86R1729 AJZ/JXC-D

By:  Hall S.B. No. 87

A BILL TO BE ENTITLED

AN ACT

relating to the repeal of the driver responsibility program and the vehicle safety inspection program for certain vehicles; imposing replacement fees.

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

ARTICLE 1. DRIVER RESPONSIBILITY PROGRAM

SECTION 1.01.  Article 102.022(a), Code of Criminal Procedure, is amended to read as follows:

(a)  In this article, "moving violation" means an offense that:

(1)  involves the operation of a motor vehicle; and

(2)  is classified as a moving violation by the Department of Public Safety under Section 542.304 [~~708.052~~], Transportation Code.

SECTION 1.02.  Section 1001.112, Education Code, is amended by amending Subsection (a-1) and adding Subsection (a-2) to read as follows:

(a-1)  The rules must provide that the student driver spend a minimum number of hours in classroom and behind-the-wheel instruction.

(a-2)  The rules must provide [~~and~~] that the person conducting the course:

(1)  possess a valid license for the preceding three years that has not been suspended, revoked, or forfeited in the past three years for an offense that involves the operation of a motor vehicle;

(2)  has not been convicted of:

(A)  criminally negligent homicide; or

(B)  driving while intoxicated in the past seven years; and

(3)  has not been convicted during the preceding three years of:

(A)  three or more moving violations described by Section 542.304, Transportation Code, including violations that resulted in an accident; or

(B)  two or more moving violations described by Section 542.304, Transportation Code, that resulted in an accident [~~does not have six or more points assigned to the person's driver's license under Subchapter B, Chapter 708, Transportation Code, at the time the person begins conducting the course~~].

SECTION 1.03.  Section 411.110(f), Government Code, is amended to read as follows:

(f)  The Department of State Health Services may not consider offenses described by [~~for which points are assessed under~~] Section 542.304 [~~708.052~~], Transportation Code, to determine whether to hire or retain an employee or to contract with a person on whom criminal history record information is obtained under this section.

SECTION 1.04.  Section 773.0614(b), Health and Safety Code, is amended to read as follows:

(b)  For purposes of Subsection (a), the department may not consider offenses described by [~~for which points are assessed under~~] Section 542.304 [~~708.052~~], Transportation Code.

SECTION 1.05.  Section 773.06141(a), Health and Safety Code, is amended to read as follows:

(a)  The department may suspend, revoke, or deny an emergency medical services provider license on the grounds that the provider's administrator of record, employee, or other representative:

(1)  has been convicted of, or placed on deferred adjudication community supervision or deferred disposition for, an offense that directly relates to the duties and responsibilities of the administrator, employee, or representative, other than an offense described by [~~for which points are assigned under~~] Section 542.304 [~~708.052~~], Transportation Code;

(2)  has been convicted of or placed on deferred adjudication community supervision or deferred disposition for an offense, including:

(A)  an offense listed in Article 42A.054(a)(2), (3), (4), (6), (7), (8), (10), or (14), Code of Criminal Procedure; or

(B)  an offense, other than an offense described by Subdivision (1), for which the person is subject to registration under Chapter 62, Code of Criminal Procedure; or

(3)  has been convicted of Medicare or Medicaid fraud, has been excluded from participation in the state Medicaid program, or has a hold on payment for reimbursement under the state Medicaid program under Subchapter C, Chapter 531, Government Code.

SECTION 1.06.  Section 780.002, Health and Safety Code, is amended to read as follows:

Sec. 780.002.  CERTAIN DEPOSITS TO ACCOUNT. The comptroller shall deposit any gifts, grants, donations, and legislative appropriations made for the purposes of the designated trauma facility and emergency medical services account established under Section 780.003 to the credit of the account. [~~(a) On the first Monday of each month, the Department of Public Safety shall remit the surcharges collected during the previous month under the driver responsibility program operated by that department under Chapter 708, Transportation Code, to the comptroller.~~

[~~(b)  The comptroller shall deposit 49.5 percent of the money received under Subsection (a) to the credit of the account established under this chapter and 49.5 percent of the money to the general revenue fund. The remaining one percent of the amount of the surcharges shall be deposited to the general revenue fund and may be appropriated only to the Department of Public Safety for administration of the driver responsibility program operated by that department under Chapter 708, Transportation Code.~~

