

By: Pickett

H.B. No. 2701

Substitute the following for H.B. No. 2701:

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C.S.H.B. No. 2701

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the regulation of motor vehicles by the Texas
3 Department of Motor Vehicles and the Department of Public Safety;
4 creating and modifying criminal offenses; amending provisions
5 subject to a criminal penalty; imposing, authorizing, and
6 increasing fees.

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

8 SECTION 1. Section [103.0213](#), Government Code, is amended to
9 read as follows:

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

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

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

21 (3) administrative fee on remediation of charge of
22 driving a vehicle without complying with inspection requirements as
23 certified (Sec. 548.605, Transportation Code) . . . not to exceed
24 \$20;

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

4 (5) [~~4~~] administrative fee for failure to pay or
5 satisfy certain judgments (Sec. 706.006, Transportation Code)
6 . . . \$30.

7 SECTION 2. Section 552.144, Government Code, is amended to
8 read as follows:

9 Sec. 552.144. EXCEPTION: WORKING PAPERS AND ELECTRONIC
10 COMMUNICATIONS OF ADMINISTRATIVE LAW JUDGES AT STATE OFFICE OF
11 ADMINISTRATIVE HEARINGS AND HEARINGS EXAMINERS AT TEXAS DEPARTMENT
12 OF MOTOR VEHICLES. The following working papers and electronic
13 communications of an administrative law judge at the State Office
14 of Administrative Hearings or a hearings examiner at the Texas
15 Department of Motor Vehicles are excepted from the requirements of
16 Section 552.021:

17 (1) notes and electronic communications recording the
18 observations, thoughts, questions, deliberations, or impressions
19 of an administrative law judge;

20 (2) drafts of a proposal for decision;

21 (3) drafts of orders made in connection with
22 conducting contested case hearings; and

23 (4) drafts of orders made in connection with
24 conducting alternative dispute resolution procedures.

25 SECTION 3. Section 2301.258, Occupations Code, is amended
26 to read as follows:

27 Sec. 2301.258. GENERAL REQUIREMENTS FOR APPLICATION FOR

1 MANUFACTURER'S, DISTRIBUTOR'S, CONVERTER'S, OR REPRESENTATIVE'S
2 LICENSE. An application for a manufacturer's, distributor's,
3 converter's, or representative's license must be on a form
4 prescribed by the department. The application must include
5 information the department determines necessary to fully determine
6 the qualifications of an applicant [~~, including financial~~
7 ~~resources, business integrity and experience, facilities and~~
8 ~~personnel for serving franchised dealers,~~] and [other information
9 ~~the department determines] pertinent to safeguard the public
10 interest and welfare.~~

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

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

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

21 (c) A dealer may sell, offer to sell, including by
22 consignment, or exchange an antique motor vehicle that is at least
23 25 years of age or a special interest vehicle at a public auction.

24 SECTION 5. Section 2301.453(c), Occupations Code, is
25 amended to read as follows:

26 (c) Except as provided by Subsection (d), the manufacturer,
27 distributor, or representative must provide written notice by

1 registered or certified mail to the dealer and the board stating the
2 specific grounds for the termination or discontinuance. The notice
3 must:

4 (1) be received not later than the 60th day before the
5 effective date of the termination or discontinuance; and

6 (2) contain on its first page a conspicuous statement
7 that reads: "NOTICE TO DEALER: YOU MAY BE ENTITLED TO FILE A
8 PROTEST WITH THE TEXAS DEPARTMENT OF MOTOR VEHICLES [~~VEHICLE BOARD~~]
9 IN AUSTIN, TEXAS, AND HAVE A HEARING IN WHICH YOU MAY PROTEST THE
10 PROPOSED TERMINATION OR DISCONTINUANCE OF YOUR FRANCHISE UNDER THE
11 TERMS OF CHAPTER 2301, OCCUPATIONS CODE, IF YOU OPPOSE THIS
12 ACTION."

13 SECTION 6. Section [2301.454\(b\)](#), Occupations Code, is
14 amended to read as follows:

15 (b) The notice required by Subsection (a)(1) must:

16 (1) be given not later than the 60th day before the
17 date of the modification or replacement; and

18 (2) contain on its first page a conspicuous statement
19 that reads: "NOTICE TO DEALER: YOU MAY BE ENTITLED TO FILE A
20 PROTEST WITH THE TEXAS DEPARTMENT OF MOTOR VEHICLES [~~VEHICLE BOARD~~]
21 IN AUSTIN, TEXAS, AND HAVE A HEARING IN WHICH YOU MAY PROTEST THE
22 PROPOSED MODIFICATION OR REPLACEMENT OF YOUR FRANCHISE UNDER THE
23 TERMS OF CHAPTER 2301, OCCUPATIONS CODE, IF YOU OPPOSE THIS
24 ACTION."

25 SECTION 7. Section [2301.606\(c\)](#), Occupations Code, as
26 amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of
27 the 83rd Legislature, Regular Session, 2013, is reenacted and

1 amended to read as follows:

2 (c) An order issued under this subchapter may not require
3 ~~[The board or a person delegated power from the board under Section~~
4 ~~2301.154 may not issue an order requiring]~~ a manufacturer,
5 converter, or distributor to make a refund or to replace a motor
6 vehicle unless:

7 (1) the owner or a person on behalf of the owner has
8 mailed written notice of the alleged defect or nonconformity to the
9 manufacturer, converter, or distributor; and

10 (2) the manufacturer, converter, or distributor has
11 been given an opportunity to cure the alleged defect or
12 nonconformity.

13 SECTION 8. Section 2301.607(c), Occupations Code, as
14 amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of
15 the 83rd Legislature, Regular Session, 2013, is reenacted and
16 amended to read as follows:

17 (c) If a final order is not issued ~~[proposal for decision~~
18 ~~and recommendation for a final order are not issued]~~ before the
19 151st day after the date a complaint is filed under this subchapter,
20 the department shall provide written notice by certified mail to
21 the complainant and to the manufacturer, converter, or distributor
22 of the expiration of the 150-day period and of the complainant's
23 right to file a civil action. The department ~~[board or a person~~
24 ~~delegated power from the board under Section 2301.154]~~ shall extend
25 the 150-day period if a delay is requested or caused by the person
26 who filed the complaint.

27 SECTION 9. Section 2301.608, Occupations Code, as amended

1 by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of the 83rd
2 Legislature, Regular Session, 2013, is reenacted and amended to
3 read as follows:

4 Sec. 2301.608. ASSESSMENT OF COSTS FOR REPLACEMENT OR
5 REFUND. (a) An order issued under this subchapter must [~~In an~~
6 ~~order issued under this subchapter, the board or a person delegated~~
7 ~~power from the board under Section 2301.154 shall~~] name the person
8 responsible for paying the cost of any refund or replacement. A
9 manufacturer, converter, or distributor may not cause a franchised
10 dealer to directly or indirectly pay any money not specifically
11 required [~~ordered~~] by the order [~~board or a person delegated power~~
12 ~~from the board under Section 2301.154~~].

13 (b) If the final order requires [~~board or a person delegated~~
14 ~~power from the board under Section 2301.154 orders~~] a manufacturer,
15 converter, or distributor to make a refund or replace a motor
16 vehicle under this subchapter, the final order [~~board or person~~]
17 may require [~~order~~] the franchised dealer to reimburse the owner,
18 lienholder, manufacturer, converter, or distributor only for an
19 item or option added to the vehicle by the dealer to the extent that
20 the item or option contributed to the defect that served as the
21 basis for the order.

22 (c) In a case involving a leased vehicle, the final order
23 [~~board or a person delegated power from the board under Section~~
24 ~~2301.154~~] may terminate the lease and apportion allowances or
25 refunds, including the reasonable allowance for use, between the
26 lessee and lessor of the vehicle.

27 SECTION 10. Section 2301.610(d), Occupations Code, as

1 amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of
2 the 83rd Legislature, Regular Session, 2013, is reenacted and
3 amended to read as follows:

4 (d) The department shall maintain a toll-free telephone
5 number to provide information to a person who requests information
6 about a condition or defect that was the basis for repurchase or
7 replacement by an order issued under this subchapter [~~chapter~~].
8 The department shall maintain an effective method of providing
9 information to a person who makes a request.

10 SECTION 11. Section 2301.612, Occupations Code, is amended
11 to read as follows:

12 Sec. 2301.612. OPEN RECORDS EXCEPTION. Information filed
13 with the department [~~board~~] under this subchapter is not a public
14 record and is not subject to release under Chapter 552, Government
15 Code, until the complaint is [~~finally~~] resolved by a final order of
16 the department [~~board~~].

17 SECTION 12. Section 2301.651(a), Occupations Code, is
18 amended to read as follows:

19 (a) The board may deny an application for a license, revoke
20 or suspend a license, place on probation a person whose license has
21 been suspended, or reprimand a license holder if the applicant or
22 license holder:

23 (1) is unfit under standards described in this chapter
24 or board rules;

25 (2) wilfully omits material information from or makes
26 a material misrepresentation in any application or other
27 information filed under this chapter or board rules;

- 1 (3) violates this chapter or a board rule or order;
- 2 (4) violates any law relating to the sale,
- 3 distribution, financing, or insuring of motor vehicles;
- 4 (5) fails to maintain the qualifications for a
- 5 license;
- 6 (6) wilfully defrauds a purchaser;
- 7 (7) fails to fulfill a written agreement with a retail
- 8 purchaser of a motor vehicle; or
- 9 (8) violates the requirements of Section 503.0631,
- 10 Transportation Code.

11 SECTION 13. Section 2301.711, Occupations Code, is amended
12 to read as follows:

13 Sec. 2301.711. ORDERS AND DECISIONS. (a) Except as
14 otherwise provided by this chapter, the [The] board or a [other]
15 person delegated final order authority under Section 2301.154 shall
16 issue final orders for the implementation and enforcement of this
17 chapter and Chapter 503, Transportation Code.

