a title are met. The bill requires a subsequent purchaser of such a previously titled farm trailer or farm semitrailer to obtain a title. The bill makes provisions regarding the issuance of a title for trailers with a gross vehicle weight of 4,000 pounds or less applicable to a semitrailer with a gross vehicle weight of 4,000 pounds or less and requires a subsequent purchaser of such a previously titled trailer or semitrailer to obtain a title.

C.S.H.B. 2701 requires an applicant aggrieved by the assessor-collector's determination in an appeal of a refusal, rescission, cancellation, revocation, or suspension of a title to serve a copy of the petition of appeal on TxDMV and all persons known to have a potential ownership or security interest in the vehicle and to provide to the court a certified title history for the vehicle obtained from TxDMV. The bill makes all rights and immunities granted in the trial of a civil case available to TxDMV for purposes of the appeal. The bill specifies that TxDMV is not required to file an answer or appear before a county or district court as a party to the appeal but authorizes TxDMV to intervene to enter an appearance or provide evidence. The bill authorizes the court to require TxDMV to respond to requests for information relevant to the appeal. The bill requires a petitioner in any action filed in a county or district court under provisions relating to the refusal to issue, revocation, suspension, or alteration of a certificate of title to serve a copy of the petition on TxDMV and all persons and entities known to have a potential ownership or security interest in the vehicle and to also provide to the court a certified title history for the vehicle obtained from TxDMV. The bill specifies that TxDMV is not required to file an answer or appear before a county or district court as a party to the action but authorizes TxDMV to intervene to enter an appearance or provide evidence.

C.S.H.B. 2701 removes the restriction that a printed title be lost or destroyed in a provision allowing the owner of a title to obtain a certified copy of the title. The bill specifies that the lawfully obtained certified copy of the title supersedes and invalidates any previously issued title or certified copy. The bill authorizes TxDMV, effective January 1, 2017, to reinstate or reissue a previously superseded or invalidated title or certified copy of title if the certified copy of title is later rescinded, canceled, or revoked.

C.S.H.B. 2701, for purposes of provisions relating to registration of vehicles, redefines

"apportioned license plate" to include a license plate issued in lieu of a motor bus license plate to a motor carrier in Texas who proportionally registers a vehicle, redefines "token trailer" as a semitrailer that is registered and used in combination with a truck-tractor or commercial motor vehicle that is registered in combination regardless of whether the truck-tractor or commercial motor vehicle has been issued a license plate, and revises provisions relating to the license plate of a registered token trailer. The bill replaces the annual commercial fleet registration fee of \$10 per motor vehicle, semitrailer, or trailer in the fleet with a one-time fee of \$10 per motor vehicle, semitrailer, or trailer and updates the license plate appearance requirement accordingly. The bill subjects a token trailer that displays the license plate to inspection requirements under statutory provisions relating to compulsory inspection of vehicles as if the token trailer was not permanently registered. The bill requires TxDMV and the Department of Public Safety (DPS) to adopt rules to establish a method to enforce the inspection requirements and requires the rules to authorize TxDMV to suspend the registration of a token trailer that displays the license plate for failure to comply with the inspection requirements. The bill authorizes TxDMV to assess a fee to cover TxDMV's administrative costs to implement this provision of the bill.

C.S.H.B. 2701 requires TxDMV by rule to establish a program to collect information about the number of alternatively fueled vehicles registered in Texas and to submit an annual report to the legislature that includes the information. The bill requires the report, at a minimum, to show the number of vehicles registered in Texas that use electric plug-in drives, hybrid electric drives, and compressed natural gas. The bill includes vehicles purchased by certain commercial fleet buyers among the vehicles for which TxDMV is required to use the date of sale of the vehicle in designating the registration period and establishes that the registration period of a vehicle is 12 consecutive months if the vehicle receives a one-year inspection period or 24 consecutive months if the vehicle receives a two-year inspection period, provided that all fees are paid for each year of registration.

C.S.H.B. 2701 changes from a specialty license plate to a distinguishing license plate the type of license plate TxDMV is required to issue to certain farm vehicles and drilling and construction equipment and prohibits such a license plate from being renewed unless the vehicle's owner provides an applicable registration number issued by the comptroller of public accounts. The bill exempts a vehicle owned by certain farmers' cooperative societies or marketing associations from the prohibition against the issuance or renewal of a distinguishing license plate to an owner of a farm trailer or farm semitrailer with a gross weight of more than 4,000 pounds but not more than 34,000 pounds that is used for certain purposes. The bill establishes that an exemption to registration requirements for certain farm vehicles and drilling and construction equipment applies to a vehicle owned by such a farmers' cooperative society or marketing association and used by members of the society or association for a fee if the vehicle otherwise meets the requirements for the exemption. The bill exempts an owner from being required to register a farm trailer or farm semitrailer that has a gross weight of 4,000 pounds or less or a farm tractor or an implement of husbandry, if the trailer, semitrailer, tractor, or implement is operated only temporarily on the highways. The bill requires a county assessor-collector who receives from any person a payment by credit card or debit card for a registration fee for a registration year that has not ended that is returned unpaid because the payment by the credit card or debit card has been disputed by the credit card or debit card company to certify the fact to the sheriff or a constable or highway patrol officer in the county after attempts to contact the person fail to result in the collection of payment. The bill requires the certification to be made before the 30th day after the date the assessor-collector is made aware that the credit card or debit card payment has been disputed and specifies the information required to be included in the certification and the documentation and evidence required to accompany the certification. The bill requires the sheriff, constable, or highway patrol officer, on receiving a complaint from the assessor-collector, to find the person who authorized the credit card or debit card payment, if the person is in the county, and demand immediate redemption of payment from the person. The bill requires the sheriff, constable, or highway patrol officer, if the person fails or refuses to redeem the payment, to seize and remove the license plates and registration insignia from the vehicle and return the license plates and registration insignia to the assessor-collector.

C.S.H.B. 2701 replaces the annual registration fee of \$15 for a semitrailer that has a gross weight of more than 6,000 pounds used in combination with a truck-tractor or commercial motor vehicle with a gross weight of more than 10,000 pounds with a one-time fee of \$105 and updates the license plate appearance requirement accordingly. The bill subjects a token trailer that displays such a license plate to inspection requirements under statutory provisions relating to compulsory inspection of vehicles as if the token trailer was not permanently registered. The bill requires TxDMV and DPS to adopt rules to establish a method to enforce the inspection requirements and requires the rules to authorize TxDMV to suspend the registration of a token trailer that displays the license plate for failure to comply with the inspection requirements. The bill authorizes TxDMV to assess a fee to cover TxDMV's administrative costs to implement this provision of the bill.

C.S.H.B. 2701 prohibits renewal of a commercial farm motor vehicle's registration unless the vehicle's owner provides an applicable registration number issued by the comptroller. The bill establishes that the procedures applicable to a hearing conducted for a contested case regarding a dealer's or manufacturer's vehicle license plates are those applicable to a hearing conducted under provisions relating to the sale or lease of motor vehicles or the Administrative Procedure Act.

C.S.H.B. 2701 establishes that, for purposes of statutory provisions prohibiting a person from engaging in business as a dealer, directly or indirectly, including by consignment, without a dealer general distinguishing number, a domiciliary of another state who holds a dealer license and bond, if applicable, issued by the other state is not engaging in business as a dealer by buying, selling, including by consignment, or exchanging at a public auction an antique vehicle that is at least 25 years of age or a special interest vehicle.

C.S.H.B. 2701 changes the entity to which an applicant for a drive-a-way in-transit license is required to submit an application from the board of TxDMV to TxDMV. The bill includes the wilful omission of material information from an application or other information filed with TxDMV among the conditions under which TxDMV is authorized to cancel a dealer's general distinguishing number. The bill removes the requirement that the vehicle titles and registration division of TxDMV manage the dealer's and converter's temporary tag database and the buyer's temporary tag database and instead requires TxDMV to manage both databases. The bill clarifies that the authority of the board to adopt rules regarding the placement of license plates is for all vehicle types unless limited by other law.

C.S.H.B. 2701 establishes, in a temporary provision set to expire January 31, 2016, that TxDMV is not required to issue a specialty license plate that was created or authorized by an Act of the 84th Legislature, Regular Session, 2015, until January 1, 2016.

C.S.H.B. 2701 entitles a veteran of the U.S. armed forces to register, for the person's own use, a motor vehicle for a disabled veteran specialty license plate if the motor vehicle is a motor home, among other conditions, and removes the requirement that the letters "DV" be on certain disabled veteran specialty license plates. The bill expands the types of exhibition vehicles for which TxDMV is required to issue specialty license plates to include a bus that is at least 25 years old; is a collector's item; is used exclusively for exhibitions, club activities, parades, and other functions of public interest and is not used for regular transportation; and does not carry advertising. The bill requires the license plates for such a bus to include the words "Antique Bus." The bill makes it an offense to operate on a public highway during a registration period a truck-tractor that does not display a license plate that has been assigned by TxDMV for the applicable registration period and complies with certain TxDMV rules. The bill increases the required length of a trailer or semitrailer for classification as a "house trailer" from less than 40 feet to less than 45 feet.

C.S.H.B. 2701 removes the DPS authorization to authorize the acceptance in Texas of a

certificate of inspection and approval issued in compliance with federal law to a motor bus that is registered in Texas but is not domiciled in Texas. The bill removes the requirement that DPS set the periods of compulsory inspection for vehicles and removes the DPS authorization to make rules with respect to those periods. The bill instead expressly requires a vehicle owner to obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration. The bill adds as an alternative to the initial two-year inspection period for a passenger car or light truck a one-year inspection period and specifies that the length of the inspection period is at the option of the purchaser of the vehicle. The bill applies the optional inspection periods to a vehicle purchased by certain commercial fleet buyers for use in Texas. The bill specifies that the initial inspection period for a passenger car or light truck begins on the date on which registration begins when a registration application is made for the first or subsequent sale of the vehicle or made by certain commercial fleet buyers.

C.S.H.B. 2701 requires DPS to ensure that the vehicle identification number of each inspected vehicle, along with a notation on whether the vehicle complies with the applicable inspection requirements, is included in the electronic database that DPS is required to maintain to which inspection stations may electronically submit the vehicle identification number, whether the vehicle passed the inspection, and any other information required by DPS rule. The bill removes the requirement that TxDMV or the county assessor-collector registering a vehicle verify that the vehicle has passed inspection requirements under statutory provisions relating to compulsory inspection of vehicles, as indicated in the DPS inspection database, and instead requires TxDMV or the county assessor-collector registering the vehicle to verify that the vehicle complies with the applicable inspection requirements under statutory provisions relating to compulsory inspection of vehicles and the Texas Clean Air Act, as indicated in that database. The bill exempts from this requirement a vehicle, including a token trailer, registered under statutory provisions relating to the international registration plan.

