

By: Swanson

H.B. No. 3678

A BILL TO BE ENTITLED

AN ACT

relating to the registration and inspection periods for motor vehicles.

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

SECTION 1. Section 382.0622(a), Health and Safety Code, is amended to read as follows:

(a) Clean Air Act fees consist of:

(1) fees collected by the commission under Sections 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided by law;

(2) \$2 from the portion of each fee collected for inspections of vehicles other than mopeds and remitted to the state under Section [~~Sections~~] 548.501 [~~and 548.503~~], Transportation Code; and

(3) fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

SECTION 2. Section 502.001(5), Transportation Code, is amended to read as follows:

(5) "Combined gross weight" means the empty weight of the truck-tractor or commercial motor vehicle combined with the empty weight of the heaviest semitrailer used or to be used in combination with the truck-tractor or commercial motor vehicle plus the heaviest net load to be carried on the combination during the registration period [~~year~~].

SECTION 3. Sections 502.0023(a) and (d), Transportation Code, are amended to read as follows:

(a) Notwithstanding Section 502.044(c), the department shall develop and implement a system of registration to allow an owner of a commercial fleet to register the motor vehicles, semitrailers, and trailers in the commercial fleet for an extended registration period of not less than three years [~~one year~~] or more than nine [~~eight~~] years. The owner may select the number of years for registration under this section within that range and register the commercial fleet for that period. Payment for all registration fees for the entire registration period selected is due at the time of registration.

(d) A license plate issued under this section:

(1) may, on request of the owner, include the name or logo of the business entity that owns the vehicle;

(2) except as provided by Subsection (d-1), must include the expiration date of the registration period; and

(3) does not require a triennial [~~an annual~~] registration insignia to be valid.

SECTION 4. Section 502.040(a), Transportation Code, is amended to read as follows:

(a) Not more than 30 days after purchasing a vehicle or becoming a resident of this state, the owner of a motor vehicle, trailer, or semitrailer shall apply for the registration of the vehicle for:

(1) each registration period [~~year~~] in which the vehicle is used or to be used on a public highway; and

(2) if the vehicle is unregistered for a registration period [~~year~~] that has begun and that applies to the vehicle and if the vehicle is used or to be used on a public highway, the remaining portion of that registration period [~~year~~].

SECTION 5. Sections 502.044(a), (b), (c), and (e), Transportation Code, are amended to read as follows:

(a) The department shall designate a vehicle registration period [~~year~~] of 36 [~~12~~] consecutive months to begin on the first day of a calendar month and end on the last day of the 36th [~~12th~~] calendar month.

(b) The department shall designate vehicle registration years so as to distribute the work of the department and the county assessor-collectors as uniformly as possible throughout the year. The department may establish separate registration periods [~~years~~] for any vehicle or classification of vehicle and may adopt rules to administer the year-round registration system.

(c) The department may designate a registration period of less than 36 [~~12~~] months to be computed at a rate of 1/36 [~~one-twelfth~~] the triennial [~~annual~~] registration fee multiplied by the number of months in the registration period. The board by rule may allow payment of registration fees for a designated period not to exceed the amount of time determined by department rule.

(e) The department shall use the date of sale of the vehicle in designating the registration period [~~year~~] for a vehicle for which registration is applied for under Section 501.0234.

SECTION 6. Sections 502.045(b), (c), and (d), Transportation Code, are amended to read as follows:

1           (b) An applicant for registration who provides evidence to  
2 establish good reason for delinquent registration and who complies  
3 with the other requirements for registration under this chapter may  
4 register the vehicle for a 36-month [~~12-month~~] period that ends on  
5 the last day of the 35th [~~11th~~] month after the month in which the  
6 registration occurs under this subsection.

7           (c) An applicant for registration who is delinquent and has  
8 not provided evidence acceptable to establish good reason for  
9 delinquent registration but who complies with the other  
10 requirements for registration under this chapter shall register the  
11 vehicle for a 36-month [~~12-month~~] period without changing the  
12 initial month of registration.

13           (d) A person who has been arrested or received a citation  
14 for a violation of Section 502.472 may register the vehicle being  
15 operated at the time of the offense for a 36-month [~~12-month~~] period  
16 without change to the initial month of registration only if the  
17 person:

18                   (1) meets the other requirements for registration  
19 under this chapter; and

20                   (2) pays an additional charge equal to 20 percent of  
21 the prescribed fee.