18 (b) An order or decision under this chapter must:

19 (1) include a separate finding of fact with respect to
20 each specific issue required by law to be considered in reaching a
21 decision;

22 (2) set forth additional findings of fact and
23 conclusions of law on which the order or decision is based;

24 (3) give the reasons for the particular actions taken;
25 and

26 (4) be signed by the presiding officer or assistant
27 presiding officer for the board, a [~~or other~~] person delegated

1 final order authority under Section 2301.154, or a hearings
2 examiner in a contested case hearing under Section 2301.204 or
3 Subchapter M.

4 SECTION 14. Section 2301.712(b), Occupations Code, is
5 amended to read as follows:

6 (b) If a person who brings a complaint under Subchapter M
7 prevails in the case, the ~~[board or a person delegated power from~~
8 ~~the board under Section 2301.154 shall order the]~~ nonprevailing
9 party in the case shall ~~[to]~~ reimburse the amount of the filing fee
10 for the case.

11 SECTION 15. Section 2301.713, Occupations Code, as amended
12 by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of the 83rd
13 Legislature, Regular Session, 2013, is reenacted and amended to
14 read as follows:

15 Sec. 2301.713. REHEARING. (a) Except as otherwise
16 provided by this section ~~[Subsection (b)]~~, a party who seeks a
17 rehearing of an order shall seek the rehearing in accordance with
18 Chapter 2001, Government Code.

19 (b) The board by rule may establish procedures ~~[a procedure]~~
20 to allow a party ~~[parties]~~ to a contested case ~~[cases in which the~~
21 ~~final order is issued by a person to whom final order authority is~~
22 ~~delegated under Section 2301.154]~~ to file a motion ~~[motions]~~ for
23 rehearing ~~[with the board]~~.

24 (c) A motion for rehearing in a contested case under Section
25 2301.204 or Subchapter M must be filed with and decided by the chief
26 hearings examiner.

27 SECTION 16. Section 171.1011(g-7), Tax Code, is amended to

1 read as follows:

2 (g-7) A taxable entity that is a qualified courier and
3 logistics company shall exclude from its total revenue, to the
4 extent included under Subsection (c)(1)(A), (c)(2)(A), or (c)(3),
5 subcontracting payments made by the taxable entity to nonemployee
6 agents for the performance of delivery services on behalf of the
7 taxable entity. For purposes of this subsection, "qualified
8 courier and logistics company" means a taxable entity that:

9 (1) receives at least 80 percent of the taxable
10 entity's annual total revenue from its entire business from a
11 combination of at least two of the following courier and logistics
12 services:

13 (A) expedited same-day delivery of an envelope,
14 package, parcel, roll of architectural drawings, box, or pallet;

15 (B) temporary storage and delivery of the
16 property of another entity, including an envelope, package, parcel,
17 roll of architectural drawings, box, or pallet; and

18 (C) brokerage of same-day or expedited courier
19 and logistics services to be completed by a person or entity under a
20 contract that includes a contractual obligation by the taxable
21 entity to make payments to the person or entity for those services;

22 (2) during the period on which margin is based, is
23 registered as a motor carrier under Chapter 643, Transportation
24 Code, and if the taxable entity operates on an interstate basis, is
25 registered as a motor carrier or broker under the motor vehicle
26 registration system established under 49 U.S.C. Section 14504a or a
27 similar federal registration program that replaces that system

1 [~~unified carrier registration system, as defined by Section~~
2 ~~643.001, Transportation Code,~~] during that period;

3 (3) maintains an automobile liability insurance
4 policy covering individuals operating vehicles owned, hired, or
5 otherwise used in the taxable entity's business, with a combined
6 single limit for each occurrence of at least \$1 million;

7 (4) maintains at least \$25,000 of cargo insurance;

8 (5) maintains a permanent nonresidential office from
9 which the courier and logistics services are provided or arranged;

10 (6) has at least five full-time employees during the
11 period on which margin is based;

12 (7) is not doing business as a livery service, floral
13 delivery service, motor coach service, taxicab service, building
14 supply delivery service, water supply service, fuel or energy
15 supply service, restaurant supply service, commercial moving and
16 storage company, or overnight delivery service; and

17 (8) is not delivering items that the taxable entity or
18 an affiliated entity sold.

19 SECTION 17. Section 256.101(3), Transportation Code, is
20 amended to read as follows:

21 (3) "Weight tolerance permit" means a permit issued
22 under Section 623.011 [~~Chapter 623~~] authorizing a vehicle to exceed
23 maximum legal weight limitations.

24 SECTION 18. Section 501.002(30), Transportation Code, is
25 amended to read as follows:

26 (30) "Travel trailer" means a house trailer-type
27 vehicle or a camper trailer:

1 (A) that is a recreational vehicle defined under
2 24 C.F.R. Section 3282.8(g); or

3 (B) that:

4 (i) is less than eight feet in width or 45
5 [~~40~~] feet in length, exclusive of any hitch installed on the
6 vehicle;

7 (ii) is designed primarily for use as
8 temporary living quarters in connection with recreational,
9 camping, travel, or seasonal use;

10 (iii) is not used as a permanent dwelling;
11 and

12 (iv) is not a utility trailer, enclosed
13 trailer, or other trailer that does not have human habitation as its
14 primary function.

15 SECTION 19. Section 501.004(b), Transportation Code, is
16 amended to read as follows:

17 (b) This chapter does not apply to:

18 (1) a farm trailer or farm semitrailer with a gross
19 vehicle weight of 34,000 pounds or less used only for the
20 transportation of farm products if the products are not transported
21 for hire;

22 (2) the filing or recording of a lien that is created
23 only on an automobile accessory, including a tire, radio, or
24 heater;

25 (3) a motor vehicle while it is owned or operated by
26 the United States; or

27 (4) a new motor vehicle on loan to a political

1 subdivision of the state for use only in a driver education course
2 approved by the Texas [~~Central~~] Education Agency.

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

5 Sec. 501.008. TITLE FOR AUTOCYCLE. (a) In this section,
6 "autocycle" means a motor vehicle, other than a tractor, that is:

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

9 (2) equipped with a steering wheel;

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

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

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

16 SECTION 21. Section 501.021(a), Transportation Code, is
17 amended to read as follows:

18 (a) A motor vehicle title issued by the department must
19 include:

20 (1) the legal name and address of each purchaser [~~and~~
21 ~~seller~~] at the first sale or a subsequent sale;

22 (2) the legal name, city, and state of each seller at
23 the first sale or a subsequent sale;

24 (3) the make of the motor vehicle;

25 (4) [~~(3)~~] the body type of the vehicle;

26 (5) [~~(4)~~] the manufacturer's permanent vehicle
27 identification number of the vehicle or the vehicle's motor number

1 if the vehicle was manufactured before the date that stamping a
2 permanent identification number on a motor vehicle was universally
3 adopted;

4 (6) [~~(5)~~] the serial number for the vehicle;

5 (7) [~~(6)~~] the name and address of each lienholder and
6 the date of each lien on the vehicle, listed in the chronological
7 order in which the lien was recorded;

8 (8) [~~(7)~~] a statement indicating rights of
9 survivorship under Section 501.031;

10 (9) [~~(8)~~] if the vehicle has an odometer, the odometer
11 reading at the time of application for the title; and

12 (10) [~~(9)~~] any other information required by the
13 department.

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

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

20 (1) except as provided by this section, in the time and
21 manner provided by law, apply, in the name of the purchaser of the
22 vehicle, for the registration of the vehicle, if the vehicle is to
23 be registered, and a title for the vehicle and file with the
24 appropriate designated agent each document necessary to transfer
25 title to or register the vehicle; and [~~at the same time~~]

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

1 SECTION 23. The heading to Section 501.036, Transportation
2 Code, is amended to read as follows:

3 Sec. 501.036. TITLE FOR FARM TRAILER OR FARM SEMITRAILER.

4 SECTION 24. Section 501.036, Transportation Code, is
5 amended by amending Subsections (a) and (b) and adding Subsection
6 (b-1) to read as follows:

7 (a) Notwithstanding any other provision of this chapter,
8 the department may issue a title for a farm trailer or farm
9 semitrailer with a gross vehicle weight of 34,000 [~~more than 4,000~~]
10 pounds or less if [+

11 [~~(1) the farm semitrailer is eligible for registration~~
12 ~~under Section 502.146, and~~

13 [~~(2)~~] all [~~other~~] requirements for issuance of a title
14 are met.

15 (b) To obtain a title under this section, the owner of the
16 farm trailer or farm semitrailer must:

17 (1) apply for the title in the manner required by
18 Section 501.023; and

19 (2) pay the fee required by Section 501.138.

20 (b-1) A subsequent purchaser of a farm trailer or farm
21 semitrailer titled previously under this section shall obtain a
22 title under this section.

23 SECTION 25. Section 501.037, Transportation Code, is
24 amended to read as follows:

25 Sec. 501.037. TITLE FOR TRAILERS OR SEMITRAILERS. (a)
26 Notwithstanding any other provision of this chapter, the department
27 may issue a title for a trailer or semitrailer that has a gross

1 vehicle weight of 4,000 pounds or less if all other requirements for
2 issuance of a title are met.

3 (b) To obtain a title under this section, the owner of the
4 trailer or semitrailer must:

5 (1) apply for the title in the manner required by
6 Section 501.023; and

7 (2) pay the fee required by Section 501.138.

8 (c) A subsequent purchaser of a trailer or semitrailer
9 titled previously under this section shall obtain a title under
10 this section.