C.S.H.B. 2701 authorizes TxDMV or the county assessor-collector to register a vehicle that is not in compliance with the applicable inspection requirements if the vehicle is located in another state at the time the applicant applies for registration or registration renewal and the applicant certifies that the vehicle is located in another state and the applicant will comply with the applicable inspection requirements and DPS's administrative rules regarding inspection requirements once the vehicle is operated in Texas. The bill requires TxDMV or the county assessor-collector to add a notation to TxDMV's registration database for law enforcement to verify the inspection status of the vehicle. The bill makes it a Class C misdemeanor offense to operate such a motor vehicle in Texas if the vehicle is not in compliance with the applicable inspection requirements or DPS's administrative rules regarding inspection requirements. The bill authorizes a peace officer to require the owner or operator of the vehicle to produce a vehicle inspection report issued for the vehicle if TxDMV's registration database includes a notation for law enforcement to verify the inspection status of the vehicle. The bill establishes a defense to prosecution for the offense that a passing vehicle inspection report issued for the vehicle is in effect at the time of the offense. The bill requires the court to dismiss such a charge if the defendant remedies the defect not later than the 20th working day after the date of the citation or before the defendant's first court appearance date, whichever is later, or not later than the 40th working day after the applicable deadline, and to assess an administrative fee not to exceed \$20 when the charge has been remedied. The bill defines "working day" as any day other than a Saturday, a Sunday, or a holiday on which county offices are closed.

C.S.H.B. 2701 replaces the authority of the Texas Department of Transportation (TxDOT) to deny the reregistration of a vehicle if the registered owner of the vehicle has received notification that the vehicle is detected to violate certain emission standards and the vehicle has not passed a verification emissions inspection with the authority of TxDMV to deny the renewal of registration of a vehicle under those conditions. The bill specifies that the fee for inspection of a passenger car or light truck that is required to be set by DPS by rule on or before September 1 of each year is for such a vehicle that receives a two-year inspection period. The bill entitles the owner of a motor vehicle who pays at the time of registration an inspection fee in excess of the

required amount to a refund of the overcharge. The bill requires a county assessor-collector who collects an excessive fee, or TxDMV if TxDMV collected the excessive fee, to refund an overcharge on presentation of satisfactory evidence of the overcharge not later than the first anniversary of the date the excessive inspection fee was paid. The bill requires the comptroller to reimburse the appropriate entity for such a refund.

C.S.H.B. 2701 exempts certain token trailers that display the required license plate from the requirement that a registration receipt issued for a commercial motor vehicle, truck-tractor, trailer, or semitrailer be carried on the vehicle when the vehicle is on a public highway and be presented to an officer authorized to enforce the registration of vehicles on request of the officer.

C.S.H.B. 2701 requires an operator of a vehicle operating under a vehicle size and weight permit who is required by law or rule to carry the permit in the vehicle to provide the vehicle permit for the vehicle or a photocopy of the permit to a peace officer on request and sets out provisions relating to such a permit provided by TxDMV electronically. The bill establishes that the display of an image that includes permit information on a wireless communication device does not constitute effective consent for a law enforcement officer, or any other person, to access the contents of the wireless communication device except to view the permit information. The bill establishes that authorization of the use of a wireless communication device to display permit information does not prevent a court of competent jurisdiction from requiring a person to provide a paper copy of the person's evidence of permit in a hearing or trial or in connection with discovery proceedings. The bill prohibits a telecommunications provider from being held liable to the operator of the motor vehicle for the failure of a wireless communication device to display permit information. The bill establishes the applicability of certain general and specific statutory provisions relating to vehicle size and weight. The bill changes the conditions under which a vehicle or combination of vehicles with tires that carry a weight heavier than the weight specified and marked on the sidewall of the tire is not prohibited from operating over or on a public highway or at a port-of-entry between Texas and the United Mexican States from operation of the vehicle under the terms of a special permit to operation of the vehicle as expressly authorized under those terms.

C.S.H.B. 2701 defines "permissible axle weight tolerance" and "permissible gross weight tolerance" for purposes of statutory provisions relating to vehicles transporting ready-mixed concrete and includes in the definition of "ready-mixed concrete truck" for those purposes a volumetric ready-mixed concrete truck. The bill sets out additional axle and gross weight restrictions for ready-mixed concrete trucks authorized to operate on a public highway of Texas. The bill removes the authorization for such a truck to be operated at a weight that exceeds the maximum single axle or tandem axle weight limitation by not more than 10 percent if the gross weight is not heavier than 69,000 pounds and TxDMV has issued a permit that authorizes the operation of the vehicle. The bill instead authorizes a ready-mixed concrete truck to be operated within the permissible axle weight tolerance and permissible gross weight tolerance if TxDMV has issued a permit that authorizes the operation of the vehicle, provided that the permit may not authorize the gross weight of a ready-mixed concrete truck to exceed the permissible gross weight tolerance. The bill specifies that the operation of a ready-mixed concrete truck in excess of the permissible gross weight tolerance does not invalidate the permissible axle weight tolerance authorized by a permit issued for the truck.

C.S.H.B. 2701 authorizes TxDMV to issue a permit valid for 24 hours that authorizes the operation of a commercial motor vehicle, trailer, semitrailer, or combination of those vehicles, or a truck-tractor or combination of a truck-tractor and one or more other vehicles at a certain axle and gross weight. The bill sets out the qualifications required for issuance of such a permit, requires the applicant to designate not more than five counties in which the vehicle will be operated, limits operation to those designated counties, and prohibits a county from requiring a permit, fee, or license of such a permit holder, with certain exceptions. The bill requires a person, when the person applies for the permit, to pay an administrative fee adopted by TxDMV board rule in an amount not to exceed the direct and indirect cost to TxDMV of administering the 24-

hour permit. The bill establishes a nonrefundable \$50 permit fee and allocates the fees collected as follows: 50 percent to the state highway fund and 50 percent divided among and distributed to the counties designated in the permit application. The bill requires the comptroller, at least once each fiscal year, to send the amount due each county to the county treasurer or officer performing the function of that office for deposit to the credit of the county road and bridge fund. The bill includes a vehicle operating under such a permit, a vehicle operating under a permit that authorizes the operation of a ready-mixed concrete truck within the permissible axle weight tolerance and permissible gross weight tolerance, and a vehicle operating under a permit to transport certain timber products among the vehicles authorized to operate under the conditions authorized by their respective permits over a road for which the executive director of TxDOT or a commissioners court of a county, as applicable, has set a maximum weight. The bill establishes that intent to operate a vehicle at a weight that is heavier than the weight authorized by the 24-hour permit is presumed if the vehicle is operated at a weight that is heavier than the applicable weight plus the tolerance allowance. The bill specifies that such a permit or a permit for ready-mixed concrete trucks does not authorize the operation of a vehicle on certain highways or certain bridges. The bill includes a permit for ready-mixed concrete trucks and a 24-hour permit for excess axle or gross weight among the permits for which the restriction on operation of a vehicle on certain bridges does not apply.

C.S.H.B. 2701 requires TxDOT to set minimum requirements for determining the feasibility, viability, and economic impact of additional overweight corridors that take into consideration traffic volume, ability to recover costs, and the role of overweight corridors within a statewide plan for freight mobility; to use such requirements to periodically develop recommendations for additional overweight corridors that would benefit the state; to include any recommendations in the international trade corridor plan; and to create a pavement management plan for each operational overweight corridor. The bill defines "overweight corridor" as a designated section of a state highway for which an optional procedure is authorized for the issuance of oversize or overweight vehicle permits by entities other than TxDOT or TxDMV for the movement of such vehicles. The bill requires TxDOT, in consultation with interested parties, to establish performance measures for each operational overweight corridor, and to include in the international trade corridor plan the results of an evaluation using the performance measures disaggregated by the overweight corridor. The bill requires an entity issuing overweight corridor permits to report information necessary for an evaluation using performance measures to TxDOT and to consider the pavement management plan for the overweight corridor in setting a fee for the permit. The bill authorizes TxDMV to issue overweight corridor permits on behalf of an entity authorized to issue the permits and to establish and charge a fee for issuing a permit in an amount sufficient to recover the actual cost of issuance. The bill requires the fee to be sent to the comptroller for deposit to the credit of the Texas Department of Motor Vehicles fund, and limits appropriation of the fee to TxDMV for the administration of the overweight corridors.

C.S.H.B. 2701 expands the applicability of the prohibition against loading, or causing to be loaded, a vehicle for operation on a public highway of Texas that exceeds the weight limitations for operation of that vehicle over or on a public highway or at a port-of-entry between Texas and the United Mexican States, as applicable, to include exceeding height, width, and length limitations for operation under certain statutory provisions relating to vehicle size and weight restrictions. The bill makes it a Class C misdemeanor offense to operate or move on a public highway a vehicle issued an oversize or overweight permit if the operator is not the person named on the permit for the vehicle.

C.S.H.B. 2701 exempts from the maximum width limitation for a vehicle operated on a public highway a vehicle traveling during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways or traveling for not more than 50 miles on a highway that is part of the national system of interstate and defense highways a vehicle on which equipment used in the harvesting and production of timber is being moved under certain conditions.

C.S.H.B. 2701 removes a specification on TxDMV's authorization to issue a permit for the operation of a ready-mixed concrete truck to such a truck with three axles and instead specifies that the permit be issued in a manner prescribed by statutory provisions relating to certain axle weight restrictions. The bill removes the specification that a sticker issued for such a truck be placed above the vehicle's inspection certificate. The bill exempts an owner of a ready-mixed concrete truck who holds a permit for the truck from statutory provisions relating to local regulation of vehicles transporting ready-mixed concrete.

C.S.H.B. 2701 removes a provision limiting the jurisdiction of a municipal court relating to an offense for the operation of an overweight vehicle by the holder of an overweight vehicle permit to such an offense for which the fine does not exceed \$500. The bill authorizes TxDMV to issue an annual permit that allows a person to operate over a state highway or road a vehicle or combination of vehicles that exceeds the length and height limits provided by law, except that the maximum length allowed may not exceed 110 feet and the maximum height allowed may not exceed 14 feet. The bill requires an application for such a permit to be accompanied by a permit fee of \$960.

C.S.H.B. 2701 removes the prohibition against TxDMV from issuing specialty license plates to certain oil well servicing or drilling machinery unless the applicant submits proof that the applicant has a permit to move such machinery.

C.S.H.B. 2701 includes revocation of a motor carrier's registration among the administrative enforcement actions TxDMV is authorized to take against a person issued an oversize or overweight vehicle permit under certain circumstances. The bill prohibits a person who has been ordered to pay an administrative penalty and the vehicle that is the subject of the enforcement action from being issued a registration, registration renewal, or reregistration of a motor carrier's registration until the amount of the penalty has been paid to TxDMV. The bill removes the requirement of a shipper, for a shipper's certificate of weight to be valid, to certify that the information contained on the form is accurate and to deliver the certificate to the motor carrier or other person transporting the shipment before the motor carrier or other person applies for an overweight permit. The bill instead requires the shipper, on the written request of the person transporting the shipment, to certify that the information contained on the certificate of weight is accurate and to deliver the certificate of weight to the person transporting the shipment. The bill requires the person transporting the shipment to provide TxDMV with a copy of the certificate of weight before the issuance of an overweight permit if the combined weight of the vehicle or vehicles and load is more than 200,000 pounds. The bill authorizes TxDMV to investigate and impose an administrative penalty on a shipper who does not provide a shipper's certificate of weight.

C.S.H.B. 2701 requires TxDMV, when TxDMV issues a permit for a vehicle transporting timber, to issue a sticker to be placed on the front windshield of the vehicle. The bill requires TxDMV to design the form of the sticker to aid in the enforcement of weight limits for vehicles and requires the sticker to indicate the expiration date of the permit and to be removed from the vehicle when the permit for operation of the vehicle expires, a lease of the vehicle expires, or the vehicle is sold. The bill revises provisions relating to the deadline by which a financially responsible party is required to electronically file a notification document with TxDMV for purposes of such a permit.