22           SECTION 7. Sections 502.092(d) and (e), Transportation  
23 Code, are amended to read as follows:

24           (d) A nonresident owner may not obtain more than three  
25 permits under this section during a calendar [~~registration~~] year.

26           (e) A vehicle for which a permit is issued under this  
27 section may not be operated in this state after the permit expires

1 unless the owner:

2 (1) obtains another temporary permit; or

3 (2) registers the vehicle under Section 502.253,  
4 502.254, 502.255, or 502.256, as appropriate, for the remainder of  
5 the registration period [~~year~~].

6 SECTION 8. Section 502.093(b), Transportation Code, is  
7 amended to read as follows:

8 (b) A permit issued under this section is valid for 12  
9 months [~~a vehicle registration year~~] to begin on the first day of a  
10 calendar month designated by the department and end on the last day  
11 of the 11th [~~last~~] calendar month [~~of the registration year~~].

12 SECTION 9. Sections 502.1585(c) and (d), Transportation  
13 Code, are amended to read as follows:

14 (c) A registration period designated under this section  
15 must begin on the first day of a calendar month and end on the last  
16 day of a calendar month and may not be for less than 36 [~~12~~] months.

17 (d) The registration fee for a registration period  
18 designated under this section is computed at a rate of 1/36  
19 [~~one-twelfth~~] the triennial [~~annual~~] registration fee multiplied  
20 by the number of months in the designated registration period.

21 SECTION 10. Section 502.168, Transportation Code, is  
22 amended to read as follows:

23 Sec. 502.168. FEE: MOTOR BUS. The fee for a registration  
24 period [~~year~~] for registration of a motor bus is the fee prescribed  
25 by Section 502.252 or 502.253, as applicable.

26 SECTION 11. Section 502.193(a), Transportation Code, is  
27 amended to read as follows:

1           (a) A county assessor-collector who receives from any  
2 person a check or draft for payment of a registration fee for a  
3 registration period [~~year~~] that has not ended that is returned  
4 unpaid because of insufficient funds or no funds in the bank or  
5 trust company to the credit of the drawer of the check or draft  
6 shall certify the fact to the sheriff or a constable or highway  
7 patrol officer in the county after attempts to contact the person  
8 fail to result in the collection of payment. The certification must  
9 be made before the 30th day after the date the check or draft is  
10 returned unpaid and:

- 11                   (1) be under the assessor-collector's official seal;  
12                   (2) include the name and address of the person who gave  
13 the check or draft;  
14                   (3) include the license plate number and make of the  
15 vehicle;  
16                   (4) be accompanied by the check or draft; and  
17                   (5) be accompanied by documentation of any attempt to  
18 contact the person and collect payment.

19           SECTION 12. Section 502.1931(a), Transportation Code, is  
20 amended to read as follows:

21           (a) A county assessor-collector who receives from any  
22 person a payment by credit card or debit card for a registration fee  
23 for a registration period [~~year~~] that has not ended that is returned  
24 unpaid because the payment by the credit card or debit card has been  
25 disputed by the credit card or debit card company shall certify the  
26 fact to the sheriff or a constable or highway patrol officer in the  
27 county after attempts to contact the person fail to result in the

1 collection of payment. The certification must be made before the  
2 30th day after the date the assessor-collector is made aware that  
3 the credit card or debit card payment has been disputed and:

- 4 (1) be under the assessor-collector's official seal;
- 5 (2) include the name and address of the person who  
6 authorized the credit card or debit card payment;
- 7 (3) include the license plate number and make of the  
8 vehicle;
- 9 (4) be accompanied by evidence from the credit card or  
10 debit card company that the company has determined that it will not  
11 make payment on the disputed credit card or debit card charge; and  
12 (5) be accompanied by documentation of any attempt to  
13 contact the person and collect payment.