11 SECTION 26. Section 501.052, Transportation Code, is
12 amended by amending Subsection (e) and adding Subsection (f) to
13 read as follows:

14 (e) An applicant aggrieved by the determination under
15 Subsection (d) may appeal only to the county or district court of
16 the county of the applicant's residence. An applicant must file an
17 appeal not later than the fifth day after the date of the
18 assessor-collector's determination and must serve a copy of the
19 petition on the department and all persons known to have a potential
20 ownership or security interest in the vehicle, including all owners
21 and lienholders listed on the title. The applicant must also
22 provide to the court a certified title history for the vehicle
23 obtained from the department. The judge shall try the appeal in
24 the manner of other civil cases. All rights and immunities granted
25 in the trial of a civil case are available to the department and all
26 interested parties. If the department's action is not sustained,
27 the department shall promptly issue a title for the vehicle.

1 (f) In an appeal brought under Subsection (e), the
2 department is not required to file an answer or appear before a
3 county or district court as a party to the appeal, but the
4 department may intervene to enter an appearance or provide
5 evidence. The court may require the department to respond to
6 requests for information relevant to the appeal.

7 SECTION 27. Section 501.0521, Transportation Code, is
8 amended by adding Subsection (c) to read as follows:

9 (c) In any action filed in a county or district court under
10 this subchapter, the petitioner must serve a copy of the petition on
11 the department and all persons and entities known to have a
12 potential ownership or security interest in the vehicle, including
13 all owners and lienholders listed on the title. The petitioner must
14 also provide to the court a certified title history for the vehicle
15 obtained from the department. The department is not required to
16 file an answer or appear before a county or district court as a
17 party to the action, but the department may intervene to enter an
18 appearance or provide evidence.

19 SECTION 28. Section 501.097(a), Transportation Code, as
20 amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of
21 the 82nd Legislature, Regular Session, 2011, is reenacted and
22 amended to read as follows:

23 (a) An application for a nonrepairable vehicle title,
24 nonrepairable record of title, salvage vehicle title, or salvage
25 record of title must:

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

1 (2) include, in addition to any other information
2 required by the department:

3 (A) the name and current address of the owner;
4 ~~[and]~~

5 (B) a description of the motor vehicle, including
6 the make, style of body, model year, and vehicle identification
7 number; and

8 (C) a statement describing whether the motor
9 vehicle:

10 (i) was the subject of a total loss claim
11 paid by an insurance company under Section ~~[501.092]~~ 501.0925,
12 501.1001, or 501.1002 ~~[501.093]~~;

13 (ii) is a self-insured motor vehicle under
14 Section 501.1001 ~~[501.094]~~;

15 (iii) is an export-only motor vehicle under
16 Section 501.099;

17 (iv) was sold, transferred, or released to
18 the owner or former owner of the motor vehicle or a buyer at a casual
19 sale; or

20 (v) is a motor vehicle for which an
21 insurance company does not take ownership under Section 501.0935;
22 and

23 (3) include the name and address of:

24 (A) any currently recorded lienholder, if the
25 motor vehicle is a nonrepairable motor vehicle; or

26 (B) any currently recorded lienholder or a new
27 lienholder, if the motor vehicle is a salvage motor vehicle.

1 SECTION 29. The heading to Section 501.134, Transportation
2 Code, is amended to read as follows:

3 Sec. 501.134. CERTIFIED COPY OF [~~LOST OR DESTROYED~~]
4 CERTIFICATE OF TITLE.

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

7 (a) The [~~If a printed title is lost or destroyed, the~~] owner
8 or lienholder disclosed on a a [~~the~~] title may obtain, in the manner
9 provided by this section and department rule, a certified copy of
10 the [~~lost or destroyed~~] title directly from the department by
11 applying in a manner prescribed by the department and paying a fee
12 of \$2. A fee collected under this subsection shall be deposited to
13 the credit of the Texas Department of Motor Vehicles fund and may be
14 spent only as provided by Section 501.138.

15 (b) If a lien is disclosed on a title, the department may
16 issue a certified copy of the [~~original~~] title only to the first
17 lienholder or the lienholder's verified agent.

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

1 SECTION 31. Sections 502.001(2) and (40), Transportation
2 Code, are amended to read as follows:

3 (2) "Apportioned license plate" means a license plate
4 issued in lieu of a truck, motor bus, [~~license plate~~] or combination
5 license plate to a motor carrier in this state who proportionally
6 registers a vehicle owned or leased by the carrier in one or more
7 other states.

8 (40) "Token trailer" means a semitrailer that is
9 registered under Section 502.255 and used in combination with a
10 truck-tractor or commercial motor vehicle that is registered in
11 combination under Section 502.255, regardless of whether the
12 truck-tractor or commercial motor vehicle [+

13 [~~(A) has a gross weight of more than 6,000~~
14 ~~pounds, and~~

15 [~~(B) is operated in combination with a truck or a~~
16 ~~truck-tractor that~~] has been issued:

- 17 (A) [(i)] an apportioned license plate;
18 (B) [(ii)] a combination license plate; [~~or~~]
19 (C) [(iii)] a forestry vehicle license plate; or
20 (D) another license plate.

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

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

27 (1) a one-time [~~an annual~~] commercial fleet

1 registration fee of \$10 per motor vehicle, semitrailer, or trailer
2 in the fleet; and

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

6 (d-1) The department shall issue a license plate for a token
7 trailer registered under this section that does not expire. The
8 license plate must include the word "Permanent." ~~A [alphanumeric~~
9 ~~pattern for a]~~ license plate issued under this subsection may
10 remain on a token trailer ~~[for as long as the registration of the~~
11 ~~token trailer is renewed or]~~ until the token trailer is removed from
12 service or sold, provided that the license plate must be removed if
13 the department cancels, suspends, or revokes the registration for
14 the token trailer as provided by law or department rule. The
15 registration receipt required under Section 621.002 is not required
16 for a vehicle that displays a license plate issued under this
17 subsection.

18 (k) A token trailer that displays a license plate issued
19 under Subsection (d-1) is subject to the inspection requirements
20 under Chapter 548 as if the token trailer was not permanently
21 registered. The department and the Department of Public Safety
22 shall adopt rules to establish a method to enforce the inspection
23 requirements under Chapter 548 for a token trailer that displays a
24 license plate issued under Subsection (d-1). The rules must
25 authorize the department to suspend the registration of a token
26 trailer that displays a license plate issued under Subsection (d-1)
27 for failure to comply with the inspection requirements. The

1 department may assess a fee to cover the department's
2 administrative costs to implement this subsection.

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

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

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

10 (2) equipped with a steering wheel;

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

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

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

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

19 Sec. 502.005. INFORMATION ON ALTERNATIVELY FUELED
20 VEHICLES. (a) In this section, "alternatively fueled vehicle"
21 means a motor vehicle that is capable of using a fuel other than
22 gasoline or diesel fuel.

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

26 (c) The department shall submit an annual report to the
27 legislature that includes the information collected under this

1 section. The report must, at a minimum, show the number of vehicles
2 registered in this state that use:

- 3 (1) electric plug-in drives;
4 (2) hybrid electric drives; and
5 (3) compressed natural gas drives.

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

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

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

- 18 (1) 12 consecutive months if the vehicle receives a
19 one-year inspection period under Section 548.102; or
20 (2) 24 consecutive months if the vehicle receives a
21 two-year inspection period under Section 548.102, provided that all
22 fees are paid for each year of registration.

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

26 (a) The department shall issue distinguishing [~~specialty~~]
27 license plates to a vehicle described by Subsection (b) or

1 (c). The fee for the license plates is \$5 and shall be deposited to
2 the credit of the Texas Department of Motor Vehicles fund.

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

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

11 (1) is used for hire;

12 (2) has metal tires operating in contact with the
13 highway;

14 (3) is not equipped with an adequate hitch pinned or
15 locked so that it will remain securely engaged to the towing vehicle
16 while in motion; or

17 (4) is not operated and equipped in compliance with
18 all other law.

19 (h) A distinguishing ~~[specialty]~~ license plate may not be
20 issued or renewed under Subsection (a) to an owner of a vehicle
21 described by Subsection (b)(1) unless the vehicle's owner provides
22 a registration number issued by the comptroller under Section
23 151.1551, Tax Code, or the vehicle is owned by a farmers'
24 cooperative society incorporated under Chapter 51, Agriculture
25 Code, or a marketing association organized under Chapter 52,
26 Agriculture Code. The comptroller shall allow access to the online
27 system established under Section 151.1551(1), Tax Code, to verify a

1 registration number provided under this subsection.

2 SECTION 37. Subchapter D, Chapter 502, Transportation Code,
3 is amended by adding Section 502.147 to read as follows:

4 Sec. 502.147. CERTAIN FARM TRAILERS, FARM SEMITRAILERS,
5 FARM TRACTORS, AND IMPLEMENTS OF HUSBANDRY. An owner is not
6 required to register a farm trailer or farm semitrailer that has a
7 gross weight of 4,000 pounds or less or a farm tractor or an
8 implement of husbandry, if the trailer, semitrailer, tractor, or
9 implement is operated only temporarily on the highways.

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

12 Sec. 502.1931. DISPUTED PAYMENT BY CREDIT CARD OR DEBIT
13 CARD. (a) A county assessor-collector who receives from any person
14 a payment by credit card or debit card for a registration fee for a
15 registration year that has not ended that is returned unpaid
16 because the payment by the credit card or debit card has been
17 disputed by the credit card or debit card company shall certify the
18 fact to the sheriff or a constable or highway patrol officer in the
19 county after attempts to contact the person fail to result in the
20 collection of payment. The certification must be made before the
21 30th day after the date the assessor-collector is made aware that
22 the credit card or debit card payment has been disputed and:

23 (1) be under the assessor-collector's official seal;
24 (2) include the name and address of the person who
25 authorized the credit card or debit card payment;

26 (3) include the license plate number and make of the
27 vehicle;

1 (4) be accompanied by evidence from the credit card or
2 debit card company that the company has determined that it will not
3 make payment on the disputed credit card or debit card charge; and

4 (5) be accompanied by documentation of any attempt to
5 contact the person and collect payment.