[~~(c)  Notwithstanding Subsection (b), in any state fiscal year the comptroller shall deposit 49.5 percent of the surcharges collected under Chapter 708, Transportation Code, to the credit of the general revenue fund only until the total amount of the surcharges deposited to the credit of the general revenue fund under Subsection (b), and the state traffic fines deposited to the credit of that fund under Section 542.4031(g)(1), Transportation Code, equals $250 million for that year. If in any state fiscal year the amount received by the comptroller under those laws for deposit to the credit of the general revenue fund exceeds $250 million, the comptroller shall deposit the additional amount to the credit of the Texas mobility fund.~~]

SECTION 1.07.  Section 502.357(b), Transportation Code, is amended to read as follows:

(b)  Fees collected under this section shall be deposited to the credit of the state highway fund except that the comptroller shall provide for a portion of the fees to be deposited first to the credit of a special fund in the state treasury outside the general revenue fund to be known as the TexasSure Fund in a total amount that is necessary to cover the total amount appropriated to the Texas Department of Insurance from that fund and for the remaining fees to be deposited to the state highway fund. Subject to appropriations, the money deposited to the credit of the state highway fund under this section may be used by the Department of Public Safety to:

(1)  support the Department of Public Safety's reengineering of the driver's license system to provide for the issuance by the Department of Public Safety of a driver's license or personal identification certificate, to include use of image comparison technology; and

(2)  [~~establish and maintain a system to support the driver responsibility program under Chapter 708; and~~

[~~(3)~~]  make lease payments to the master lease purchase program for the financing of the driver's license reengineering project.

SECTION 1.08.  Subchapter C, Chapter 542, Transportation Code, is amended by adding Section 542.304 to read as follows:

Sec. 542.304.  MOVING VIOLATIONS FOR CERTAIN PURPOSES. (a) The department by rule shall designate the offenses involving the operation of a motor vehicle that constitute a moving violation of the traffic law for the purposes of:

(1)  Article 102.022(a), Code of Criminal Procedure;

(2)  Section 1001.112(a-2), Education Code;

(3)  Section 411.110(f), Government Code; and

(4)  Sections 773.0614(b) and 773.06141(a), Health and Safety Code.

(b)  The rules must provide that for the purposes of the provisions described in Subsection (a), moving violations:

(1)  include:

(A)  a violation of the traffic law of this state, another state, or a political subdivision of this or another state; and

(B)  an offense under Section 545.412; and

(2)  do not include:

(A)  an offense committed before September 1, 2003;

(B)  the offense of speeding when the person convicted was at the time of the offense driving less than 10 percent faster than the posted speed limit, unless the person committed the offense in a school crossing zone;

(C)  an offense adjudicated under Article 45.051 or 45.0511, Code of Criminal Procedure; or

(D)  an offense under Section 545.4251.

SECTION 1.09.  Section 601.233(a), Transportation Code, is amended to read as follows:

(a)  A citation for an offense under Section 601.191 issued as a result of Section 601.053 must include, in type larger than other type on the citation, [~~except for the type of the statement required by Section 708.105,~~] the following statement:

"A second or subsequent conviction of an offense under the Texas Motor Vehicle Safety Responsibility Act will result in the suspension of your driver's license and motor vehicle registration unless you file and maintain evidence of financial responsibility with the Department of Public Safety for two years from the date of conviction.  The department may waive the requirement to file evidence of financial responsibility if you file satisfactory evidence with the department showing that at the time this citation was issued, the vehicle was covered by a motor vehicle liability insurance policy or that you were otherwise exempt from the requirements to provide evidence of financial responsibility."

SECTION 1.10.  Chapter 708, Transportation Code, is repealed.

SECTION 1.11.  The repeal by this Act of Chapter 708, Transportation Code, applies to any surcharge pending on the effective date of this Act, regardless of whether the surcharge was imposed before that date.