C.S.H.B. 2701 revises the conditions under which TxDMV is authorized to deny registration as a motor carrier to provide for denial if the applicant is owned, operated, managed, or otherwise controlled by or affiliated with a person, including a family member, corporate officer, entity, or shareholder, that owned, operated, managed, or otherwise controlled a motor carrier that the Federal Motor Carrier Safety Administration has placed out of service for unacceptable safety compliance or has certain unpaid administrative penalties. The bill authorizes TxDMV to deny a supplement to a motor carrier's application for registration if the motor carrier is owned, operated, managed, or otherwise controlled by or affiliated with a person, including a family

member, corporate officer, entity, or shareholder, that has certain unpaid administrative penalties. The bill prohibits a motor carrier from renewing a registration that has been expired for more than 180 days and authorizes the motor carrier to obtain a new registration by complying with the requirements and procedures for obtaining an original registration. The bill authorizes TxDMV to deny a motor carrier's application to renew a registration if the motor carrier is owned, operated, managed, or otherwise controlled by or affiliated with a person, including a family member, corporate officer, entity, or shareholder, that DPS has determined has an unsatisfactory safety rating under federal law or has multiple violations of statutory provisions relating to commercial motor vehicle safety standards, multiple violations of a rule adopted under those provisions, or multiple violations of statutory provisions relating to rules of the road; has owned, operated, managed, or otherwise controlled a motor carrier that the Federal Motor Carrier Safety Administration has placed out of service for unacceptable safety compliance; or has unpaid administrative penalties. The bill authorizes a motor carrier, if the motor carrier's registration has been suspended or revoked, to apply to TxDMV for reregistration not later than the 180th day after the date the registration was suspended or revoked, sets out the procedures for submitting the application, and establishes the same conditions under which TxDMV may deny the application for reregistration as those established for denial of an application for registration renewal.

C.S.H.B. 2701 specifies that the cab card a motor carrier is required to keep in the cab of each vehicle the carrier operates requiring registration is a legible electronic or hard copy. The bill authorizes TxDMV to determine the required amount of liability insurance for a motor carrier if no amount is required under federal law or regulation and authorizes the evidence of insurance a motor carrier is required to keep in the cab of each vehicle requiring registration the carrier operates to be in electronic form. The bill revises provisions relating to an established tariff filed by a motor carrier transporting household goods to provide that the tariff applies to all transportation services instead of the tariff applying to transportation between two or more municipalities. The bill authorizes TxDMV to suspend, revoke, or deny a registration issued or place on probation a motor carrier whose registration is suspended if a motor carrier violates a rule or order adopted under statutory provisions regarding vehicle size and weight or is owned, operated, managed, or otherwise controlled by or affiliated with a person, including a family member, corporate officer, entity, or shareholder whose registration has previously been revoked or denied or that has certain unpaid administrative penalties. The bill clarifies that a motor carrier that is required to pay a penalty, cost, fee, or expense under statutory provisions relating to the administrative hearing process or administrative penalties is not eligible for a registration, reregistration, or registration renewal until all required amounts have been paid to TxDMV. The bill makes it a Class C misdemeanor offense for a person to fail to comply with an alternative method regarding a motor carrier cab card established by TxDMV, unless the person keeps a cab card in the cab of a vehicle as required.

C.S.H.B. 2701 makes certain changes to clarify, conform, and update provisions to the federal unified carrier registration plan and agreement. The bill clarifies that the exemption of a motor transportation broker who holds a permit issued under federal law from certain requirements applies to a motor transportation broker who is registered as a motor carrier or broker under federal law. The bill increases the minimum amount of bond that a person is required to provide to TxDMV to act as a motor transportation broker from \$10,000 to \$75,000.

C.S.H.B. 2701 changes from quarterly to annually the minimum frequency at which the chair of the board of TxDMV is required to report to the governor on the state of affairs of TxDMV. The bill repeals provisions relating to the designation of a registration period by a person who owns more than one motor vehicle or trailer that is subject to registration.

C.S.H.B. 2701 amends the Government Code to include certain papers and electronic communications of a hearings examiner at TxDMV among the working papers and electronic communications that are excepted from state public information law. The bill includes an administrative court fee on remediation of a charge of driving a vehicle without complying with

inspection requirements as certified under the bill's provisions among the fees an accused or defendant, or party to a civil suit, as applicable, is required to pay if ordered by the court or otherwise required.

C.S.H.B. 2701, on September 1, 2015, re-creates the Texas Department of Motor Vehicles fund created by Section 1001.151, Transportation Code, as enacted by Section 71, Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013, as a special fund in the state treasury outside the general revenue fund and rededicates all revenue dedicated for deposit to the credit of the TxDMV fund by a provision of Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013. The bill requires the comptroller, on September 1, 2015, to transfer to the credit of the re-created fund an amount from the state highway fund equal to the total amount of additional registration fees collected or received by TxDMV for the automated registration and titling system during the period beginning November 1, 2009, and ending August 31, 2013. The bill establishes that to the extent that the money from the state highway fund transferred to the credit of the re-created TxDMV fund was, before September 1, 2013, used as collateral or as a source of payment for the repayment of a loan, bond, credit agreement, public security, or other obligation, that amount remains subject to use as collateral or as a source of payment for the obligation. The bill requires such an obligation to be paid first from the state highway fund and subjects the TxDMV fund to payment of the obligation only to the extent the state highway fund is depleted at the time the obligation matures and becomes due. The bill establishes that, except as so specified, of the revenue dedicated for deposit to the credit of the TxDMV fund by a provision of Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013, the comptroller shall deposit to the credit of that fund only revenue received on or after September 1, 2015.

C.S.H.B. 2701 amends the Tax Code to make a nonsubstantive change.

C.S.H.B. 2701 repeals Sections 2301.005(d) and (e), Occupations Code, and the following provisions of the Transportation Code:

- Section 502.1585
- Section 503.001(2)
- Section 504.202(i)
- Sections 621.203(c) and (d)
- Section 643.001(7-a)
- Section 643.064(a)
- Section 645.002(a)

EFFECTIVE DATE

Except as otherwise provided, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2701 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

No equivalent provision.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 103.0213, Government Code, is amended to read as follows:

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Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs under the Transportation Code if ordered by the court or otherwise required:

(1) administrative fee on dismissal of charge of driving with an expired motor vehicle registration (Sec. 502.407, Transportation Code) . . . not to exceed \$20;

(2) administrative fee on dismissal of charge of driving with an expired driver's license (Sec. 521.026, Transportation Code) . . . not to exceed \$20;

(3) administrative fee on remediation of charge of driving a vehicle without complying with inspection requirements as certified (Sec. 548.605, Transportation Code) . . . not to exceed \$20;

(4) administrative fee for failure to appear for a complaint or citation on certain offenses (Sec. 706.006, Transportation Code) . . . \$30 for each violation; and

(5) [(4)] administrative fee for failure to pay or satisfy certain judgments (Sec. 706.006, Transportation Code) . . . \$30.

SECTION 1. Section 552.144, Government Code, is amended.

SECTION 2. Same as introduced version.

SECTION 2. Section 2301.258, Occupations Code, is amended.

SECTION 3. Same as introduced version.

No equivalent provision.

SECTION 4. Section 2301.362, Occupations Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsections [Subsection] (b) and (c) and Sections 2301.358(c) and (d), a dealer may only sell or offer to sell a motor vehicle from an established and permanent place of business:

(1) that is approved by the division; and
(2) for which a general distinguishing number has been issued.

(c) A dealer may sell, offer to sell, including by consignment, or exchange an antique motor vehicle that is at least 25 years of age or a special interest vehicle at a public auction.

SECTION 3. Section 2301.453(c), Occupations Code, is amended.

SECTION 5. Same as introduced version.

SECTION 4. Section 2301.454(b), Occupations Code, is amended.

SECTION 6. Same as introduced version.

SECTION 5. Section 2301.606(c), Occupations Code, as amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended.

SECTION 7. Same as introduced version.

SECTION 6. Section 2301.607(c), Occupations Code, as amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended.

SECTION 8. Same as introduced version.

SECTION 7. Section 2301.608, Occupations Code, as amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended.

SECTION 9. Same as introduced version.

SECTION 8. Section 2301.610(d), Occupations Code, as amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended.

SECTION 10. Same as introduced version.

SECTION 9. Section 2301.612, Occupations Code, is amended.

SECTION 11. Same as introduced version.

SECTION 10. Section 2301.651(a), Occupations Code, is amended.

SECTION 12. Same as introduced version.

SECTION 11. Section 2301.711, Occupations Code, is amended.

SECTION 13. Same as introduced version.

SECTION 12. Section 2301.712(b), Occupations Code, is amended.

SECTION 14. Same as introduced version.

SECTION 13. Section 2301.713, Occupations Code, as amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended.

SECTION 15. Same as introduced version.

SECTION 14. Section 171.1011(g-7), Tax Code, is amended.

SECTION 15. Section 256.101(3), Transportation Code, is amended.

SECTION 16. Section 501.002(30), Transportation Code, is amended.

SECTION 17. Section 501.004(b), Transportation Code, is amended.

No equivalent provision.

SECTION 18. Section 501.021(a), Transportation Code, is amended.

SECTION 19. Section 501.0234(a), Transportation Code, is amended to read as follows:

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

(1) except as provided by this section, in the time and manner provided by law, apply, in the name of the purchaser of the vehicle, for the registration of the vehicle, if the vehicle is to be registered, and a title for the vehicle and file with the appropriate designated

SECTION 16. Same as introduced version.

SECTION 17. Same as introduced version.

SECTION 18. Same as introduced version.

SECTION 19. Same as introduced version.

SECTION 20. Subchapter A, Chapter 501, Transportation Code, is amended by adding Section 501.008 to read as follows:

Sec. 501.008. TITLE FOR AUTOCYCLE.

(a) In this section, "autocycle" means a motor vehicle, other than a tractor, that is:

(1) designed to have when propelled not more than three wheels on the ground;

(2) equipped with a steering wheel;

(3) equipped with seating that does not require the operator to straddle or sit astride the seat; and

(4) manufactured and certified to comply with federal safety requirements for a motorcycle.

(b) For purposes of issuing a title under this chapter, an autocycle is considered to be a motorcycle.

SECTION 21. Same as introduced version.

SECTION 22. Section 501.0234(a), Transportation Code, is amended to read as follows:

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

(1) except as provided by this section, in the time and manner provided by law, apply, in the name of the purchaser of the vehicle, for the registration of the vehicle, if the vehicle is to be registered, and a title for the vehicle and file with the appropriate designated

agent each document necessary to transfer title to or register the vehicle; and [~~at the same time~~]

(2) at the time the person files for title and registration under Subdivision (1), remit any required motor vehicle sales tax.

SECTION 20. The heading to Section 501.036, Transportation Code, is amended.

SECTION 21. Section 501.036, Transportation Code, is amended.

SECTION 22. Section 501.037, Transportation Code, is amended.

SECTION 23. Section 501.052, Transportation Code, is amended.

SECTION 24. Section 501.0521, Transportation Code, is amended.

SECTION 25. Section 501.097(a), Transportation Code, as amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended.