6 (b) On receiving a complaint under Subsection (a) from the
7 county assessor-collector, the sheriff, constable, or highway
8 patrol officer shall find the person who authorized the credit card
9 or debit card payment, if the person is in the county, and demand
10 immediate redemption of payment from the person. If the person
11 fails or refuses to redeem the payment, the sheriff, constable, or
12 highway patrol officer shall:

13 (1) seize and remove the license plates and
14 registration insignia from the vehicle; and

15 (2) return the license plates and registration
16 insignia to the assessor-collector.

17 SECTION 39. The heading to Section 502.255, Transportation
18 Code, is amended to read as follows:

19 Sec. 502.255. TRUCK-TRACTOR OR COMMERCIAL MOTOR VEHICLE
20 COMBINATION FEE; PERMANENT SEMITRAILER TOKEN FEE.

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

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

1 (i) The department shall issue a license plate for a token
2 trailer registered under this section that does not expire or
3 require an annual registration insignia to be valid. The license
4 plate must include the word "Permanent." A [~~alphanumeric pattern~~
5 ~~for a~~] license plate issued under this subsection may remain on a
6 token trailer [~~for as long as the registration of the token trailer~~
7 ~~is renewed or~~] until the token trailer is removed from service or
8 sold, provided that the license plate must be removed if the
9 department cancels, suspends, or revokes the registration for the
10 token trailer as provided by law or department rule. The
11 registration receipt required under Section 621.002 is not required
12 for a vehicle that displays a license plate issued under this
13 subsection.

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

16 (1) applies to the department for registration;

17 (2) provides proof of the person's eligibility to
18 register the vehicle under this subsection as required by the
19 department; and

20 (3) pays the [a] fee required by Subsection (c) [of
21 \$15], plus any other applicable fee under this chapter [Section
22 502.401, for each year included in the registration period].

23 (k) A token trailer that displays a license plate issued
24 under Subsection (i) is subject to the inspection requirements
25 under Chapter 548 as if the token trailer was not permanently
26 registered. The department and the Department of Public Safety
27 shall adopt rules to establish a method to enforce the inspection

1 requirements under Chapter 548 for a token trailer that displays a
2 license plate issued under Subsection (i). The rules must
3 authorize the department to suspend the registration of a token
4 trailer that displays a license plate issued under Subsection (i)
5 for failure to comply with the inspection requirements. The
6 department may assess a fee to cover the department's
7 administrative costs to implement this subsection.

8 SECTION 41. Section 502.433(a-1), Transportation Code, is
9 amended to read as follows:

10 (a-1) A commercial motor vehicle may not be registered or
11 renewed under this section unless the vehicle's owner provides a
12 registration number issued by the comptroller under Section
13 151.1551, Tax Code. The comptroller shall allow access to the
14 online system established under Section 151.1551(1), Tax Code, to
15 verify a registration number provided under this subsection.

16 SECTION 42. Section 503.001(1), Transportation Code, is
17 amended to read as follows:

18 (1) "Board" means the board of the Texas Department of
19 Motor Vehicles [~~has the meaning assigned by Chapter 2301,~~
20 ~~Occupations Code~~].

21 SECTION 43. Section 503.003, Transportation Code, is
22 amended to read as follows:

23 Sec. 503.003. DISPLAY OR SALE OF NONMOTORIZED VEHICLE OR
24 TRAILER. This chapter does not prohibit the display or sale of a
25 nonmotorized vehicle or trailer at a regularly scheduled vehicle or
26 boat show with multiple vendors [~~in accordance with commission~~
27 ~~rules~~].

1 SECTION 44. Section 503.007(a), Transportation Code, is
2 amended to read as follows:

3 (a) The fee for an original general distinguishing number is
4 \$500 for the first year and \$200 for each subsequent year [~~for which~~
5 ~~the number is valid~~].

6 SECTION 45. Section 503.009(b), Transportation Code, as
7 repealed by Chapter 1135 (H.B. 2741), Acts of the 83rd Legislature,
8 Regular Session, 2013, and amended by Chapter 1379 (H.B. 1692),
9 Acts of the 83rd Legislature, Regular Session, 2013, is reenacted
10 and amended to read as follows:

11 (b) The procedures applicable to a hearing conducted under
12 this section are those applicable to a hearing conducted under
13 Chapter 2301, Occupations Code, or Chapter 2001, Government Code.

14 SECTION 46. Section 503.010, Transportation Code, is
15 amended to read as follows:

16 Sec. 503.010. TERM OF GENERAL DISTINGUISHING NUMBER,
17 LICENSE, OR LICENSE PLATE. Each general distinguishing number,
18 license, or license plate issued under this chapter is valid for the
19 period prescribed by the board [~~commission~~].

20 SECTION 47. Section 503.024, Transportation Code, is
21 amended by adding Subsection (c-1) to read as follows:

22 (c-1) For the purposes of Section 503.021, a domiciliary of
23 another state who holds a dealer license and bond, if applicable,
24 issued by the other state is not engaging in business as a dealer by
25 buying, selling, including by consignment, or exchanging at a
26 public auction an antique vehicle that is at least 25 years of age
27 or a special interest vehicle.

1 SECTION 48. Section 503.031(a), Transportation Code, is
2 amended to read as follows:

3 (a) An applicant for a drive-a-way in-transit license must
4 submit to the department [~~commission~~] an application containing the
5 information required by the department [~~commission~~].

6 SECTION 49. Section 503.038(a), Transportation Code, is
7 amended to read as follows:

8 (a) The department may cancel a dealer's general
9 distinguishing number if the dealer:

10 (1) falsifies or forges a title document, including an
11 affidavit making application for a certified copy of a title;

12 (2) files a false or forged tax document, including a
13 sales tax affidavit;

14 (3) fails to take assignment of any basic evidence of
15 ownership, including a certificate of title or manufacturer's
16 certificate, for a vehicle the dealer acquires;

17 (4) fails to assign any basic evidence of ownership,
18 including a certificate of title or manufacturer's certificate, for
19 a vehicle the dealer sells;

20 (5) uses or permits the use of a metal dealer's license
21 plate or a dealer's temporary tag on a vehicle that the dealer does
22 not own or control or that is not in stock and offered for sale;

23 (6) wilfully omits material information from or makes
24 a material misrepresentation in an application or other information
25 filed with the department;

26 (7) fails to maintain the qualifications for a general
27 distinguishing number;

1 (8) fails to provide to the department within 30 days
2 after the date of demand by the department satisfactory and
3 reasonable evidence that the person is regularly and actively
4 engaged in business as a wholesale or retail dealer;

5 (9) has been licensed for at least 12 months and has
6 not assigned at least five vehicles during the previous 12-month
7 period;

8 (10) has failed to demonstrate compliance with
9 Sections 23.12, 23.121, and 23.122, Tax Code;

10 (11) uses or allows the use of the dealer's general
11 distinguishing number or the location for which the general
12 distinguishing number is issued to avoid the requirements of this
13 chapter;

14 (12) misuses or allows the misuse of a temporary tag
15 authorized under this chapter;

16 (13) refuses to show on a buyer's temporary tag the
17 date of sale or other reasonable information required by the
18 department; or

19 (14) otherwise violates this chapter or a rule adopted
20 under this chapter.

21 SECTION 50. Section 503.0626(a), Transportation Code, is
22 amended to read as follows:

23 (a) The department shall develop, manage, and maintain a
24 secure, real-time database of information on vehicles to which
25 dealers and converters have affixed temporary tags. [~~The database
26 shall be managed by the vehicle titles and registration division of
27 the department.~~]

1 SECTION 51. Section 503.0631(a), Transportation Code, is
2 amended to read as follows:

3 (a) The department shall develop, manage, and maintain a
4 secure, real-time database of information on persons to whom
5 temporary buyer's tags are issued that may be used by a law
6 enforcement agency in the same manner that the agency uses vehicle
7 registration information. [~~The database shall be managed by the~~
8 ~~vehicle titles and registration division of the department.~~]

9 SECTION 52. Section 503.069(a), Transportation Code, is
10 amended to read as follows:

11 (a) A license plate, other than an in-transit license plate,
12 or a temporary tag issued under this chapter shall be displayed in
13 accordance with board [~~commission~~] rules.

14 SECTION 53. Section 504.010(c), Transportation Code, is
15 amended to read as follows:

16 (c) Unless otherwise specified by statute, the [~~The~~] board
17 may adopt rules regarding the placement of license plates [~~for a~~
18 ~~motor vehicle, road tractor, motorcycle, trailer, or semitrailer~~].

19 SECTION 54. Subchapter A, Chapter 504, Transportation Code,
20 is amended by adding Section 504.011 to read as follows:

21 Sec. 504.011. ISSUANCE DATE FOR CERTAIN SPECIALTY LICENSE
22 PLATES. (a) The department is not required to issue a specialty
23 license plate under this chapter that was created or authorized by
24 an Act of the 84th Legislature, Regular Session, 2015, until
25 January 1, 2016.

26 (b) This section expires January 31, 2016.

27 SECTION 55. Sections 504.202(b) and (e), Transportation

1 Code, are amended to read as follows:

2 (b) A veteran of the United States armed forces is entitled
3 to register, for the person's own use, motor vehicles under this
4 section if:

5 (1) the person has suffered, as a result of military
6 service:

7 (A) at least a 50 percent service-connected
8 disability; or

9 (B) a 40 percent service-connected disability
10 because of the amputation of a lower extremity;

11 (2) the person receives compensation from the United
12 States because of the disability; and

13 (3) the motor vehicle:

14 (A) is owned by the person; and

15 (B) has a gross vehicle weight of 18,000 pounds
16 or less or is a motor home.