14 SECTION 13. Section [502.194](#), Transportation Code, is  
15 amended to read as follows:

16 Sec. 502.194. CREDIT FOR REGISTRATION FEE PAID ON MOTOR  
17 VEHICLE SUBSEQUENTLY DESTROYED. (a) The owner of a motor vehicle  
18 that is destroyed to the extent that it cannot afterwards be  
19 operated on a public highway is entitled to a registration fee  
20 credit if the prorated portion of the registration fee for the  
21 remainder of the registration period [~~year~~] is more than \$15. The  
22 owner must claim the credit by sending the registration fee receipt  
23 for the vehicle to the department.

24 (b) The department, on satisfactory proof that the vehicle  
25 is destroyed, shall issue a registration fee credit slip to the  
26 owner in an amount equal to the prorated portion of the registration  
27 fee for the remainder of the registration period [~~year~~]. The owner,

during the same or the next registration period [~~year~~], may use the registration fee credit slip as payment or part payment for the registration of another vehicle to the extent of the credit.

SECTION 14. Section 502.195(a), Transportation Code, is amended to read as follows:

(a) The owner of a motor vehicle who pays a [~~an annual~~] registration fee in excess of the statutory amount is entitled to a refund of the overcharge.

SECTION 15. Section 502.251, Transportation Code, is amended to read as follows:

Sec. 502.251. FEE: MOTORCYCLE OR MOPED. The fee for a registration period [~~year~~] for registration of a motorcycle or moped is \$30.

SECTION 16. Section 502.252, Transportation Code, is amended to read as follows:

Sec. 502.252. FEE: VEHICLES THAT WEIGH 6,000 POUNDS OR LESS. [~~(a)~~] The fee for a registration period [~~year~~] for registration of a vehicle with a gross weight of 6,000 pounds or less is \$50.75, unless otherwise provided in this chapter.

SECTION 17. Section 502.253, Transportation Code, is amended to read as follows:

Sec. 502.253. FEE: VEHICLES THAT WEIGH MORE THAN 6,000 POUNDS. The fee for a registration period [~~year~~] for registration of a vehicle with a gross weight of more than 6,000 pounds is as follows unless otherwise provided in this chapter:

Weight Classification	Fee Schedule
in pounds	



1	6,001-10,000	\$54.00
2	10,001-18,000	\$110.00
3	18,001-25,999	\$205.00
4	26,000-40,000	\$340.00
5	40,001-54,999	\$535.00
6	55,000-70,000	\$740.00
7	70,001-80,000	\$840.00

8       SECTION 18. Section [502.254](#), Transportation Code, is  
9 amended to read as follows:

10       Sec. 502.254. FEE: TRAILER, TRAVEL TRAILER, OR SEMITRAILER.

11       (a) The fee for a registration period [~~year~~] for registration of a  
12 trailer, travel trailer, or semitrailer with a gross weight of  
13 6,000 pounds or less is \$45.00.

14       (b) The fee for a registration period [~~year~~] for  
15 registration of a trailer, travel trailer, or semitrailer with a  
16 gross weight of more than 6,000 pounds is calculated by gross weight  
17 according to Section [502.253](#).

18       SECTION 19. Sections [502.255](#)(b), (c), and (i),  
19 Transportation Code, are amended to read as follows:

20       (b) The fee for a registration period [~~year~~] for  
21 registration of a truck-tractor or commercial motor vehicle is  
22 calculated by gross weight according to Section [502.253](#).

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

27       (i) The department shall issue a license plate for a token

1 trailer registered under this section that does not expire or  
2 require a triennial [~~an annual~~] registration insignia to be valid.  
3 The alphanumeric pattern for a license plate issued under this  
4 subsection may remain on a token trailer for as long as the  
5 registration of the token trailer is renewed or until the token  
6 trailer is removed from service or sold. The registration receipt  
7 required under Section 621.002 is not required for a vehicle that  
8 displays a license plate issued under this subsection.

9 SECTION 20. Section 502.256, Transportation Code, is  
10 amended to read as follows:

11 Sec. 502.256. FEE: ROAD TRACTOR. The fee for a registration  
12 period [~~year~~] for registration of a road tractor is the fee  
13 prescribed by weight as certified by a public weigher or a license  
14 and weight inspector of the Department of Public Safety under  
15 Section 502.252 or 502.253, as applicable.