ARTICLE 2. VEHICLE SAFETY INSPECTION PROGRAM

SECTION 2.01.  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)  each amount described by Sections 548.510(d)(3) and (f)(2) [~~$2 from the portion of each fee collected for inspections of vehicles other than mopeds and remitted to the state under 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 2.02.  Section 382.202, Health and Safety Code, is amended by amending Subsection (d) and adding Subsection (e-1) to read as follows:

(d)  On adoption of a resolution by the commission and after proper notice, the Department of Public Safety of the State of Texas shall implement a system that requires, [~~as a condition of obtaining a passing vehicle inspection report issued under Subchapter C, Chapter 548, Transportation Code,~~] in a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F, Chapter 548, Transportation Code [~~of that chapter~~], that a motor vehicle registered in this state [~~the vehicle~~], unless the vehicle is not covered by the system, be annually or biennially inspected under the vehicle emissions inspection and maintenance program as required by the state's air quality state implementation plan. The Department of Public Safety shall implement such a system when it is required by any provision of federal or state law, including any provision of the state's air quality state implementation plan.

(e-1)  The portion of a fee imposed under Subsection (e) that is not authorized to be retained by an inspection station must be collected as provided by Section 548.509, Transportation Code.

SECTION 2.03.  Section 382.203(c), Health and Safety Code, is amended to read as follows:

(c)  The Department of Public Safety of the State of Texas by rule may waive program requirements, in accordance with standards adopted by the commission, for certain vehicles and vehicle owners, including:

(1)  the registered owner of a vehicle who cannot afford to comply with the program, based on reasonable income standards;

(2)  a vehicle that cannot be brought into compliance with emissions standards by performing repairs;

(3)  a vehicle:

(A)  on which at least $100 has been spent to bring the vehicle into compliance; and

(B)  that the department[~~:~~

[~~(i)~~]  can verify is driven an average of less than 5,000 miles each year [~~was driven fewer than 5,000 miles since the last safety inspection; and~~

[~~(ii)  reasonably determines will be driven fewer than 5,000 miles during the period before the next safety inspection is required~~]; and

(4)  a vehicle for which parts are not readily available.

SECTION 2.04.  Section 780.003(b), Health and Safety Code, is amended to read as follows:

(b)  The account is composed of money deposited to the credit of the account under Sections 542.406, 548.510, and 707.008, Transportation Code, and under Section 780.002 of this code.

SECTION 2.05.  Section 502.047(a), Transportation Code, is amended to read as follows:

(a)  Except as provided by Chapter 548, the department and the Department of Public Safety shall ensure compliance with [~~the~~] motor vehicle inspection requirements under Chapter 548[~~, including compliance with the motor vehicle emissions inspection and maintenance program under Subchapter F of that chapter,~~] through a vehicle registration-based enforcement system.

SECTION 2.06.  Section 502.092(c), Transportation Code, is amended to read as follows:

(c)  A person may obtain a permit under this section by:

(1)  applying to the department in a manner prescribed by the department;

(2)  paying a fee equal to 1/12 the registration fee prescribed by this chapter for the vehicle;

(3)  furnishing satisfactory evidence that the motor vehicle is insured under an insurance policy that complies with Section 601.072 and that is written by:

(A)  an insurance company or surety company authorized to write motor vehicle liability insurance in this state; or

(B)  with the department's approval, a surplus lines insurer that meets the requirements of Chapter 981, Insurance Code, and rules adopted by the commissioner of insurance under that chapter, if the applicant is unable to obtain insurance from an insurer described by Paragraph (A); and

(4)  furnishing evidence that the vehicle has been inspected if [~~as~~] required under Chapter 548.

SECTION 2.07.  Section 502.094(e), Transportation Code, is amended to read as follows:

(e)  A vehicle issued a permit under this section is subject to [~~Subchapters B and F,~~] Chapter 548, unless the vehicle:

(1)  is registered in another state of the United States, in a province of Canada, or in a state of the United Mexican States; or

(2)  is mobile drilling or servicing equipment used in the production of gas, crude petroleum, or oil, including a mobile crane or hoisting equipment, mobile lift equipment, forklift, or tug.

SECTION 2.08.  Section 502.146(d), Transportation Code, is amended to read as follows:

(d)  A vehicle described by Subsection (b) is exempt from the inspection requirements of Subchapter [~~Subchapters B and~~] F, Chapter 548.

SECTION 2.09.  Section 547.601, Transportation Code, is amended to read as follows:

Sec. 547.601.  SAFETY BELTS REQUIRED. A motor vehicle [~~required by Chapter 548 to be inspected~~] shall be equipped with front safety belts if safety belt anchorages were part of the manufacturer's original equipment on the vehicle.