17 (e) Other than license plates issued under Subsection (h),
18 license plates issued under this section must include[+

19 ~~[(1) the letters "DV" on the plate if the plate is~~
20 ~~issued for a vehicle other than a motorcycle, and~~

21 ~~[(2)]~~ the words "Disabled Veteran" and "U.S. Armed
22 Forces" at the bottom of each license plate.

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

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

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

3 (2) is a collector's item;

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

7 (4) does not carry advertising.

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

11 SECTION 57. Section 504.943(b), Transportation Code, is
12 amended to read as follows:

13 (b) A person commits an offense if the person operates on a
14 public highway during a registration period a road tractor, truck
15 tractor, motorcycle, trailer, or semitrailer that does not display
16 a license plate that:

17 (1) has been assigned by the department for the
18 period; and

19 (2) complies with department rules regarding the
20 placement of license plates.

21 SECTION 58. Section 541.201(5), Transportation Code, is
22 amended to read as follows:

23 (5) "House trailer" means a trailer or semitrailer,
24 other than a towable recreational vehicle, that:

25 (A) is transportable on a highway in one or more
26 sections;

27 (B) is less than 45 [~~40~~] feet in length,

1 excluding tow bar, while in the traveling mode;

2 (C) is built on a permanent chassis;

3 (D) is designed to be used as a dwelling or for
4 commercial purposes if connected to required utilities; and

5 (E) includes plumbing, heating,
6 air-conditioning, and electrical systems.

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

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

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

15 (2) authorize the acceptance in this state of a
16 certificate of inspection and approval issued in another state
17 having a similar inspection law~~, and~~

18 ~~[(3) authorize the acceptance in this state of a~~
19 ~~certificate of inspection and approval issued in compliance with 49~~
20 ~~C.F.R. Part 396 to a motor bus, as defined by Section 502.001, that~~
21 ~~is registered in this state but is not domiciled in this state].~~

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

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

27 (b) A ~~[The department shall set the periods of inspection~~

1 ~~and may make rules with respect to those periods. The rules must~~
2 ~~provide that:~~

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

6 (c) A ~~[, and~~

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

10 SECTION 61. The heading to Section 548.102, Transportation
11 Code, is amended to read as follows:

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

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

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

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

23 (2) has not been previously registered in this or
24 another state; and

25 (3) on the date of sale is of the current or preceding
26 model year.

27 (c) Notwithstanding any other provision of this chapter,

1 the initial inspection period begins on the date on which
2 registration begins when a registration application is made:

- 3 (1) under Section 501.0234; or
4 (2) by a commercial fleet buyer described by Section
5 501.0234(b)(4).

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

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

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

12 (2) school activity bus, as defined in Section
13 541.201, that has a gross weight, registered weight, or gross
14 weight rating of more than 26,000 pounds, or is designed to
15 transport more than 15 passengers, including the driver; and

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

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

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

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

3 Sec. 548.256. PROOF OF COMPLIANCE WITH INSPECTION
4 REQUIREMENTS REQUIRED TO REGISTER VEHICLE. (a) Except as provided
5 by Subsection (b) or (c), before [~~Before~~] a vehicle may be
6 registered, the Texas Department of Motor Vehicles or the county
7 assessor-collector registering the vehicle shall verify that the
8 vehicle complies with [~~has passed~~] the applicable inspection
9 requirements under this chapter and Chapter 382, Health and Safety
10 Code [~~inspections required by this chapter~~], as indicated in the
11 department's inspection database. If the database information is
12 not available, the owner of the vehicle may present a vehicle
13 inspection report issued for the vehicle.

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

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

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

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

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

10 (a) This section applies only to a vehicle:

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

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

17 (c) A vehicle subject to this section is not eligible for a
18 title receipt under Section 501.024, a ~~[certificate of]~~ title under
19 Section 501.027, or registration under Chapter 502 in a county with
20 a motor vehicle emissions inspection and maintenance program unless
21 proof is presented with the application for ~~[certificate of]~~ title
22 or registration, as appropriate, that the vehicle, not earlier than
23 the 90th day before the date on which the new owner's application
24 for ~~[certificate of]~~ title or registration is filed with the county
25 clerk or county assessor-collector, as appropriate, is in
26 compliance with the emissions inspection requirements as
27 determined by the department ~~[has passed an approved vehicle~~

1 ~~emissions test in the county in which it is to be titled or~~
2 ~~registered].~~

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

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

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

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

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

16 (a) The fee for inspection of a passenger car or light truck
17 that receives a two-year inspection period under Section 548.102
18 shall be set by the department by rule on or before September 1 of
19 each year. A fee set by the department under this subsection must
20 be based on the costs of providing inspections and administering
21 the program, but may not be less than \$21.75.

22 SECTION 71. Subchapter H, Chapter 548, Transportation Code,
23 is amended by adding Section 548.510 to read as follows:

24 Sec. 548.510. REFUND OF OVERCHARGED INSPECTION FEE. (a)
25 The owner of a motor vehicle who pays at the time of registration an
26 inspection fee in excess of the required amount is entitled to a
27 refund of the overcharge.

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

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

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

11 Sec. 548.605. DRIVING A VEHICLE WITHOUT COMPLYING WITH
12 INSPECTION REQUIREMENTS AS CERTIFIED; OFFENSE; DISMISSAL OF
13 CHARGE. (a) In this section, "working day" means any day other
14 than a Saturday, a Sunday, or a holiday on which county offices are
15 closed.

16 (b) A person commits an offense if:

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

20 (2) the vehicle is not in compliance with the
21 applicable inspection requirements under this chapter, Chapter
22 382, Health and Safety Code, or the department's administrative
23 rules regarding inspection requirements.

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

1 the vehicle.

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

5 (e) A court shall:

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

8 (A) not later than the 20th working day after the
9 date of the citation or before the defendant's first court
10 appearance date, whichever is later; or

11 (B) not later than the 40th working day after the
12 applicable deadline provided by this chapter, Chapter 382, Health
13 and Safety Code, or the department's administrative rules regarding
14 inspection requirements; and

15 (2) assess an administrative fee not to exceed \$20
16 when the charge has been remedied under Subdivision (1).

17 (f) An offense under this section is a Class C misdemeanor.

18 SECTION 73. Section [621.002](#), Transportation Code, is
19 amended by amending Subsection (a) and adding Subsection (c) to
20 read as follows:

21 (a) Except as provided by Subsection (c), a [A] copy of the
22 registration receipt issued under Section [502.057](#) for a commercial
23 motor vehicle, truck-tractor, trailer, or semitrailer shall be:

24 (1) carried on the vehicle when the vehicle is on a
25 public highway; and

26 (2) presented to an officer authorized to enforce this
27 chapter on request of the officer.

1 (c) Subsection (a) does not apply to a vehicle that displays
2 a license plate issued under Section 502.0023(d-1) or 502.255(i).

3 SECTION 74. Subchapter A, Chapter 621, Transportation Code,
4 is amended by adding Section 621.0075 to read as follows:

5 Sec. 621.0075. EVIDENCE OF PERMIT. (a) An operator of a
6 vehicle operating under a permit issued under this subtitle who is
7 required by law or rule to carry the permit in the vehicle shall, on
8 request, provide the permit for the vehicle or a photocopy of the
9 permit to a peace officer, as defined by Article 2.12, Code of
10 Criminal Procedure.

11 (b) If the department provides a permit electronically, the
12 vehicle operator may provide a legible and accurate image of the
13 permit displayed on a wireless communication device.

14 (c) The display of an image that includes permit information
15 on a wireless communication device under Subsection (b) does not
16 constitute effective consent for a law enforcement officer, or any
17 other person, to access the contents of the wireless communication
18 device except to view the permit information.

19 (d) The authorization of the use of a wireless communication
20 device to display permit information under Subsection (b) does not
21 prevent a court of competent jurisdiction from requiring a person
22 to provide a paper copy of the person's evidence of permit in a
23 hearing or trial or in connection with discovery proceedings.

24 (e) A telecommunications provider, as defined by Section
25 51.002, Utilities Code, may not be held liable to the operator of
26 the motor vehicle for the failure of a wireless communication
27 device to display permit information under Subsection (b).

1 SECTION 75. Subchapter A, Chapter 621, Transportation Code,
2 is amended by adding Section 621.009 to read as follows:

3 Sec. 621.009. SIZE AND WEIGHT LIMITATIONS. The size and
4 weight limitations provided by this chapter apply unless otherwise
5 provided by this subtitle.

6 SECTION 76. Section 621.101(a), Transportation Code, is
7 amended to read as follows:

8 (a) A vehicle or combination of vehicles may not be operated
9 over or on a public highway or at a port-of-entry between Texas and
10 the United Mexican States if the vehicle or combination has:

11 (1) a single axle weight heavier than 20,000 pounds,
12 including all enforcement tolerances;

13 (2) a tandem axle weight heavier than 34,000 pounds,
14 including all enforcement tolerances;

15 (3) an overall gross weight on a group of two or more
16 consecutive axles heavier than the weight computed using the
17 following formula and rounding the result to the nearest 500
18 pounds:

$$19 \quad W = 500((LN/(N - 1)) + 12N + 36)$$

20 where:

21 "W" is maximum overall gross weight on the group;

22 "L" is distance in feet between the axles of the group that
23 are the farthest apart; and

24 "N" is number of axles in the group; or

25 (4) tires that carry a weight heavier than the weight
26 specified and marked on the sidewall of the tire, unless expressly
27 authorized [~~the vehicle is being operated~~] under the terms of a

1 special permit.

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

4 (d) A vehicle operating under a permit issued under Section
5 623.011, 623.0171, 623.020, 623.071, 623.094, 623.121, 623.142,
6 623.181, 623.192, [~~or~~] 623.212, or 623.321, as added by Chapter
7 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session,
8 2013, may operate under the conditions authorized by the permit
9 over a road for which the executive director of the Texas Department
10 of Transportation has set a maximum weight under this section.