16 SECTION 21. Section 502.431, Transportation Code, is  
17 amended to read as follows:

18 Sec. 502.431. FEE: MOTOR VEHICLE USED EXCLUSIVELY TO  
19 TRANSPORT AND SPREAD FERTILIZER. The fee for a registration period  
20 [~~year~~] for registration of a motor vehicle designed or modified and  
21 used exclusively to transport to the field and spread fertilizer,  
22 including agricultural limestone, is \$75.

23 SECTION 22. Sections 502.432(a) and (c), Transportation  
24 Code, are amended to read as follows:

25 (a) The department shall provide for a monthly registration  
26 period for a truck-tractor or a commercial motor vehicle:

27 (1) that is used exclusively to transport a seasonal

1 agricultural product;

2 (2) that would otherwise be registered for a vehicle  
3 registration period [~~year~~]; and

4 (3) for which the owner can show proof of payment of  
5 the heavy vehicle use tax or exemption.

6 (c) The registration fee for a registration under this  
7 section is computed at a rate of  $\frac{1}{36}$  [~~one-twelfth~~] the triennial  
8 [~~annual~~] registration fee under Section 502.253, 502.255, or  
9 502.433, as applicable, multiplied by the number of months in the  
10 registration period specified in the application for the  
11 registration, which may not be less than one month or longer than  
12 six months.

13 SECTION 23. Sections 502.434(b) and (d), Transportation  
14 Code, are amended to read as follows:

15 (b) A permit may not be issued under this section for a  
16 period that is less than one month or that:

17 (1) is greater than one year; or

18 (2) extends beyond the expiration of the registration  
19 period [~~year~~] for the vehicle.

20 (d) The fee for a permit under this section is a percentage  
21 of the difference between the triennial registration fee otherwise  
22 prescribed for the vehicle and the triennial registration [~~annual~~]  
23 fee for the desired weight, as follows:

24	One month (30 consecutive days)	10 percent
25	One quarter	30 percent
26	Two quarters	60 percent
27	Three quarters	90 percent

SECTION 24. Sections 502.491(c) and (d), Transportation Code, are amended to read as follows:

(c) On the sale or transfer of a vehicle to a dealer, as defined by Section 503.001, who holds a general distinguishing number issued under Chapter 503, the registration period remaining at the time of the sale or transfer expires at the time of the sale or transfer. On the sale of a used vehicle by a dealer, the dealer shall issue to the buyer new registration documents for an entire registration period ~~[year]~~.

(d) If the transferor has paid for more than one ~~[year of]~~ registration period, the department may credit the transferor for any time remaining on the registration in annual increments.

SECTION 25. Section 548.101, Transportation Code, is amended to read as follows:

Sec. 548.101. GENERAL THREE-YEAR ~~[ONE-YEAR]~~ INSPECTION PERIOD. (a) The ~~[Except as provided by Section 548.102, the]~~ department shall require an ~~[annual]~~ inspection every third year. The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that:

(1) a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration; and

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

(b) This section does not affect a requirement that a motor vehicle emission inspection be conducted more often than once every

1 three years for a vehicle registered in a county covered by an  
2 inspection and maintenance program approved by the United States  
3 Environmental Protection Agency under Section 548.301 and the Clean  
4 Air Act (42 U.S.C. Section 7401 et seq.).

5 SECTION 26. Section 548.254, Transportation Code, is  
6 amended to read as follows:

7 Sec. 548.254. VALIDITY OF VEHICLE INSPECTION REPORT. A  
8 vehicle inspection report is invalid after the end of the 36th  
9 ~~[12th]~~ month following the month in which the report is issued.

10 SECTION 27. Section 548.501(a), Transportation Code, is  
11 amended to read as follows:

12 (a) Except as provided by Section ~~[Sections 548.503 and]~~  
13 548.504, the fee for inspection of a motor vehicle other than a  
14 moped is \$12.50. The fee for inspection of a moped is \$5.75.

15 SECTION 28. Section 548.505(a), Transportation Code, is  
16 amended to read as follows:

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

21 (1) providing inspections; and

22 (2) administering the program.

23 SECTION 29. Sections 548.102 and 548.503, Transportation  
24 Code, are repealed.

25 SECTION 30. This Act applies only to the registration of a  
26 motor vehicle that is applied for on or after the effective date of  
27 this Act.

H.B. No. 3678

1       SECTION 31.   This Act takes effect September 1, 2017.