SECTION 26. The heading to Section 501.134, Transportation Code, is amended.

SECTION 27. Sections 501.134(a), (b), and (c), Transportation Code, are amended to read as follows:

(a) ~~The [If a printed title is lost or destroyed, the] owner or lienholder disclosed on a [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 fund and may be spent only]~~ as provided by Section 501.138.

(b) If a lien is disclosed on a title, the

agent each document necessary to transfer title to or register the vehicle; and [~~at the same time~~]

(2) at the time the person files for title under Subdivision (1), remit any required motor vehicle sales tax.

SECTION 23. Same as introduced version.

SECTION 24. Same as introduced version.

SECTION 25. Same as introduced version.

SECTION 26. Same as introduced version.

SECTION 27. Same as introduced version.

SECTION 28. Same as introduced version.

SECTION 29. Same as introduced version.

SECTION 30. Sections 501.134(a), (b), and (c), Transportation Code, are amended to read as follows:

(a) ~~The [If a printed title is lost or destroyed, the] owner or lienholder disclosed on a [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 fund and may be spent only~~ as provided by Section 501.138.

(b) If a lien is disclosed on a title, the

department may issue a certified copy of the [original] title only to the first lienholder or the lienholder's verified agent.

(c) The department must plainly mark "certified copy" on the face of a certified copy issued under this section. A certified copy of the title that is lawfully obtained under this section supersedes and invalidates any previously issued title or certified copy. If the certified copy of title is later rescinded, canceled, or revoked under Section 501.051, the department may reinstate or reissue a previously superseded or invalidated title or certified copy of title. A subsequent purchaser or lienholder of the vehicle only acquires the rights, title, or interest in the vehicle held by the holder of the certified copy.

SECTION 28. Sections 501.138(a), (b), and (c), Transportation Code, are amended to read as follows:

(a) An applicant for a title or certified copy of title, other than the state or a political subdivision of the state, must pay a fee of:

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

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

(b) The fees shall be distributed as follows:

(1) for an application that is not made under Section 501.134, \$5 of the fee to the county treasurer for deposit in the officers' salary fund;

(2) \$8 of the fee, or \$13 of the fee for an application under Section 501.134, to the department:

(A) together with an [the] application not made under Section 501.134 within the time prescribed by Section 501.023; or

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

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

department may issue a certified copy of the [original] title only to the first lienholder or the lienholder's verified agent.

(c) The department must plainly mark "certified copy" on the face of a certified copy issued under this section. A certified copy of the title that is lawfully obtained under this section supersedes and invalidates any previously issued title or certified copy. If the certified copy of title is later rescinded, canceled, or revoked under Section 501.051, the department may reinstate or reissue a previously superseded or invalidated title or certified copy of title. A subsequent purchaser or lienholder of the vehicle only acquires the rights, title, or interest in the vehicle held by the holder of the certified copy.

No equivalent provision.

the comptroller:

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

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

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

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

(2) \$3, or \$8 for an application under Section 501.134, to the credit of the Texas Department of Motor Vehicles fund to recover the expenses necessary to administer this chapter.

SECTION 29. Sections 502.001(2) and (40), Transportation Code, are amended.

SECTION 30. Sections 502.0023(c) and (d-1), Transportation Code, are amended to read as follows:

(c) In addition to the registration fees prescribed by this chapter, an owner registering a commercial fleet under this section shall pay:

(1) a one-time ~~[an annual]~~ commercial fleet registration fee of \$10 per motor vehicle, semitrailer, or trailer in the fleet; and

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

(d-1) The department shall issue a license plate for a token trailer registered under this section that does not expire. The license plate must include the word "Permanent." A ~~[alphanumeric pattern for a]~~ license plate issued under this subsection may remain on a token trailer ~~[for as long as the registration of the token trailer is renewed or]~~ until the token trailer is removed from service or sold.

The registration receipt required under Section 621.002 is not required for a vehicle

SECTION 31. Same as introduced version.

SECTION 32. Section 502.0023, Transportation Code, is amended by amending Subsections (c) and (d-1) and adding Subsection (k) to read as follows:

(c) In addition to the registration fees prescribed by this chapter, an owner registering a commercial fleet under this section shall pay:

(1) a one-time ~~[an annual]~~ commercial fleet registration fee of \$10 per motor vehicle, semitrailer, or trailer in the fleet; and

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

(d-1) The department shall issue a license plate for a token trailer registered under this section that does not expire. The license plate must include the word "Permanent." A ~~[alphanumeric pattern for a]~~ license plate issued under this subsection may remain on a token trailer ~~[for as long as the registration of the token trailer is renewed or]~~ until the token trailer is removed from service or sold, provided that the license plate must be removed if the department cancels, suspends, or revokes the registration for the token trailer as provided by law or department rule.

The registration receipt required under Section 621.002 is not required for a vehicle

that displays a license plate issued under this subsection.

that displays a license plate issued under this subsection.

(k) A token trailer that displays a license plate issued under Subsection (d-1) is subject to the inspection requirements under Chapter 548 as if the token trailer was not permanently registered. The department and the Department of Public Safety shall adopt rules to establish a method to enforce the inspection requirements under Chapter 548 for a token trailer that displays a license plate issued under Subsection (d-1). The rules must authorize the department to suspend the registration of a token trailer that displays a license plate issued under Subsection (d-1) for failure to comply with the inspection requirements. The department may assess a fee to cover the department's administrative costs to implement this subsection.

No equivalent provision.

SECTION 33. Subchapter A, Chapter 502, Transportation Code, is amended by adding Section 502.004 to read as follows:

Sec. 502.004. REGISTRATION OF AUTOCYCLE. (a) In this section, "autocycle" means a motor vehicle, other than a tractor, that is:

- (1) designed to have when propelled not more than three wheels on the ground;
- (2) equipped with a steering wheel;
- (3) equipped with seating that does not require the operator to straddle or sit astride the seat; and
- (4) manufactured and certified to comply with federal safety requirements for a motorcycle.

(b) For purposes of registering a vehicle under this chapter, an autocycle is considered to be a motorcycle.

No equivalent provision.

SECTION 34. Subchapter A, Chapter 502, Transportation Code, is amended by adding Section 502.005 to read as follows:

Sec. 502.005. INFORMATION ON ALTERNATIVELY FUELED VEHICLES.

(a) In this section, "alternatively fueled vehicle" means a motor vehicle that is capable of using a fuel other than gasoline or diesel fuel.

(b) The department by rule shall establish a program to collect information about the number of alternatively fueled vehicles registered in this state.

(c) The department shall submit an annual report to the legislature that includes the information collected under this section. The report must, at a minimum, show the number of vehicles registered in this state that use:
(1) electric plug-in drives;
(2) hybrid electric drives; and
(3) compressed natural gas drives.

No equivalent provision.

SECTION 35. Sections 502.044(a) and (e), Transportation Code, are amended to read as follows:

(a) Except as provided by Subsection (e), the [The] department shall designate a vehicle registration year of 12 consecutive months to begin on the first day of a calendar month and end on the last day of the 12th calendar month.

(e) The department shall use the date of sale of the vehicle in designating the registration period [year] for a vehicle for which registration is applied [for] under Section 501.0234 or by a commercial fleet buyer described by Section 501.0234(b)(4). Unless the department designates a registration period of less than 12 months, the registration period is:

- (1) 12 consecutive months if the vehicle receives a one-year inspection period under Section 548.102; or
- (2) 24 consecutive months if the vehicle receives a two-year inspection period under Section 548.102, provided that all fees are paid for each year of registration.

SECTION 31. Sections 502.146(a) and (h), Transportation Code, are amended to read as follows:

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

SECTION 36. Section 502.146, Transportation Code, is amended by amending Subsections (a), (e), and (h) and adding Subsection (c-1) to read as follows:

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

(c-1) An exemption provided by this section applies to a vehicle owned by a farmers' cooperative society incorporated under Chapter 51, Agriculture Code, or a marketing association organized under Chapter 52, Agriculture Code, and used by members of the society or association for a fee if the vehicle otherwise meets the requirements for

(h) A distinguishing [specialty] license plate may not be issued or renewed under Subsection (a) to an owner of a vehicle described by Subsection (b)(1) unless the vehicle's owner provides a registration number issued by the comptroller under Section 151.1551, Tax Code. The comptroller shall allow access to the online system established under Section 151.1551(l), Tax Code, to verify a registration number provided under this subsection.

SECTION 32. Subchapter D, Chapter 502, Transportation Code, is amended.

No equivalent provision.

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the exemption.

(e) Except as provided by Subsection (c-1), this [This] section does not apply to a farm trailer or farm semitrailer that:

- (1) is used for hire;
- (2) has metal tires operating in contact with the highway;
- (3) is not equipped with an adequate hitch pinned or locked so that it will remain securely engaged to the towing vehicle while in motion; or
- (4) is not operated and equipped in compliance with all other law.

(h) A distinguishing [specialty] license plate may not be issued or renewed under Subsection (a) to an owner of a vehicle described by Subsection (b)(1) unless the vehicle's owner provides a registration number issued by the comptroller under Section 151.1551, Tax Code, or the vehicle is owned by a farmers' cooperative society incorporated under Chapter 51, Agriculture Code, or a marketing association organized under Chapter 52, Agriculture Code. The comptroller shall allow access to the online system established under Section 151.1551(l), Tax Code, to verify a registration number provided under this subsection.

SECTION 37. Same as introduced version.

SECTION 38. Subchapter E, Chapter 502, Transportation Code, is amended by adding Section 502.1931 to read as follows:

Sec. 502.1931. DISPUTED PAYMENT BY CREDIT CARD OR DEBIT CARD. (a) A county assessor-collector who receives from any person a payment by credit card or debit card for a registration fee for a registration year that has not ended that is returned unpaid because the payment by the credit card or debit card has been disputed by the credit card or debit card company shall certify the fact to the sheriff or a constable or highway patrol officer in the county after attempts to contact the person fail to result in the collection of payment. The certification must be made before the 30th day after the date the assessor-collector is made aware that the credit card or debit card payment has been disputed and:

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- (1) be under the assessor-collector's official seal;
 - (2) include the name and address of the person who authorized the credit card or debit card payment;
 - (3) include the license plate number and make of the vehicle;
 - (4) be accompanied by evidence from the credit card or debit card company that the company has determined that it will not make payment on the disputed credit card or debit card charge; and
 - (5) be accompanied by documentation of any attempt to contact the person and collect payment.
- (b) On receiving a complaint under Subsection (a) from the county assessor-collector, the sheriff, constable, or highway patrol officer shall find the person who authorized the credit card or debit card payment, if the person is in the county, and demand immediate redemption of payment from the person. If the person fails or refuses to redeem the payment, the sheriff, constable, or highway patrol officer shall:
- (1) seize and remove the license plates and registration insignia from the vehicle; and
 - (2) return the license plates and registration insignia to the assessor-collector.

SECTION 33. The heading to Section 502.255, Transportation Code, is amended.

SECTION 39. Same as introduced version.

SECTION 34. Sections 502.255(c), (i), and (j), Transportation Code, are amended to read as follows:

SECTION 40. Section 502.255, Transportation Code, is amended by amending Subsections (c), (i), and (j) and adding Subsection (k) to read as follows:

(c) The one-time fee for registration of a semitrailer used in the manner described by Subsection (a), regardless of the date the semitrailer is registered, is \$105 [~~\$15 for a registration year~~].