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

13 (e) A vehicle operating under a permit issued under Section
14 623.011, 623.0171, 623.020, 623.071, 623.094, 623.121, 623.142,
15 623.181, 623.192, [~~or~~] 623.212, or 623.321, as added by Chapter
16 1135 (H.B. 2741), Acts of the 83rd Legislature, Regular Session,
17 2013, may operate under the conditions authorized by the permit
18 over a road for which the commissioners court has set a maximum
19 weight under this section.

20 SECTION 79. Section 621.502(d), Transportation Code, is
21 amended to read as follows:

22 (d) Intent to operate a vehicle at a weight that is heavier
23 than the weight authorized by a permit issued under Section 623.011
24 or 623.020 is presumed if:

25 (1) the vehicle is operated at a weight that is heavier
26 than the applicable weight plus the tolerance allowance provided by
27 Section 623.011(a) or 623.020(a); and

1 (2) a permit to operate at that weight has not been
2 issued for the vehicle.

3 SECTION 80. The heading to Section 621.503, Transportation
4 Code, is amended to read as follows:

5 Sec. 621.503. PROHIBITION OF LOADING MORE THAN SIZE OR
6 WEIGHT LIMITATION.

7 SECTION 81. Sections 621.503(a) and (b), Transportation
8 Code, are amended to read as follows:

9 (a) A person may not load, or cause to be loaded, a vehicle
10 for operation on a public highway of this state that exceeds the
11 height, width, length, or weight limitations for operation of that
12 vehicle provided by this subtitle [~~Section 621.101~~].

13 (b) Intent to violate a weight limitation is presumed if the
14 weight of the loaded vehicle is heavier than the applicable axle or
15 gross weight limit by 15 percent or more.

16 SECTION 82. Subchapter G, Chapter 621, Transportation Code,
17 is amended by adding Section 621.511 to read as follows:

18 Sec. 621.511. NAME ON PERMIT; OFFENSE. (a) A person
19 commits an offense if:

20 (1) the person operates or moves on a public highway a
21 vehicle that is issued a permit under this subtitle; and

22 (2) the person operating or moving the vehicle is not
23 the person named on the permit for the vehicle.

24 (b) An offense under this section is a Class C misdemeanor.

25 SECTION 83. The heading to Section 622.011, Transportation
26 Code, is amended to read as follows:

27 Sec. 622.011. DEFINITIONS [~~DEFINITION~~]; DESIGNATION AS

1 PERISHABLE.

2 SECTION 84. Section 622.011(a), Transportation Code, is
3 amended to read as follows:

4 (a) In this subchapter:

5 (1) "Permissible axle weight tolerance" means, for
6 each axle, an axle weight that does not exceed the applicable axle
7 weight limitation provided in Section 622.012(a) by more than 10
8 percent.

9 (2) "Permissible gross weight tolerance" means a gross
10 weight that does not exceed the applicable gross weight limitation
11 provided in Section 622.012(b) by more than five percent.

12 (3) "Ready-mixed [~~,"~~ ~~"ready-mixed~~ concrete truck"
13 means:

14 (A) [~~(1)~~] a vehicle designed exclusively to
15 transport or manufacture ready-mixed concrete and includes a
16 vehicle designed exclusively to transport and manufacture
17 ready-mixed concrete; [~~or~~]

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

19 (C) a volumetric ready-mixed concrete truck.

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

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

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

27 (2) [~~and~~] the single axle weight is not heavier than

1 23,000 pounds;

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

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

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

8 (1) 69,000 pounds if the truck has three axles;

9 (2) 70,100 pounds if the truck has four axles;

10 (3) 70,500 pounds if the truck has five axles;

11 (4) 75,500 pounds if the truck has six axles; or

12 (5) 80,000 pounds if the truck has more than six axles.

13 (c) A ready-mixed concrete truck may be operated within the
14 permissible axle weight tolerance and permissible gross weight
15 tolerance if ~~[at a weight that exceeds the maximum single axle or~~
16 ~~tandem axle weight limitation by not more than 10 percent if the~~
17 ~~gross weight is not heavier than 69,000 pounds and]~~ the department
18 has issued a permit that authorizes the operation of the vehicle
19 under Section 623.0171, provided that a permit issued under Section
20 623.0171 may not authorize the gross weight of a ready-mixed
21 concrete truck to exceed the permissible gross weight tolerance.

22 (d) The operation of a ready-mixed concrete truck in excess
23 of the permissible gross weight tolerance does not invalidate the
24 permissible axle weight tolerance authorized by a permit issued
25 under Section 623.0171.

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

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

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

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

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

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

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

16 (B) a vehicle on which a farm tractor, ~~or~~
17 implement of husbandry, or equipment used in the harvesting and
18 production of timber, other than a tractor, ~~or~~ implement, or
19 equipment being transported from one dealer to another, is being
20 moved by the owner of the tractor, ~~or~~ implement, or equipment or
21 by an agent or employee of the owner:

22 (i) to deliver the tractor, ~~or~~ implement,
23 or equipment to a new owner;

24 (ii) to transport the tractor, ~~or~~
25 implement, or equipment to or from a mechanic for maintenance or
26 repair; or

27 (iii) in the course of an agricultural

1 operation, including a forestry operation;

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

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

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

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

12 (5) a vehicle registered under Section 502.431; or

13 (6) a recreational vehicle to which Section 622.903
14 applies.

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

17 Sec. 623.004. ADMINISTRATION AND OVERSIGHT OF OVERWEIGHT
18 CORRIDORS. (a) In this section, "overweight corridor" means a
19 designated section of a state highway for which an optional
20 procedure is authorized under this chapter for the issuance of
21 permits:

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

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

26 (b) The Texas Department of Transportation shall:

27 (1) set minimum requirements for determining the

1 feasibility, viability, and economic impact of additional
2 overweight corridors that take into consideration traffic volume,
3 ability to recover costs, and the role of overweight corridors
4 within a statewide plan for freight mobility;

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

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

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

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

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

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

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

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

24 (2) in setting a fee for the permit, consider the
25 pavement management plan created under Subsection (b)(4) for the
26 overweight corridor.

27 (e) The department may:

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

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

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

10 SECTION 88. Section [623.0113](#), Transportation Code, is
11 amended to read as follows:

12 Sec. 623.0113. ROUTE RESTRICTIONS. (a) Except as provided
13 by Subsection (b), a permit issued under Section [623.011](#), [623.0171](#),
14 or [623.020](#) does not authorize the operation of a vehicle on:

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

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

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

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

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

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

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

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

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

24 SECTION 90. Section 623.018(d), Transportation Code, is
25 amended to read as follows:

26 (d) If a vehicle has a permit issued under Section 623.011
27 or 623.020, a commissioners court may not:

1 (1) issue a permit under this section or charge an
2 additional fee for or otherwise regulate or restrict the operation
3 of the vehicle because of weight; or

4 (2) require the owner or operator to execute or comply
5 with a road use agreement or indemnity agreement, to make a filing
6 or application, or to provide a bond or letter of credit other than
7 the bond or letter of credit prescribed by Section 623.012.

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

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

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

16 Sec. 623.020. 24-HOUR PERMIT FOR EXCESS AXLE OR GROSS
17 WEIGHT. (a) The department may issue a permit that authorizes the
18 operation of a commercial motor vehicle, trailer, semitrailer, or
19 combination of those vehicles, or a truck-tractor or combination of
20 a truck-tractor and one or more other vehicles:

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

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

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

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

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

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

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

14 (d) A permit issued under this section:

15 (1) is valid for 24 hours;

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

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

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

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

1 designated in the application.

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

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

6 (1) 50 percent of the amount collected shall be
7 deposited to the credit of the state highway fund; and

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

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

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

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

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

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

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

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

27 SECTION 95. Sections 623.076(a) and (a-1), Transportation

1 Code, are amended to read as follows:

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

4 (1) \$60 for a single-trip permit;

5 (2) \$120 for a permit that is valid for a period not
6 exceeding 30 days;

7 (3) \$180 for a permit that is valid for a period of 31
8 days or more but not exceeding 60 days;

9 (4) \$240 for a permit that is valid for a period of 61
10 days or more but not exceeding 90 days; ~~or~~

11 (5) \$270 for a permit issued under Section
12 [623.071\(c\)\(1\) or \(2\)](#); or

13 (6) \$960 for a permit issued under Section
14 [623.071\(c-1\)](#).

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

20 Amount of Fee	Amount Allocated to General Revenue
	21 Fund
22 \$60 (single-trip permit)	\$30
23 \$120 (30-day permit)	\$60
24 \$180	\$90
25 \$240	\$120
26 \$270	\$135
27 <u>\$960</u>	<u>\$480</u>

1 SECTION 96. Section 623.144, Transportation Code, is
2 amended to read as follows:

3 Sec. 623.144. REGISTRATION OF VEHICLE. ~~[(a)]~~ A person may
4 not operate a vehicle permitted under this subchapter on a public
5 highway unless the vehicle is registered under Chapter 502 for the
6 maximum gross weight applicable to the vehicle under Section
7 621.101 or has distinguishing ~~[specialty]~~ license plates as
8 provided by Section 502.146 if applicable to the vehicle.

9 ~~[(b) The department may not issue specialty license plates
10 to a vehicle described by Section 502.146(b)(3) unless the
11 applicant complies with the requirements of that subsection.]~~

12 SECTION 97. Sections 623.271(a) and (e), Transportation
13 Code, are amended to read as follows:

14 (a) The department may investigate and, except as provided
15 by Subsection (f), may impose an administrative penalty, ~~[or]~~
16 revoke an oversize or overweight permit issued under this chapter,
17 or revoke a motor carrier's registration, as provided by Section
18 643.252, if the person or the holder of the permit, as applicable:

19 (1) provides false information on the permit
20 application or another form required by the department for the
21 issuance of an oversize or overweight permit;

22 (2) violates this chapter, Chapter 621, or Chapter
23 622;

24 (3) violates a rule or order adopted under this
25 chapter, Chapter 621, or Chapter 622; or

26 (4) fails to obtain an oversize or overweight permit
27 if a permit is required.