SECTION 2.10.  The heading to Chapter 548, Transportation Code, is amended to read as follows:

CHAPTER 548. [~~COMPULSORY~~] INSPECTION OF VEHICLES

SECTION 2.11.  Section 548.001(10), Transportation Code, is amended to read as follows:

(10)  "Vehicle inspection report" means a report issued by an inspector or an inspection station for a vehicle that indicates whether the vehicle has passed an inspection [~~the safety and, if applicable, emissions inspections~~] required by this chapter.

SECTION 2.12.  Section 548.006(b), Transportation Code, is amended to read as follows:

(b)  The members of the commission shall appoint seven members of the committee as follows:

(1)  four persons to represent inspection station owners and operators[~~, with two of those persons from counties conducting vehicle emissions testing under Subchapter F and two of those persons from counties conducting safety only inspections~~];

(2)  one person to represent manufacturers of motor vehicle emissions inspection devices;

(3)  one person to represent independent vehicle equipment repair technicians; and

(4)  one person to represent the public interest.

SECTION 2.13.  Section 548.053, Transportation Code, is transferred to Subchapter E, Chapter 548, Transportation Code, redesignated as Section 548.255, Transportation Code, and amended to read as follows:

Sec. 548.255  [~~548.053~~].  REINSPECTION OF VEHICLE REQUIRING ADJUSTMENT, CORRECTION, OR REPAIR. [~~(a)~~]  If an inspection discloses the necessity for adjustment, correction, or repair, an inspection station or inspector may not issue a passing vehicle inspection report until the adjustment, correction, or repair is made. The owner of the vehicle may have the adjustment, correction, or repair made by a qualified person of the owner's choice, subject to reinspection. The vehicle shall be reinspected once free of charge within 15 days after the date of the original inspection, not including the date the original inspection is made, at the same inspection station after the adjustment, correction, or repair is made.

[~~(b)  A vehicle that is inspected and is subsequently involved in an accident affecting the safe operation of an item of inspection must be reinspected following repair. The reinspection must be at an inspection station and shall be treated and charged as an initial inspection.~~]

SECTION 2.14.  Section 548.105, Transportation Code, is transferred to Subchapter E, Chapter 548, Transportation Code, and redesignated as Section 548.2521, Transportation Code, to read as follows:

Sec. 548.2521 [~~548.105~~].  EVIDENCE OF FINANCIAL RESPONSIBILITY AS PREREQUISITE TO ISSUANCE OF PASSING VEHICLE INSPECTION REPORT. (a)  An inspection station or inspector may not issue a passing vehicle inspection report for a vehicle unless the owner or operator furnishes evidence of financial responsibility at the time of inspection. Evidence of financial responsibility may be shown in the manner specified under Section 601.053(a). A personal automobile insurance policy used as evidence of financial responsibility must be written for a term of 30 days or more as required by Section 1952.054, Insurance Code.

(b)  An inspection station is not liable to a person, including a third party, for issuing a passing vehicle inspection report in reliance on evidence of financial responsibility furnished to the station. An inspection station that is the seller of a motor vehicle may rely on an oral insurance binder.

SECTION 2.15.  Sections 548.203(a) and (b), Transportation Code, are amended to read as follows:

(a)  The commission by rule may exempt a type of commercial motor vehicle from the application of this subchapter if the vehicle:

(1)  was manufactured before September 1, 1995;

(2)  is operated only temporarily on a highway of this state and at a speed of less than 30 miles per hour; and

(3)  complies with [~~Section 548.051 and~~] each applicable provision in Title 49, Code of Federal Regulations.

(b)  A [~~Notwithstanding Subchapter B, a~~] commercial motor vehicle is not subject to the inspection requirements of this chapter if the vehicle:

(1)  is not domiciled in this state;

(2)  is registered in this state or under the International Registration Plan as authorized by Section 502.091; and

(3)  has been issued a certificate of inspection in compliance with federal motor carrier safety regulations.

SECTION 2.16.  Subchapter E, Chapter 548, Transportation Code, is amended by adding Section 548.257 to read as follows:

Sec. 548.257.  TIMING OF INSPECTION FOR REGISTRATION-BASED ENFORCEMENT. The commission shall require a vehicle required to be inspected under this chapter to pass the required inspection:

(1)  for initial registration, not earlier than 90 days before the date of registration;

(2)  for a renewal of registration, not earlier than 90 days before the date of expiration of the vehicle's registration;

(3)  if the vehicle is a used motor vehicle sold by a dealer, as defined by Section 503.001, in the 180 days preceding the date the dealer sells the vehicle; or

(4)  if the vehicle is subject to the federal motor carrier safety regulations, in a period that complies with those regulations.