(c) The one-time fee for registration of a semitrailer used in the manner described by Subsection (a), regardless of the date the semitrailer is registered, is \$105 [~~\$15 for a registration year~~].

(i) The department shall issue a license plate for a token trailer registered under this section that does not expire or require an annual registration insignia to be valid. The license plate must include the word "Permanent." A [alphanumeric pattern for a] license plate issued under this subsection may remain on a token trailer [~~for as long as the registration of the token trailer is renewed or~~] until the token trailer is removed from service or sold. The

(i) The department shall issue a license plate for a token trailer registered under this section that does not expire or require an annual registration insignia to be valid. The license plate must include the word "Permanent." A [alphanumeric pattern for a] license plate issued under this subsection may remain on a token trailer [~~for as long as the registration of the token trailer is renewed or~~] until the token trailer is removed from service or sold, provided that the license

registration receipt required under Section 621.002 is not required for a vehicle that displays a license plate issued under this subsection.

(j) A person may register a semitrailer under this section if the person:

- (1) applies to the department for registration;
- (2) provides proof of the person's eligibility to register the vehicle under this subsection as required by the department; and
- (3) pays the [a] fee required by Subsection (c) [of \$15], plus any other applicable fee under this chapter [Section 502.401, for each year included in the registration period].

plate must be removed if the department cancels, suspends, or revokes the registration for the token trailer as provided by law or department rule. The registration receipt required under Section 621.002 is not required for a vehicle that displays a license plate issued under this subsection.

(j) A person may register a semitrailer under this section if the person:

- (1) applies to the department for registration;
- (2) provides proof of the person's eligibility to register the vehicle under this subsection as required by the department; and
- (3) pays the [a] fee required by Subsection (c) [of \$15], plus any other applicable fee under this chapter [Section 502.401, for each year included in the registration period].

(k) A token trailer that displays a license plate issued under Subsection (i) is subject to the inspection requirements under Chapter 548 as if the token trailer was not permanently registered. The department and the Department of Public Safety shall adopt rules to establish a method to enforce the inspection requirements under Chapter 548 for a token trailer that displays a license plate issued under Subsection (i). The rules must authorize the department to suspend the registration of a token trailer that displays a license plate issued under Subsection (i) for failure to comply with the inspection requirements. The department may assess a fee to cover the department's administrative costs to implement this subsection.

SECTION 35. Section 502.433(a-1), Transportation Code, is amended.

SECTION 41. Same as introduced version.

SECTION 36. Section 503.001(1), Transportation Code, is amended.

SECTION 42. Same as introduced version.

SECTION 37. Section 503.003, Transportation Code, is amended.

SECTION 43. Same as introduced version.

SECTION 38. Section 503.007(a), Transportation Code, is amended.

SECTION 44. Same as introduced version.

SECTION 39. Section 503.009(b), Transportation Code, as repealed by Chapter

SECTION 45. Same as introduced version.

1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session, 2013, and amended by Chapter 1379 (H.B. 1692), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended.

SECTION 40. Section 503.010, Transportation Code, is amended.

No equivalent provision.

SECTION 41. Section 503.031(a), Transportation Code, is amended.

SECTION 42. Section 503.038(a), Transportation Code, is amended.

SECTION 43. Section 503.0626(a), Transportation Code, is amended.

SECTION 44. Section 503.0631(a), Transportation Code, is amended.

SECTION 45. Section 503.069(a), Transportation Code, is amended.

SECTION 46. Section 504.010(c), Transportation Code, is amended.

No equivalent provision.

SECTION 46. Same as introduced version.

SECTION 47. Section 503.024, Transportation Code, is amended by adding Subsection (c-1) to read as follows:
(c-1) For the purposes of Section 503.021, a domiciliary of another state who holds a dealer license and bond, if applicable, issued by the other state is not engaging in business as a dealer by buying, selling, including by consignment, or exchanging at a public auction an antique vehicle that is at least 25 years of age or a special interest vehicle.

SECTION 48. Same as introduced version.

SECTION 49. Same as introduced version.

SECTION 50. Same as introduced version.

SECTION 51. Same as introduced version.

SECTION 52. Same as introduced version.

SECTION 53. Same as introduced version.

SECTION 54. Subchapter A, Chapter 504, Transportation Code, is amended by adding Section 504.011 to read as follows:
Sec. 504.011. ISSUANCE DATE FOR CERTAIN SPECIALTY LICENSE PLATES. (a) The department is not required to issue a specialty license plate under this chapter that was created or

authorized by an Act of the 84th Legislature, Regular Session, 2015, until January 1, 2016.
(b) This section expires January 31, 2016.

SECTION 47. Sections 504.202(b) and (e), Transportation Code, are amended.

No equivalent provision.

SECTION 55. Same as introduced version.

SECTION 56. Sections 504.502(a) and (b), Transportation Code, are amended to read as follows:

(a) The department shall issue specialty license plates for a passenger car, truck, motorcycle, bus, or former military vehicle that:

(1) is at least 25 years old, if the vehicle is a passenger car, truck, ~~[or]~~ motorcycle, or bus;

(2) is a collector's item;

(3) is used exclusively for exhibitions, club activities, parades, and other functions of public interest and is not used for regular transportation; and

(4) does not carry advertising.

(b) The license plates must include the words "Antique Auto," "Antique Truck," "Antique Motorcycle," "Antique Bus," or "Military Vehicle," as appropriate.

SECTION 48. Section 504.943(b), Transportation Code, is amended.

SECTION 57. Same as introduced version.

SECTION 49. Section 541.201(5), Transportation Code, is amended.

SECTION 58. Same as introduced version.

No equivalent provision.

SECTION 59. Section 548.005, Transportation Code, is amended to read as follows:

Sec. 548.005. INSPECTION ONLY BY STATE-CERTIFIED AND SUPERVISED INSPECTION STATION. A compulsory inspection under this chapter may be made only by an inspection station, except that the department may:

(1) permit inspection to be made by an inspector under terms and conditions the department prescribes; and

(2) authorize the acceptance in this state of a certificate of inspection and approval issued in another state having a similar inspection law[; ~~and~~

~~[(3) authorize the acceptance in this state of a certificate of inspection and approval~~

~~issued in compliance with 49 C.F.R. Part 396 to a motor bus, as defined by Section 502.001, that is registered in this state but is not domiciled in this state].~~

No equivalent provision.

SECTION 60. Section 548.101, Transportation Code, is amended to read as follows:

Sec. 548.101. GENERAL ONE-YEAR INSPECTION PERIOD. (a) Except as provided by Section 548.102, the department shall require an annual inspection.

~~(b) A [The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that:~~

~~[(1) a] vehicle owner must [may] obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration.~~

~~(c) A [; and~~

~~[(2) a] used motor vehicle sold by a dealer, as defined by Section 503.001, must be inspected in the 180 days preceding the date the dealer sells the vehicle.~~

No equivalent provision.

SECTION 61. 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.

No equivalent provision.

SECTION 62. Section 548.102, Transportation Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The initial inspection period is one year or two years, at the option of the purchaser of the vehicle, for a passenger car or light truck that:

(1) is sold in this state or purchased by a commercial fleet buyer described by Section 501.0234(b)(4) for use 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.

(c) Notwithstanding any other provision of this chapter, the initial inspection period begins on the date on which registration begins when a registration application is

made:

(1) under Section 501.0234; or

(2) by a commercial fleet buyer described by Section 501.0234(b)(4).

No equivalent provision.

SECTION 63. Section 548.201(b), Transportation Code, is amended to read as follows:

(b) A program under this section also applies to any:

(1) vehicle or combination of vehicles with a gross weight rating of more than 10,000 pounds that is operated in interstate commerce and registered in this state;

(2) school activity bus, as defined in Section 541.201, that has a gross weight, registered weight, or gross weight rating of more than 26,000 pounds, or is designed to transport more than 15 passengers, including the driver; and

(3) school bus that will operate at a speed authorized by Section 545.352(b)(4)(A) [~~545.352(b)(5)(A)~~].

No equivalent provision.

SECTION 64. Section 548.251, Transportation Code, is amended to read as follows:

Sec. 548.251. DEPARTMENT TO MAINTAIN DATABASE. The department shall maintain an electronic database to which inspection stations may electronically submit the information required by Section 548.253. The department must ensure that the vehicle identification number of each inspected vehicle is included in the database, along with a notation on whether the vehicle complies with the applicable inspection requirements under this chapter and Chapter 382, Health and Safety Code.

No equivalent provision.

SECTION 65. Section 548.256, Transportation Code, is amended to read as follows:

Sec. 548.256. PROOF OF COMPLIANCE WITH INSPECTION REQUIREMENTS REQUIRED TO REGISTER VEHICLE. (a) Except as provided by Subsection (b) or (c), before [Before] a vehicle may be registered, the Texas Department of Motor Vehicles or the county assessor-collector registering the vehicle shall verify that the vehicle complies with [has passed] the applicable inspection

requirements under this chapter and Chapter 382, Health and Safety Code [inspections required by this chapter], as indicated in the department's inspection database. If the database information is not available, the owner of the vehicle may present a vehicle inspection report issued for the vehicle.

(b) The Texas Department of Motor Vehicles or a county assessor-collector may register a vehicle that is not in compliance with the applicable inspection requirements under this chapter or Chapter 382, Health and Safety Code, if the vehicle is located in another state at the time the applicant applies for registration or registration renewal under Chapter 502 and the applicant certifies that the vehicle is located in another state and the applicant will comply with the applicable inspection requirements under this chapter, Chapter 382, Health and Safety Code, and the department's administrative rules regarding inspection requirements once the vehicle is operated in this state. The Texas Department of Motor Vehicles or the county assessor-collector shall add a notation to the Texas Department of Motor Vehicles' registration database for law enforcement to verify the inspection status of the vehicle.

(c) Subsection (a) does not apply to a vehicle, including a token trailer, that is being registered under Section 502.091.

No equivalent provision.

SECTION 66. Section 548.301(c), Transportation Code, is amended to read as follows:

(c) A program established under this section must include registration and registration renewal-based [~~reregistration-based~~] enforcement.

No equivalent provision.

SECTION 67. Sections 548.3011(a) and (c), Transportation Code, are amended to read as follows:

(a) This section applies only to a vehicle:

(1) the most recent [~~certificate of~~] title for which or registration of which was issued in a county without a motor vehicle emissions inspection and maintenance program; and

(2) the ownership of which has changed and which has been the subject of a retail sale as defined by Section 2301.002, Occupations Code.

(c) A vehicle subject to this section is not

eligible for a title receipt under Section 501.024, a ~~[certificate of]~~ title under Section 501.027, or registration under Chapter 502 in a county with a motor vehicle emissions inspection and maintenance program unless proof is presented with the application for ~~[certificate of]~~ title or registration, as appropriate, that the vehicle, not earlier than the 90th day before the date on which the new owner's application for ~~[certificate of]~~ title or registration is filed with the county clerk or county assessor-collector, as appropriate, is in compliance with the emissions inspection requirements as determined by the department ~~[has passed an approved vehicle emissions test in the county in which it is to be titled or registered]~~.

No equivalent provision.