1 (e) A person who has been ordered to pay an administrative
2 penalty under this section and the vehicle that is the subject of
3 the enforcement order may not be issued a permit under this chapter
4 or a registration, registration renewal, or reregistration of a
5 motor carrier's registration under Chapter 643 until the amount of
6 the penalty has been paid to the department.

7 SECTION 98. The heading to Section 623.272, Transportation
8 Code, is amended to read as follows:

9 Sec. 623.272. ADMINISTRATIVE PENALTY FOR FAILURE TO PROVIDE
10 CERTIFICATE OR FOR FALSE INFORMATION ON CERTIFICATE.

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

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

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

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

20 SECTION 100. Section 623.274, Transportation Code, is
21 amended by amending Subsection (b) and adding Subsection (c) to
22 read as follows:

23 (b) On the written request of the person transporting the
24 shipment, a [~~For a shipper's certificate of weight to be valid, the~~]
25 shipper must:

26 (1) certify that the information contained on the
27 certificate of weight [~~form~~] is accurate; and

1 (2) deliver the certificate of weight to the person
2 transporting the shipment [~~motor carrier or other person~~
3 ~~transporting the shipment before the motor carrier or other person~~
4 ~~applies for an overweight permit under this chapter~~].

5 (c) A person transporting a shipment must provide the
6 department with a copy of the certificate of weight before the
7 issuance of an overweight permit under this chapter if the combined
8 weight of the vehicle or vehicles and load is more than 200,000
9 pounds.

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

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

18 (d) The sticker must:

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

20 (2) be removed from the vehicle when:

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

23 (B) a lease of the vehicle expires; or

24 (C) the vehicle is sold.

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

1 (c) A financially responsible party shall electronically
2 file the notification document described by Subsection (b) with the
3 department under rules adopted by the department not later than the
4 first [~~second~~] business day before the first business day listed by
5 the financially responsible party under Subsection (b)(5),
6 provided that the notification document must be filed not later
7 than 24 hours before the earliest time of operation listed by the
8 financially responsible party under Subsection (b)(5). The
9 department shall immediately send an electronic copy of the
10 notification document to each county identified in the notification
11 document and the Texas Department of Transportation and an
12 electronic receipt for the notification document to the financially
13 responsible party. Not later than the first business day listed by
14 the financially responsible party under Subsection (b)(5), a county
15 or the Texas Department of Transportation may inspect a road or
16 highway identified in the notification document. If an inspection
17 is conducted under this subsection, a county or the Texas
18 Department of Transportation shall:

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

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

26 SECTION 103. Sections 643.054(a-2) and (a-3),
27 Transportation Code, are amended to read as follows:

1 (a-2) The department may deny a registration if the
2 applicant [~~applicant's business~~] is owned, operated, managed, or
3 otherwise controlled by or affiliated with a person, including [~~the~~
4 ~~applicant,~~] a [~~relative,~~] family member, corporate officer,
5 entity, or shareholder, that [~~whom~~] the Department of Public Safety
6 has determined has:

7 (1) an unsatisfactory safety rating under 49 C.F.R.
8 Part 385; or

9 (2) multiple violations of Chapter 644, a rule adopted
10 under that chapter, or Subtitle C.

11 (a-3) The department may deny a registration if the
12 applicant is owned, [~~a motor carrier whose business is~~] operated,
13 managed, or otherwise controlled by or affiliated with a person,
14 including a [~~an owner, relative,~~] family member, corporate officer,
15 entity, or shareholder, that [~~whom the Department of Public Safety~~
16 ~~has determined has~~]:

17 (1) owned, operated, managed, or otherwise controlled
18 a motor carrier that the Federal Motor Carrier Safety
19 Administration has placed out of service for unacceptable safety
20 compliance [~~an unsatisfactory safety rating under 49 C.F.R. Part~~
21 ~~385~~]; or

22 (2) has unpaid administrative penalties assessed
23 under this chapter or Subtitle E [~~multiple violations of Chapter~~
24 ~~644, a rule adopted under that chapter, or Subtitle C~~].

25 SECTION 104. Section 643.056, Transportation Code, is
26 amended by adding Subsection (c) to read as follows:

27 (c) The department may deny a supplement to a motor

1 carrier's application for registration if the motor carrier is
2 owned, operated, managed, or otherwise controlled by or affiliated
3 with a person, including a family member, corporate officer,
4 entity, or shareholder, that has unpaid administrative penalties
5 assessed under this chapter or Subtitle E.

6 SECTION 105. Section 643.058, Transportation Code, is
7 amended by adding Subsections (d) and (e) to read as follows:

8 (d) A motor carrier may not renew a registration that has
9 been expired for more than 180 days. The motor carrier may obtain a
10 new registration by complying with the requirements and procedures
11 for obtaining an original registration under this chapter.

12 (e) The department may deny a motor carrier's application to
13 renew a registration if the motor carrier is owned, operated,
14 managed, or otherwise controlled by or affiliated with a person,
15 including a family member, corporate officer, entity, or
16 shareholder, that:

17 (1) the Department of Public Safety has determined
18 has:

19 (A) an unsatisfactory safety rating under 49
20 C.F.R. Part 385; or

21 (B) multiple violations of Chapter 644, a rule
22 adopted under that chapter, or Subtitle C;

23 (2) owned, operated, managed, or otherwise controlled
24 a motor carrier that the Federal Motor Carrier Safety
25 Administration has placed out of service for unacceptable safety
26 compliance; or

27 (3) has unpaid administrative penalties assessed

1 under this chapter or Subtitle E.

2 SECTION 106. Subchapter B, Chapter 643, Transportation
3 Code, is amended by adding Section 643.0585 to read as follows:

4 Sec. 643.0585. REREGISTRATION. (a) If a motor carrier's
5 registration has been suspended or revoked, the motor carrier may
6 apply to the department for reregistration not later than the 180th
7 day after the date the registration was suspended or revoked.

8 (b) An application for reregistration must be submitted on a
9 form prescribed by the department and accompanied by:

10 (1) a \$10 fee for each vehicle requiring
11 reregistration;

12 (2) evidence of insurance or financial responsibility
13 as required by Section 643.103(a); and

14 (3) any insurance filing fee required under Section
15 643.103(c).

16 (c) The department may deny a motor carrier's application
17 for reregistration if the motor carrier is owned, operated,
18 managed, or otherwise controlled by or affiliated with a person,
19 including a family member, corporate officer, entity, or
20 shareholder, that:

21 (1) the Department of Public Safety has determined
22 has:

23 (A) an unsatisfactory safety rating under 49
24 C.F.R. Part 385; or

25 (B) multiple violations of Chapter 644, a rule
26 adopted under that chapter, or Subtitle C;

27 (2) owned, operated, managed, or otherwise controlled

1 a motor carrier that the Federal Motor Carrier Safety
2 Administration has placed out of service for unacceptable safety
3 compliance; or

4 (3) has unpaid administrative penalties assessed
5 under this chapter or Subtitle E.

6 SECTION 107. Section 643.059(c), Transportation Code, is
7 amended to read as follows:

8 (c) A motor carrier required to register under this
9 subchapter must keep a legible electronic or hard copy of the cab
10 card in the cab of each vehicle requiring registration the carrier
11 operates.

12 SECTION 108. Section 643.101(b), Transportation Code, is
13 amended to read as follows:

14 (b) Except as provided by this subsection and Section
15 643.1015, the department by rule may set the amount of liability
16 insurance required at an amount that does not exceed the amount
17 required for a motor carrier under a federal regulation adopted
18 under 49 U.S.C. Section 13906(a)(1). The department may determine
19 the amount if no amount is required under federal law or regulation.

20 In setting the amount the department shall consider:

- 21 (1) the class and size of the vehicle; and
22 (2) the persons or cargo being transported.

23 SECTION 109. Section 643.103(b), Transportation Code, is
24 amended to read as follows:

25 (b) A motor carrier shall keep evidence of insurance in a
26 form, including an electronic form, approved by the department in
27 the cab of each vehicle requiring registration the carrier

1 operates.

2 SECTION 110. Section 643.153(d), Transportation Code, is
3 amended to read as follows:

4 (d) A motor carrier that is required to register under
5 Subchapter B and that transports household goods shall file a
6 tariff with the department that establishes maximum charges for all
7 transportation services [~~between two or more municipalities~~]. A
8 motor carrier may comply with this requirement by filing, in a
9 manner determined by the department, a copy of the carrier's tariff
10 governing interstate transportation services [~~on a highway between~~
11 ~~two or more municipalities~~]. The department shall make tariffs
12 filed under this subsection available for public inspection [~~at the~~
13 ~~department~~].

14 SECTION 111. Section 643.252(a), Transportation Code, is
15 amended to read as follows:

16 (a) The department may suspend, revoke, or deny a
17 registration issued under this chapter or place on probation a
18 motor carrier whose registration is suspended if a motor carrier:

19 (1) fails to maintain insurance or evidence of
20 financial responsibility as required by Section 643.101(a), (b), or
21 (c) [~~, or (d)~~];

22 (2) fails to keep evidence of insurance in the cab of
23 each vehicle as required by Section 643.103(b);

24 (3) fails to register a vehicle requiring
25 registration;

26 (4) violates any other provision of this chapter or
27 Chapter 621, 622, or 623;

1 (5) knowingly provides false information on any form
2 filed with the department under this chapter or Chapter 621, 622, or
3 623; [~~or~~]

4 (6) violates a rule or order adopted under this
5 chapter or Chapter 621, 622, or 623; or

6 (7) is owned, operated, managed, or otherwise
7 controlled by or affiliated with a person, including a family
8 member, corporate officer, entity, or shareholder:

9 (A) whose registration has previously been
10 revoked or denied; or

11 (B) that has unpaid administrative penalties
12 assessed under this chapter or Subtitle E.