SECTION 2.17.  Section 548.505, Transportation Code, is amended to read as follows:

Sec. 548.505.  EMISSIONS-RELATED INSPECTION FEE. (a) The department by rule may impose an inspection fee for a vehicle inspected under Section 548.301(a) in addition to a fee adopted under Section 382.202, Health and Safety Code [~~the fee provided by Section 548.501, 548.502, 548.503, or 548.504~~]. A fee imposed under this subsection must be based on the costs of:

(1)  providing inspections; and

(2)  administering the program.

(b)  The department may provide a maximum fee for an inspection under this section [~~subchapter~~]. The department may not set a minimum fee for an inspection under this section [~~subchapter~~].

SECTION 2.18.  Section 548.5055(c), Transportation Code, is amended to read as follows:

(c)  This section expires on the date Chapter 386, Health and Safety Code, expires as provided by Section 386.002, Health and Safety Code [~~August 31, 2019~~].

SECTION 2.19.  Section 548.508, Transportation Code, is amended to read as follows:

Sec. 548.508.  DISPOSITION OF FEES. Except as provided by Sections 382.0622 and 382.202, Health and Safety Code, and Sections [~~Section~~] 548.5055 and 548.510, each fee remitted to the comptroller under this subchapter shall be deposited to the credit of the Texas mobility fund.

SECTION 2.20.  Section 548.509, Transportation Code, is amended to read as follows:

Sec. 548.509.  COLLECTION OF FEE DURING REGISTRATION. (a) The Texas Department of Motor Vehicles or a county assessor-collector that registers a motor vehicle that is subject to an inspection fee under this chapter or Section 382.202, Health and Safety Code, shall collect at the time of registration of the motor vehicle the portion of the inspection fee that is required to be remitted to the state.

(b)  The Texas Department of Motor Vehicles or the county assessor-collector shall remit the fee to the comptroller.

SECTION 2.21.  Section 548.510, Transportation Code, is amended to read as follows:

Sec. 548.510.  INSPECTION PROGRAM REPLACEMENT AND TRAUMA CARE FEES [~~FEE FOR CERTAIN VEHICLES NOT SUBJECT TO INSPECTION~~]; COLLECTION OF FEE DURING REGISTRATION. (a) In addition to other fees imposed at the time of registration of a vehicle, at the time of application for registration or renewal of registration of a vehicle, the applicant shall pay an annual fee of:

(1)  $9.25 for a passenger car or light truck that:

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

(B)  has not been previously registered in this or another state; and

(C)  on the date of sale is of the current model year or preceding model year;

(2)  $7.50 for a trailer, semitrailer, pole trailer, or mobile home [~~A vehicle described by Section 548.052(3)~~] that has an actual gross weight or registered gross weight of more than 4,500 pounds and less than 7,501 pounds;

(3)  $0.25 for a moped; and

(4)  $12.50 for a motor vehicle that is not subject to a fee under Subdivision (1) or (2) [~~is subject to a fee in the amount of $7.50~~].

(b)  The Texas Department of Motor Vehicles or a county assessor-collector that registers a vehicle described by this section [~~Subsection (a)~~] shall collect at the time of registration of the vehicle the fee prescribed by this section [~~Subsection (a)~~]. The Texas Department of Motor Vehicles or the county assessor-collector, as applicable, shall remit the fee to the comptroller.

(c)  Each fee remitted to the comptroller under Subsection (a)(1) shall be deposited to the credit of the Texas mobility fund.

(d)  Each fee remitted to the comptroller under Subsection (a)(2) [~~this section~~] shall be deposited as follows:

(1)  $3.50 to the credit of the Texas mobility fund;

(2)  $2 to the credit of the general revenue fund; and

(3)  $2 to the credit of the clean air account.

(e)  Each fee remitted to the comptroller under Subsection (a)(3) shall be deposited to the credit of the designated trauma facility and emergency medical services account established under Section 780.003, Health and Safety Code.