SECTION 68. Section 548.306(h), Transportation Code, is amended to read as follows:

(h) The Texas Department of Motor Vehicles ~~[Transportation]~~ may deny the renewal of registration ~~[reregistration]~~ of a vehicle if the registered owner of the vehicle has received notification under Subsection (c) and the vehicle has not passed a verification emissions inspection.

No equivalent provision.

SECTION 69. The heading to Section 548.503, Transportation Code, is amended to read as follows:

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

No equivalent provision.

SECTION 70. Section 548.503(a), Transportation Code, is amended to read as follows:

(a) The fee for inspection of a passenger car or light truck that receives a two-year inspection period 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 providing inspections and administering the program, but may not be less than \$21.75.

No equivalent provision.

SECTION 71. Subchapter H, Chapter 548, Transportation Code, is amended by adding

Section 548.510 to read as follows:

Sec. 548.510. REFUND OF OVERCHARGED INSPECTION FEE.

(a) The owner of a motor vehicle who pays at the time of registration an inspection fee in excess of the required amount is entitled to a refund of the overcharge.

(b) A county assessor-collector who collects an excessive fee, or the Texas Department of Motor Vehicles if the excessive fee is collected by that department, shall refund an overcharge on presentation of satisfactory evidence of the overcharge not later than the first anniversary of the date the excessive inspection fee was paid.

(c) The comptroller shall reimburse an entity for any refunds made by the entity under this section.

No equivalent provision.

SECTION 72. Subchapter I, Chapter 548, Transportation Code, is amended by adding Section 548.605 to read as follows:

Sec. 548.605. DRIVING A VEHICLE WITHOUT COMPLYING WITH INSPECTION REQUIREMENTS AS CERTIFIED; OFFENSE; DISMISSAL OF CHARGE.

(a) In this section, "working day" means any day other than a Saturday, a Sunday, or a holiday on which county offices are closed.

(b) A person commits an offense if:

(1) the person operates in this state a motor vehicle for which a certification was provided under Section 548.256(b); and

(2) the vehicle is not in compliance with the applicable inspection requirements under this chapter, Chapter 382, Health and Safety Code, or the department's administrative rules regarding inspection requirements.

(c) A peace officer may require the owner or operator to produce a vehicle inspection report issued for the vehicle if the Texas Department of Motor Vehicles' registration database includes a notation for law enforcement to verify the inspection status of the vehicle.

(d) It is a defense to prosecution under Subsection (b) that a passing vehicle inspection report issued for the vehicle is in effect at the time of the offense.

(e) A court shall:

(1) dismiss a charge under this section if the defendant remedies the defect:

(A) not later than the 20th working day after

the date of the citation or before the defendant's first court appearance date, whichever is later; or
(B) not later than the 40th working day after the applicable deadline provided by this chapter, Chapter 382, Health and Safety Code, or the department's administrative rules regarding inspection requirements; and
(2) assess an administrative fee not to exceed \$20 when the charge has been remedied under Subdivision (1).
(f) An offense under this section is a Class C misdemeanor.

SECTION 50. Section 621.002, Transportation Code, is amended.

SECTION 73. Same as introduced version.

SECTION 51. Subchapter A, Chapter 621, Transportation Code, is amended.

SECTION 74. Same as introduced version.

SECTION 52. Subchapter A, Chapter 621, Transportation Code, is amended.

SECTION 75. Same as introduced version.

SECTION 53. Section 621.101(a), Transportation Code, is amended.

SECTION 76. Same as introduced version.

SECTION 54. Section 621.102(d), Transportation Code, is amended to read as follows:

(d) A vehicle operating under a permit issued under Section 623.011, 623.020, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192, [ø] 623.212, or 623.321, as added by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session, 2013, may operate under the conditions authorized by the permit over a road for which the executive director of the Texas Department of Transportation has set a maximum weight under this section.

SECTION 77. Section 621.102(d), Transportation Code, is amended to read as follows:

(d) A vehicle operating under a permit issued under Section 623.011, 623.0171, 623.020, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192, [ø] 623.212, or 623.321, as added by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session, 2013, may operate under the conditions authorized by the permit over a road for which the executive director of the Texas Department of Transportation has set a maximum weight under this section.

SECTION 55. Section 621.301(e), Transportation Code, is amended to read as follows:

(e) A vehicle operating under a permit issued under Section 623.011, 623.020, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192, [ø] 623.212, or 623.321, as added by Chapter 1135 (H.B. 2741), Acts

SECTION 78. Section 621.301(e), Transportation Code, is amended to read as follows:

(e) A vehicle operating under a permit issued under Section 623.011, 623.0171, 623.020, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192, [ø] 623.212, or 623.321, as added by Chapter 1135 (H.B.

of the 83rd Legislature, Regular Session, 2013, may operate under the conditions authorized by the permit over a road for which the commissioners court has set a maximum weight under this section.

SECTION 56. Section 621.502(d), Transportation Code, is amended.

SECTION 57. The heading to Section 621.503, Transportation Code, is amended.

SECTION 58. Sections 621.503(a) and (b), Transportation Code, are amended.

SECTION 59. Subchapter G, Chapter 621, Transportation Code, is amended.

SECTION 60. Section 622.041, Transportation Code, is amended to read as follows:

Sec. 622.041. LENGTH LIMITATION.

[(a)] A person may operate over a highway or road of this state any [a] vehicle or combination of vehicles that is used exclusively for transporting poles, piling, or unrefined timber from the point of origin of the timber (the forest where the timber is felled) to a wood processing mill if:

(1) the vehicle, or combination of vehicles, is not longer than 90 feet, including the load; and

(2) the distance from the point of origin to the destination or delivery point does not exceed 125 miles.

~~[(b) Subsection (a)(1) does not apply to a truck tractor or truck tractor combination transporting poles, piling, or unrefined timber.]~~

SECTION 61. Section 622.051, Transportation Code, is amended to read as follows:

Sec. 622.051. LENGTH LIMITATION;

FEE. [(a)] A person may operate over a highway or road of this state any [a] vehicle or combination of vehicles that is used exclusively for transporting poles required for the maintenance of electric power

2741), Acts of the 83rd Legislature, Regular Session, 2013, may operate under the conditions authorized by the permit over a road for which the commissioners court has set a maximum weight under this section.

SECTION 79. Same as introduced version.

SECTION 80. Same as introduced version.

SECTION 81. Same as introduced version.

SECTION 82. Same as introduced version.

No equivalent provision.

No equivalent provision.

transmission and distribution lines if:
(1) the vehicle, or combination of vehicles, is not longer than 75 feet, including the load; and
(2) the operator of the vehicle, or combination of vehicles, pays to the department \$120 each calendar year.
[~~(b) Subsection (a)(1) does not apply to a truck tractor or truck tractor combination transporting poles for the maintenance of electric power transmission or distribution lines.~~]

SECTION 62. Section 622.061, Transportation Code, is amended to read as follows:

Sec. 622.061. LENGTH LIMITATION.
[~~(a)~~] A person may operate over a highway or road of this state any [a] vehicle or combination of vehicles exclusively for the transportation of poles or pipe if the vehicle or combination of vehicles is not longer than 65 feet, including the load.
[~~(b) Subsection (a) does not apply to a truck tractor or truck tractor combination transporting poles or pipe.~~]

No equivalent provision.

No equivalent provision.

No equivalent provision.

SECTION 83. The heading to Section 622.011, Transportation Code, is amended to read as follows:
Sec. 622.011. DEFINITIONS
[~~DEFINITION~~]; DESIGNATION AS PERISHABLE.

SECTION 84. Section 622.011(a), Transportation Code, is amended to read as follows:
(a) In this subchapter:
(1) "Permissible axle weight tolerance" means, for each axle, an axle weight that does not exceed the applicable axle weight limitation provided in Section 622.012(a) by more than 10 percent.
(2) "Permissible gross weight tolerance" means a gross weight that does not exceed the applicable gross weight limitation provided in Section 622.012(b) by more than five percent.
(3) "Ready-mixed [,"ready-mixed] concrete truck" means:
(A) [~~(1)~~] a vehicle designed exclusively to transport or manufacture ready-mixed

concrete and includes a vehicle designed exclusively to transport and manufacture ready-mixed concrete; [ø]

(B) [~~2~~] a concrete pump truck; or

(C) a volumetric ready-mixed concrete truck.

No equivalent provision.

SECTION 85. Section 622.012, Transportation Code, is amended to read as follows:

Sec. 622.012. AXLE AND GROSS WEIGHT RESTRICTIONS. (a) Except as provided by Subsection (c), a [A] ready-mixed concrete truck may be operated on a public highway of this state only if:

(1) the tandem axle weight is not heavier than 46,000 pounds;

(2) [~~and~~] the single axle weight is not heavier than 23,000 pounds;

(3) the weight of any axle added behind the frame of the truck is not heavier than 12,000 pounds; and

(4) the weight of any axle added below the frame of the truck is not heavier than 8,000 pounds.

(b) Except as provided by Subsection (c), the gross weight of a ready-mixed concrete truck may not exceed:

(1) 69,000 pounds if the truck has three axles;

(2) 70,100 pounds if the truck has four axles;

(3) 70,500 pounds if the truck has five axles;

(4) 75,500 pounds if the truck has six axles;

or

(5) 80,000 pounds if the truck has more than six axles.

(c) A ready-mixed concrete truck may be operated within the permissible axle weight tolerance and permissible gross weight tolerance if [at a weight that exceeds the maximum single axle or tandem axle weight limitation by not more than 10 percent if the gross weight is not heavier than 69,000 pounds and] the department has issued a permit that authorizes the operation of the vehicle under Section 623.0171, provided that a permit issued under Section 623.0171 may not authorize the gross weight of a ready-mixed concrete truck to exceed the permissible gross weight tolerance.

(d) The operation of a ready-mixed concrete truck in excess of the permissible gross weight tolerance does not invalidate the permissible axle weight tolerance authorized

by a permit issued under Section 623.0171.

SECTION 63. Section 622.901, Transportation Code, is amended to read as follows:

Sec. 622.901. WIDTH EXCEPTIONS. The width limitation provided by Section 621.201 does not apply to:

(1) highway building or maintenance machinery that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(2) a vehicle traveling during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways or traveling for not more than 50 miles on a highway that is part of the national system of interstate and defense highways if the vehicle is:

(A) a farm tractor or implement of husbandry; or

(B) a vehicle on which a farm tractor, [ø] implement of husbandry, or equipment used in the harvesting and production of timber, other than a tractor, [ø] implement, or equipment being transported from one dealer to another, is being moved by the owner of the tractor, [ø] implement, or equipment or by an agent or employee of the owner:

(i) to deliver the tractor, [ø] implement, or equipment to a new owner;

(ii) to transport the tractor, [ø] implement, or equipment to or from a mechanic for maintenance or repair; or

(iii) in the course of an agricultural forestry operation;

(3) machinery that is used solely for drilling water wells, including machinery that is a unit or a unit mounted on a conventional vehicle or chassis, and that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(4) a vehicle owned or operated by a public, private, or volunteer fire department;

SECTION 86. Section 622.901, Transportation Code, is amended to read as follows:

Sec. 622.901. WIDTH EXCEPTIONS. The width limitation provided by Section 621.201 does not apply to:

(1) highway building or maintenance machinery that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(2) a vehicle traveling during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways or traveling for not more than 50 miles on a highway that is part of the national system of interstate and defense highways if the vehicle is:

(A) a farm tractor or implement of husbandry; or

(B) a vehicle on which a farm tractor, [ø] implement of husbandry, or equipment used in the harvesting and production of timber, other than a tractor, [ø] implement, or equipment being transported from one dealer to another, is being moved by the owner of the tractor, [ø] implement, or equipment or by an agent or employee of the owner:

(i) to deliver the tractor, [ø] implement, or equipment to a new owner;

(ii) to transport the tractor, [ø] implement, or equipment to or from a mechanic for maintenance or repair; or

(iii) in the course of an agricultural operation, including a forestry operation;

(3) machinery that is used solely for drilling water wells, including machinery that is a unit or a unit mounted on a conventional vehicle or chassis, and that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(4) a vehicle owned or operated by a public, private, or volunteer fire department;

- (5) a vehicle registered under Section 502.431; or
- (6) a recreational vehicle to which Section 622.903 applies.