13 SECTION 112. Sections 643.2525(k) and (l), Transportation
14 Code, are amended to read as follows:

15 (k) If the motor carrier is required to pay a penalty or cost
16 under Subsection (f), failure to pay the penalty or cost before the
17 61st day after the date the requirement becomes final is a violation
18 of this chapter and may result in an additional penalty, revocation
19 or suspension of a motor carrier registration, or denial [~~of~~
20 ~~renewal~~] of a motor carrier registration renewal or reregistration.

21 (l) A motor carrier that is required to pay a penalty, cost,
22 fee, or expense under this section or Section 643.251 is not
23 eligible for a registration, reregistration, [~~reinstatement~~] or
24 registration renewal [~~of a registration~~] under this chapter until
25 all required amounts have been paid to the department.

26 SECTION 113. The heading to Section 643.2526,
27 Transportation Code, is amended to read as follows:

1 Sec. 643.2526. APPEAL OF DENIAL OF REGISTRATION, RENEWAL,
2 OR REREGISTRATION [~~REINSTATEMENT~~].

3 SECTION 114. Section 643.2526(a), Transportation Code, is
4 amended to read as follows:

5 (a) Notwithstanding any other law, a denial of an
6 application for registration, renewal of registration, or
7 reregistration [~~reinstatement of registration~~] under this chapter
8 is not required to be preceded by notice and an opportunity for
9 hearing.

10 SECTION 115. Section 643.253(a), Transportation Code, is
11 amended to read as follows:

12 (a) A person commits an offense if the person fails to:
13 (1) register as required by Subchapter B;
14 (2) maintain insurance or evidence of financial
15 responsibility as required by Subchapter C; or
16 (3) keep a cab card in the cab of a vehicle as required
17 by Section 643.059 or comply with an alternative method to the cab
18 card established by the department under Section 643.059(e).

19 SECTION 116. The heading to Chapter 645, Transportation
20 Code, is amended to read as follows:

21 CHAPTER 645. UNIFIED CARRIER [~~SINGLE STATE~~] REGISTRATION

22 SECTION 117. Section 645.001, Transportation Code, is
23 amended to read as follows:

24 Sec. 645.001. FEDERAL UNIFIED [~~MOTOR~~] CARRIER
25 REGISTRATION; DEFINITION. (a) In this chapter, "unified carrier
26 registration plan and agreement" means the federal unified carrier
27 registration plan and agreement provided by 49 U.S.C. Section

1 14504a.

2 **(b)** The Texas Department of Motor Vehicles may, to the
3 fullest extent practicable, participate in [~~a federal motor carrier~~
4 ~~registration program under~~] the unified carrier registration plan
5 and agreement [~~system as defined by Section 643.001 or a single~~
6 ~~state registration system established under federal law~~].

7 SECTION 118. Section 645.002(b), Transportation Code, is
8 amended to read as follows:

9 (b) The department may adopt rules regarding the method of
10 payment of a fee required under the unified carrier registration
11 plan and agreement [~~this chapter~~]. The rules may:

12 (1) authorize the use of an escrow account described
13 by Subsection (c), an electronic funds transfer, or a valid credit
14 card issued by a financial institution chartered by a state or the
15 United States or by a nationally recognized credit organization
16 approved by the department; and

17 (2) require the payment of a discount or service
18 charge for a credit card payment in addition to the fee.

19 SECTION 119. Section 645.003, Transportation Code, is
20 amended to read as follows:

21 Sec. 645.003. ENFORCEMENT RULES. **(a)** The department may
22 [~~shall~~] adopt rules [~~that are consistent with federal law~~]
23 providing for administrative penalties [~~and sanctions~~] for a
24 failure to register or submit information and documents under [~~as~~
25 ~~required by~~] the unified carrier registration plan and agreement
26 [~~system or single state registration system~~] or for a violation of
27 the unified carrier registration plan and agreement [~~this chapter~~

1 ~~or a rule adopted under this chapter in the same manner as~~
2 ~~Subchapter F, Chapter 643].~~

3 (b) The notice, hearing, and other procedural requirements
4 of Section 643.2525 apply to the imposition of an administrative
5 penalty under this section as if the action were being taken under
6 that section.

7 (c) The amount of an administrative penalty imposed under
8 this section is calculated in the same manner as the amount of an
9 administrative penalty imposed under Section 643.251.

10 SECTION 120. Sections 645.004(a) and (c), Transportation
11 Code, are amended to read as follows:

12 (a) A person commits an offense if the person fails to:

13 (1) ~~[violates a rule adopted under this chapter, or~~
14 ~~[(2) fails to]~~ register as required by the unified
15 carrier registration plan and agreement; or

16 (2) submit information and documents as required by
17 the unified carrier registration plan and agreement ~~[a vehicle~~
18 ~~required to be registered under this chapter].~~

19 (c) Each day a violation ~~[of a rule]~~ occurs is a separate
20 offense under this section.

21 SECTION 121. Section 646.001(2), Transportation Code, is
22 amended to read as follows:

23 (2) "Motor transportation broker" means a person who:

24 (A) sells, offers for sale, provides, or
25 negotiates for the transportation of cargo by a motor carrier
26 registered under Chapter 643 that is operated by another person; or

27 (B) aids or abets a person in performing an act

1 described by Paragraph (A).

2 SECTION 122. Section 646.002, Transportation Code, is
3 amended to read as follows:

4 Sec. 646.002. EXCEPTION. This chapter does not apply to a
5 motor transportation broker who:

6 (1) is registered as a motor carrier under Chapter
7 643; or

8 (2) is registered as a motor carrier or broker under
9 Chapter 139, [~~holds a permit issued under~~] Subtitle IV, Title 49,
10 United States Code.

11 SECTION 123. Section 646.003(b), Transportation Code, is
12 amended to read as follows:

13 (b) The bond must be in an amount of at least \$75,000
14 [~~\$10,000~~] and must be:

15 (1) executed by a bonding company authorized to do
16 business in this state;

17 (2) payable to this state or a person to whom the motor
18 transportation broker provides services; and

19 (3) conditioned on the performance of the contract for
20 transportation services between the broker and the person for whom
21 services are provided.

22 SECTION 124. Section 1001.023(b), Transportation Code, is
23 amended to read as follows:

24 (b) The chair shall:

25 (1) preside over board meetings, make rulings on
26 motions and points of order, and determine the order of business;

27 (2) represent the department in dealing with the

1 governor;

2 (3) report to the governor on the state of affairs of
3 the department at least annually [~~quarterly~~];

4 (4) report to the board the governor's suggestions for
5 department operations;

6 (5) report to the governor on efforts, including
7 legislative requirements, to maximize the efficiency of department
8 operations through the use of private enterprise;

9 (6) periodically review the department's
10 organizational structure and submit recommendations for structural
11 changes to the governor, the board, and the Legislative Budget
12 Board;

13 (7) designate at least one employee of the department
14 as a civil rights officer of the department and receive regular
15 reports from the officer or officers on the department's efforts to
16 comply with civil rights legislation and administrative rules;

17 (8) create subcommittees, appoint board members to
18 subcommittees, and receive the reports of subcommittees to the
19 board as a whole;

20 (9) appoint a member of the board to act in the absence
21 of the chair and vice chair; and

22 (10) serve as the departmental liaison with the
23 governor and the Office of State-Federal Relations to maximize
24 federal funding for transportation.

25 SECTION 125. The following laws are repealed:

26 (1) Sections [2301.005](#)(d) and (e), Occupations Code;

27 and

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

4 SECTION 126. (a) On September 1, 2015, the Texas Department
5 of Motor Vehicles fund created by Section 1001.151, Transportation
6 Code, as enacted by Section 71, Chapter 1287 (H.B. 2202), Acts of
7 the 83rd Legislature, Regular Session, 2013, is re-created as a
8 special fund in the state treasury outside the general revenue
9 fund, and all revenue dedicated for deposit to the credit of the
10 Texas Department of Motor Vehicles fund by a provision of Chapter
11 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session,
12 2013, is rededicated for that purpose.

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

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

1 the state highway fund, and the Texas Department of Motor Vehicles
2 fund is subject to payment of the obligation only to the extent the
3 state highway fund is depleted at the time the obligation matures
4 and becomes due.

5 (d) Except as specified by Subsections (b) and (c) of this
6 section, of the revenue dedicated for deposit to the credit of the
7 Texas Department of Motor Vehicles fund by a provision of Chapter
8 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session,
9 2013, the comptroller shall deposit to the credit of that fund only
10 revenue received on or after September 1, 2015.

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

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

1 (c) The changes in law made by this Act relating to an
2 application filed under Chapter 2301, Occupations Code, or Chapters
3 501, 502, 503, 623, and 643, Transportation Code, apply only to an
4 application filed under those chapters on or after the effective
5 date of this Act. An application filed before that date is governed
6 by the law in effect on the date the application was filed, and the
7 former law is continued in effect for that purpose.

8 (d) The change in law made by this Act in adding Section
9 502.1931, Transportation Code, applies only to a payment of a
10 registration fee submitted to a county assessor-collector on or
11 after the effective date of this Act. A payment submitted before
12 the effective date of this Act is governed by the law in effect on
13 the date the payment was submitted, and the former law is continued
14 in effect for that purpose.

15 SECTION 128. To the extent of any conflict, this Act
16 prevails over another Act of the 84th Legislature, Regular Session,
17 2015, relating to nonsubstantive additions to and corrections in
18 enacted codes.

19 SECTION 129. (a) Except as provided by Subsection (b) of
20 this section, this Act takes effect September 1, 2015.

21 (b) Sections [501.134](#)(b) and (c), Transportation Code, as
22 amended by this Act, take effect January 1, 2017.