(f)  Each fee remitted to the comptroller under Subsection (a)(4) shall be deposited as follows:

(1)  $3.50 of each fee to the credit of the Texas mobility fund;

(2)  $2 of each fee to the credit of the clean air account; and

(3)  $7 to the credit of the designated trauma facility and emergency medical services account established under Section 780.003, Health and Safety Code.

(g)  A [~~(c) The~~] fee collected under this section [~~Subsection (a)~~] is not a motor vehicle registration fee and the revenue collected from the fee is not required to be used for a purpose specified by Section 7-a, Article VIII, Texas Constitution.

SECTION 2.22.  Subchapter H, Chapter 548, Transportation Code, is amended by adding Section 548.511 to read as follows:

Sec. 548.511.  VEHICLES NOT SUBJECT TO INSPECTION PROGRAM REPLACEMENT OR TRAUMA CARE FEE. Section 548.510 does not apply to:

(1)  a vehicle that is being registered under the International Registration Plan as authorized by Section 502.091;

(2)  a token trailer that is being registered under Section 502.255, including a token trailer that is being registered for an extended period under Section 502.0023;

(3)  a vehicle that is issued a permit under Section 502.094 and is described by Section 502.094(e)(1) or (2);

(4)  an antique, custom, or street rod vehicle that is issued a specialty license plate under Section 504.501;

(5)  a former military vehicle that is issued a specialty license plate under Section 504.502;

(6)  a log loader vehicle that is issued a specialty license plate under Section 504.506;

(7)  farm machinery, road-building equipment, a farm trailer, or a vehicle required to display a slow-moving-vehicle emblem under Section 547.703;

(8)  a commercial motor vehicle that is required to be inspected under Subchapter D or that is subject to fees under Section 548.203(c);

(9)  a vehicle that is being registered under Section 548.256(b);

(10)  a neighborhood electric vehicle, as defined by Section 551.301;

(11)  a trailer, semitrailer, pole trailer, or mobile home that will move under or bear a factory-delivery license plate or in-transit license plate;

(12)  a vehicle that will move under or bear a paper dealer in-transit tag, machinery license, disaster license, parade license, prorate tab, one-trip permit, vehicle temporary transit permit, antique license, custom vehicle license, street rod license, temporary 24-hour permit, or permit license; or

(13)  a vehicle qualified for a tax exemption under Section 152.092, Tax Code.

SECTION 2.23.  Section 548.603(a), Transportation Code, is amended to read as follows:

(a)  A person commits an offense if the person:

(1)  presents to an official of this state or a political subdivision of this state a vehicle inspection report or insurance document knowing that the report or document is counterfeit, tampered with, altered, fictitious, issued for another vehicle, issued for a vehicle failing to meet all emissions inspection requirements, or issued in violation of:

(A)  this chapter, rules adopted under this chapter, or other law of this state; or

(B)  a law of another state, the United States, the United Mexican States, a state of the United Mexican States, Canada, or a province of Canada; or

(2)  [~~with intent to circumvent the emissions inspection requirements seeks an inspection of a vehicle at a station not certified to perform an emissions inspection if the person knows that the vehicle is required to be inspected under Section 548.301; or~~

[~~(3)~~]  knowingly does not comply with an emissions inspection requirement for a vehicle.

SECTION 2.24.  Section 548.604(a), Transportation Code, is amended to read as follows:

(a)  A person commits an offense if the person operates or moves a motor vehicle, trailer, semitrailer, pole trailer, or mobile home, or a combination of those vehicles, that is[~~:~~

[~~(1)~~]  equipped in violation of this chapter or a rule adopted under this chapter[~~; or~~

[~~(2)  in a mechanical condition that endangers a person, including the operator or an occupant, or property~~].

SECTION 2.25.  The following provisions of the Transportation Code are repealed:

(1)  the heading to Subchapter B, Chapter 548;

(2)  Sections 548.051 and 548.052;

(3)  the heading to Subchapter C, Chapter 548;

(4)  Sections 548.101, 548.102, 548.103, and 548.104;

(5)  Sections 548.301(d) and 548.3045(b); and

(6)  Sections 548.501, 548.502, and 548.503.

ARTICLE 3. TRANSITION

SECTION 3.01.  The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

ARTICLE 4. EFFECTIVE DATE

SECTION 4.01.  This Act takes effect January 1, 2020.