- (5) a vehicle registered under Section 502.431; or
- (6) a recreational vehicle to which Section 622.903 applies.

No equivalent provision.

SECTION 87. Subchapter A, Chapter 623, Transportation Code, is amended by adding Section 623.004 to read as follows:

Sec. 623.004. ADMINISTRATION AND OVERSIGHT OF OVERWEIGHT CORRIDORS.

(a) In this section, "overweight corridor" means a designated section of a state highway for which an optional procedure is authorized under this chapter for the issuance of permits:

(1) by entities other than the Texas Department of Transportation or the department; and

(2) for the movement of oversize or overweight vehicles.

(b) The Texas Department of Transportation shall:

(1) set minimum requirements for determining the feasibility, viability, and economic impact of additional overweight corridors that take into consideration traffic volume, ability to recover costs, and the role of overweight corridors within a statewide plan for freight mobility;

(2) use the requirements set under Subdivision (1) to periodically develop recommendations for additional overweight corridors that would benefit the state;

(3) include any recommendations developed under Subdivision (2) in the plan described by Section 201.6011; and

(4) create a pavement management plan for each operational overweight corridor.

(c) The Texas Department of Transportation, in consultation with interested parties, shall:

(1) establish performance measures for each operational overweight corridor; and

(2) include in the plan described by Section 201.6011 the results of an evaluation using the performance measures disaggregated by the overweight corridor.

(d) An entity issuing overweight corridor permits under this chapter shall:

(1) report information necessary for an evaluation using performance measures established under Subsection (c) to the Texas Department of Transportation; and

(2) in setting a fee for the permit, consider the pavement management plan created

under Subsection (b)(4) for the overweight corridor.

(e) The department may:

(1) issue overweight corridor permits on behalf of an entity authorized to issue the permits under this chapter; and

(2) establish and charge a fee for issuing a permit under Subdivision (1) in an amount sufficient to recover the actual cost of issuance.

(f) A fee collected under Subsection (e)(2) shall be sent to the comptroller for deposit to the credit of the Texas Department of Motor Vehicles fund and may be appropriated only to the department for the administration of this section.

SECTION 64. Section 623.0113, Transportation Code, is amended to read as follows:

Sec. 623.0113. ROUTE RESTRICTIONS.

(a) Except as provided by Subsection (b), a permit issued under Section 623.011 or 623.020 does not authorize the operation of a vehicle on:

(1) the national system of interstate and defense highways in this state if the weight of the vehicle is greater than authorized by federal law; or

(2) a bridge for which a maximum weight and load limit has been established and posted by the Texas Transportation Commission under Section 621.102 or the commissioners court of a county under Section 621.301, if the gross weight of the vehicle and load or the axles and wheel loads are greater than the limits established and posted under those sections.

(b) The restrictions under Subsection (a)(2) do not apply if a bridge described by Subsection (a)(2) provides the only public vehicular access from an origin or to a destination by a holder of a permit issued under Section 623.011 or 623.020.

SECTION 65. Sections 623.0171(b), (e), and (l), Transportation Code, are amended to read as follows:

(b) The department may issue a permit that authorizes the operation of a ready-mixed concrete truck [~~with three axles~~].

SECTION 88. Section 623.0113, Transportation Code, is amended to read as follows:

Sec. 623.0113. ROUTE RESTRICTIONS.

(a) Except as provided by Subsection (b), a permit issued under Section 623.011, 623.0171, or 623.020 does not authorize the operation of a vehicle on:

(1) the national system of interstate and defense highways in this state if the weight of the vehicle is greater than authorized by federal law; or

(2) a bridge for which a maximum weight and load limit has been established and posted by the Texas Transportation Commission under Section 621.102 or the commissioners court of a county under Section 621.301, if the gross weight of the vehicle and load or the axles and wheel loads are greater than the limits established and posted under those sections.

(b) The restrictions under Subsection (a)(2) do not apply if a bridge described by Subsection (a)(2) provides the only public vehicular access from an origin or to a destination by a holder of a permit issued under Section 623.011, 623.0171, or 623.020.

SECTION 89. Sections 623.0171(b), (e), (h), (i), and (j), Transportation Code, are amended to read as follows:

(b) The department may issue a permit that authorizes the operation of a ready-mixed concrete truck in the manner prescribed by Section 622.012(c) [~~with three axles~~].

(e) When the department issues a permit under this section, the department shall issue a sticker to be placed on the front windshield of the vehicle [~~above the inspection certificate issued to the vehicle~~]. The department shall design the form of the sticker to aid in the enforcement of weight limits for vehicles.

(e) When the department issues a permit under this section, the department shall issue a sticker to be placed on the front windshield of the vehicle [~~above the inspection certificate issued to the vehicle~~]. The department shall design the form of the sticker to aid in the enforcement of weight limits for vehicles.

(h) A [~~Unless otherwise provided by state or federal law, a~~] county or municipality may not require a permit, fee, or license for the operation of a ready-mixed concrete truck in addition to a permit, fee, or license required by state law.

(i) Sections 622.014 and [~~Section~~] 622.015 do [~~does~~] not apply to an owner of a ready-mixed concrete truck who holds a permit under this section for the truck.

(j) A [~~Unless otherwise provided by state or federal law, a~~] ready-mixed concrete truck may operate on a state, county, or municipal road, including a load-zoned county road or a frontage road adjacent to a federal interstate highway, if the truck displays a sticker required by Subsection (e) and does not exceed the maximum gross weight authorized under Section 622.012.

(1) Of the fee collected under this section for a permit:

(1) 45 [~~50~~] percent of the amount collected shall be deposited to the credit of the state highway fund;

(2) five percent of the amount collected shall be deposited to the credit of the Texas Department of Motor Vehicles fund; and

(3) [~~2~~] the other 50 percent shall be divided among and distributed to the counties designated in permit applications under Subsection (k) according to department rule.

SECTION 66. Section 623.018(d), Transportation Code, is amended.

SECTION 90. Same as introduced version.

No equivalent provision.

SECTION 91. Section 623.019(f), Transportation Code, is amended to read as follows:

(f) A justice or municipal court [~~of the peace~~] has jurisdiction of an [~~any~~] offense under this section. [~~A municipal court has jurisdiction of an offense under this section in which the fine does not exceed \$500.~~]

SECTION 67. Subchapter B, Chapter 623, Transportation Code, is amended by adding Section 623.020 to read as follows:

Sec. 623.020. 24-HOUR PERMIT FOR EXCESS AXLE OR GROSS WEIGHT.

(a) The department may issue a permit that authorizes the operation of a commercial motor vehicle, trailer, semitrailer, or combination of those vehicles, or a truck-tractor or combination of a truck-tractor and one or more other vehicles:

(1) at an axle weight that is not heavier than the weight equal to the maximum allowable axle weight for the vehicle or combination plus a tolerance allowance of 10 percent of that allowable weight; and

(2) at a gross weight that is not heavier than the weight equal to the maximum allowable gross weight for the vehicle or combination plus a tolerance allowance of five percent.

(b) To qualify for a permit under this section:

(1) the vehicle must be registered under Chapter 502 for the maximum gross weight applicable to the vehicle under Section 621.101, not to exceed 80,000 pounds, and the motor carrier must be registered under Chapter 643;

(2) an application must be made in a manner determined by the department by rule; and

(3) a nonrefundable permit fee of \$50 must be paid.

(c) A permit issued under this section:

(1) is valid for 24 hours;

(2) must be carried in the vehicle for which it is issued; and

(3) may not be amended, corrected, or transferred.

(d) A vehicle operating under a permit issued under this section may exceed the maximum allowable gross weight tolerance allowance by not more than five percent, regardless of the weight of any one axle or tandem axle, if no axle or tandem axle

SECTION 92. Subchapter B, Chapter 623, Transportation Code, is amended by adding Section 623.020 to read as follows:

Sec. 623.020. 24-HOUR PERMIT FOR EXCESS AXLE OR GROSS WEIGHT.

(a) The department may issue a permit that authorizes the operation of a commercial motor vehicle, trailer, semitrailer, or combination of those vehicles, or a truck-tractor or combination of a truck-tractor and one or more other vehicles:

(1) at an axle weight that is not heavier than the weight equal to the maximum allowable axle weight for the vehicle or combination plus a tolerance allowance of 10 percent of that allowable weight; and

(2) at a gross weight that is not heavier than the weight equal to the maximum allowable gross weight for the vehicle or combination plus a tolerance allowance of five percent.

(b) To qualify for a permit under this section:

(1) the vehicle must be registered under Chapter 502 for the maximum gross weight applicable to the vehicle under Section 621.101, not to exceed 80,000 pounds, and the motor carrier must be registered under Chapter 643;

(2) an application must be made in a manner determined by the department by rule; and

(3) a nonrefundable permit fee of \$50 must be paid.

(c) When a person applies for a permit under this section, the person must pay in addition to the fee described by Subsection (b)(3) an administrative fee adopted by board rule in an amount not to exceed the direct and indirect cost to the department of administering this section.

(d) A permit issued under this section:

(1) is valid for 24 hours;

(2) must be carried in the vehicle for which it is issued; and

(3) may not be amended, corrected, or transferred.

(e) A vehicle operating under a permit issued under this section may exceed the maximum allowable gross weight tolerance allowance by not more than five percent, regardless of the weight of any one axle or tandem axle, if no axle or tandem axle

exceeds the tolerance permitted by Subsection (a).

(e) When a person applies for a permit under this section, the person must designate no more than five counties in which the vehicle will be operated. A permit issued under this section does not authorize the operation of the vehicle in a county that is not designated in the application.

(f) Unless otherwise provided by state or federal law, a county may not require a permit, fee, or license for the operation of a vehicle holding a permit under this section.

(g) Of the fee collected under this section for a permit:

(1) 45 percent of the amount collected shall be deposited to the credit of the state highway fund;

(2) five percent of the amount collected shall be deposited to the credit of the Texas Department of Motor Vehicles fund; and

(3) the other 50 percent shall be divided among and distributed to the counties designated in permit applications under Subsection (e) according to department rule.

(h) At least once each fiscal year, the comptroller shall send the amount due each county under Subsection (g) to the county treasurer or officer performing the function of that office for deposit to the credit of the county road and bridge fund.

No equivalent provision.

No equivalent provision.

exceeds the tolerance permitted by Subsection (a).

(f) When a person applies for a permit under this section, the person must designate no more than five counties in which the vehicle will be operated. A permit issued under this section does not authorize the operation of the vehicle in a county that is not designated in the application.

(g) Unless otherwise provided by state or federal law, a county may not require a permit, fee, or license for the operation of a vehicle holding a permit under this section.

(h) Of the fee collected under this section for a permit:

(1) 50 percent of the amount collected shall be deposited to the credit of the state highway fund; and

(2) the other 50 percent shall be divided among and distributed to the counties designated in permit applications under Subsection (f) according to department rule.

(i) At least once each fiscal year, the comptroller shall send the amount due each county under Subsection (h) to the county treasurer or officer performing the function of that office for deposit to the credit of the county road and bridge fund.

SECTION 93. The heading to Section 623.071, Transportation Code, is amended to read as follows:

Sec. 623.071. PERMIT TO MOVE CERTAIN [~~HEAVY~~] EQUIPMENT.

SECTION 94. Section 623.071, Transportation Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) The department may issue an annual permit that allows a person to operate over a state highway or road a vehicle or combination of vehicles that exceeds the length and height limits provided by law, except that:

(1) the maximum length allowed may not exceed 110 feet; and

(2) the maximum height allowed may not exceed 14 feet.

No equivalent provision.

SECTION 95. Sections 623.076(a) and (a-1), Transportation Code, are amended to read as follows:

(a) An application for a permit under this subchapter must be accompanied by a permit fee of:

- (1) \$60 for a single-trip permit;
- (2) \$120 for a permit that is valid for a period not exceeding 30 days;
- (3) \$180 for a permit that is valid for a period of 31 days or more but not exceeding 60 days;
- (4) \$240 for a permit that is valid for a period of 61 days or more but not exceeding 90 days; [øø]
- (5) \$270 for a permit issued under Section 623.071(c)(1) or (2); or
- (6) \$960 for a permit issued under Section 623.071(c-1).

(a-1) The following amounts collected under Subsection (a) shall be deposited to the general revenue fund, 90 percent of 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 General	Amount Allocated to Revenue	Fund
\$60 (single-trip permit)		\$30
\$120 (30-day permit)		\$60
\$180	\$90	
\$240	\$120	
\$270	\$135	
<u>\$960</u>	<u>\$480</u>	

SECTION 68. Section 623.144, Transportation Code, is amended.

SECTION 96. Same as introduced version.

SECTION 69. Sections 623.271(a) and (e), Transportation Code, are amended.

SECTION 97. Same as introduced version.

SECTION 70. The heading to Section 623.272, Transportation Code, is amended.

SECTION 98. Same as introduced version.

SECTION 71. Section 623.272(a), Transportation Code, is amended to read as follows:

(a) The department may investigate and impose an administrative penalty on a shipper who:

(1) does not provide a shipper's certificate of weight required under Section 623.274(b) or (c); or

(2) provides false information on a shipper's certificate of weight that the shipper delivers to a person transporting a shipment.

SECTION 72. Section 623.274, Transportation Code, is amended.

No equivalent provision.

No equivalent provision.

SECTION 99. Section 623.272(a), Transportation Code, is amended to read as follows:

(a) The department may investigate and impose an administrative penalty on a shipper who:

(1) does not provide a shipper's certificate of weight required under Section 623.274(b); or

(2) provides false information on a shipper's certificate of weight that the shipper delivers to a person transporting a shipment.

SECTION 100. Same as introduced version.

SECTION 101. Section 623.322, Transportation Code, as added by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Subsections (c) and (d) to read as follows:

(c) When the department issues a permit under this section, the department shall issue a sticker to be placed on the front windshield of the vehicle. The department shall design the form of the sticker to aid in the enforcement of weight limits for vehicles.

(d) The sticker must:

(1) indicate the expiration date of the permit; and

(2) be removed from the vehicle when:

(A) the permit for operation of the vehicle expires;

(B) a lease of the vehicle expires; or

(C) the vehicle is sold.

SECTION 102. Section 623.323(c), Transportation Code, as added by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(c) A financially responsible party shall electronically file the notification document described by Subsection (b) with the department under rules adopted by the department not later than the first ~~second~~ business day before the first business day listed by the financially responsible party under Subsection (b)(5), provided that the notification document must be filed not later than 24 hours before the earliest time of

operation listed by the financially responsible party under Subsection (b)(5). The department shall immediately send an electronic copy of the notification document to each county identified in the notification document and the Texas Department of Transportation and an electronic receipt for the notification document to the financially responsible party. Not later than the first business day listed by the financially responsible party under Subsection (b)(5), a county or the Texas Department of Transportation may inspect a road or highway identified in the notification document. If an inspection is conducted under this subsection, a county or the Texas Department of Transportation shall:

(1) document the condition of the roads or highways and take photographs of the roads or highways as necessary to establish a baseline for any subsequent assessment of damage sustained by the financially responsible party's use of the roads or highways; and

(2) provide a copy of the documentation to the financially responsible party.

SECTION 73. Sections 643.054(a-2) and (a-3), Transportation Code, are amended.

SECTION 103. Same as introduced version.

SECTION 74. Section 643.056, Transportation Code, is amended.

SECTION 104. Same as introduced version.

SECTION 75. Section 643.058, Transportation Code, is amended.

SECTION 105. Same as introduced version.

SECTION 76. Subchapter B, Chapter 643, Transportation Code, is amended.

SECTION 106. Same as introduced version.

SECTION 77. Section 643.059(c), Transportation Code, is amended.

SECTION 107. Same as introduced version.

SECTION 78. Section 643.101(b), Transportation Code, is amended.

SECTION 108. Same as introduced version.

SECTION 79. Section 643.103(b), Transportation Code, is amended.

SECTION 109. Same as introduced version.

SECTION 80. Section 643.153(d), Transportation Code, is amended.

SECTION 110. Same as introduced version.

SECTION 81. Section 643.252(a), Transportation Code, is amended.

SECTION 111. Same as introduced version.

SECTION 82. Sections 643.2525(k) and (l), Transportation Code, are amended.

SECTION 112. Same as introduced version.

SECTION 83. The heading to Section 643.2526, Transportation Code, is amended.

SECTION 113. Same as introduced version.

SECTION 84. Section 643.2526(a), Transportation Code, is amended.

SECTION 114. Same as introduced version.

SECTION 85. Section 643.253(a), Transportation Code, is amended.

SECTION 115. Same as introduced version.

SECTION 86. The heading to Chapter 645, Transportation Code, is amended.

SECTION 116. Same as introduced version.

SECTION 87. Section 645.001, Transportation Code, is amended.

SECTION 117. Same as introduced version.

SECTION 88. Section 645.002(b), Transportation Code, is amended.

SECTION 118. Same as introduced version.

SECTION 89. Section 645.003, Transportation Code, is amended.

SECTION 119. Same as introduced version.

SECTION 90. Sections 645.004(a) and (c), Transportation Code, are amended.

SECTION 120. Same as introduced version.

SECTION 91. Section 646.001(2), Transportation Code, is amended.

SECTION 121. Same as introduced version.

SECTION 92. Section 646.002, Transportation Code, is amended.

SECTION 122. Same as introduced version.

SECTION 93. Section 646.003(b),

SECTION 123. Same as introduced version.

Transportation Code, is amended.

SECTION 94. Section 1001.023(b), Transportation Code, is amended.

SECTION 95. The following laws are repealed:

- (1) Sections 2301.005(d) and (e), Occupations Code; and
- (2) Sections 502.1585, 503.001(2), 504.202(i), 621.203(c) and (d), 643.001(7-a), 643.064(a), and 645.002(a), Transportation Code.

No equivalent provision.

SECTION 124. Same as introduced version.

SECTION 125. Same as introduced version.

SECTION 126. (a) On September 1, 2015, the Texas Department of Motor Vehicles fund created by Section 1001.151, Transportation Code, as enacted by Section 71, Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013, is re-created as a special fund in the state treasury outside the general revenue fund, and all revenue dedicated for deposit to the credit of the Texas Department of Motor Vehicles fund by a provision of Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013, is rededicated for that purpose.

(b) On September 1, 2015, the comptroller shall transfer to the credit of the Texas Department of Motor Vehicles fund, as re-created by this section, an amount from the state highway fund equal to the total amount of fees collected or received by the Texas Department of Motor Vehicles under Section 502.356, Transportation Code, and former Section 502.1705, Transportation Code, during the period beginning November 1, 2009, and ending August 31, 2013.

(c) To the extent that money from the state highway fund transferred to the credit of the Texas Department of Motor Vehicles fund as required by Subsection (b) of this section was, before September 1, 2013, used as collateral or as a source of payment for the repayment of a loan, bond, credit agreement, public security, or other obligation, that amount remains subject to use as collateral or as a source of payment for the obligation. However, an obligation described by this subsection must be paid first from the state highway fund, and the Texas Department of

Motor Vehicles fund is subject to payment of the obligation only to the extent the state highway fund is depleted at the time the obligation matures and becomes due.

(d) Except as specified by Subsections (b) and (c) of this section, of the revenue dedicated for deposit to the credit of the Texas Department of Motor Vehicles fund by a provision of Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013, the comptroller shall deposit to the credit of that fund only revenue received on or after September 1, 2015.

SECTION 96. (a) The changes in law made by this Act apply only to an offense or violation committed on or after the effective date of this Act. An offense or violation committed before the effective date of this Act is governed by the law in effect on the date the offense or violation was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense or violation was committed before the effective date of this Act if any element of the offense or violation occurred before that date.

(b) The changes in law made by this Act relating to a complaint or protest filed or a hearing held under Chapter 2301, Occupations Code, or Chapter 501, Transportation Code, apply only to a complaint or protest filed or hearing held under those chapters on or after the effective date of this Act. A complaint or protest filed or hearing held before that date is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(c) The changes in law made by this Act relating to an application filed under Chapter 2301, Occupations Code, or Chapters 501, 502, 503, 623, and 643, Transportation Code, apply only to an application filed under those chapters on or after the effective date of this Act. An application filed before that date is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

SECTION 127. (a) The changes in law made by this Act apply only to an offense or violation committed on or after the effective date of this Act. An offense or violation committed before the effective date of this Act is governed by the law in effect on the date the offense or violation was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense or violation was committed before the effective date of this Act if any element of the offense or violation occurred before that date.

(b) The changes in law made by this Act relating to a complaint or protest filed or a hearing held under Chapter 2301, Occupations Code, or Chapter 501, Transportation Code, apply only to a complaint or protest filed or hearing held under those chapters on or after the effective date of this Act. A complaint or protest filed or hearing held before that date is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(c) The changes in law made by this Act relating to an application filed under Chapter 2301, Occupations Code, or Chapters 501, 502, 503, 623, and 643, Transportation Code, apply only to an application filed under those chapters on or after the effective date of this Act. An application filed before that date is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

(d) The change in law made by this Act in adding Section 502.1931, Transportation Code, applies only to a payment of a registration fee submitted to a county

assessor-collector on or after the effective date of this Act. A payment submitted before the effective date of this Act is governed by the law in effect on the date the payment was submitted, and the former law is continued in effect for that purpose.

SECTION 97. To the extent of any conflict, this Act prevails over another Act of the 84th Legislature, Regular Session, 2015, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 98. This Act takes effect September 1, 2015.

SECTION 128. Same as introduced version.

SECTION 129. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2015.
(b) Sections 501.134(b) and (c), Transportation Code, as amended by this Act, take effect January 1, 2017.