

By: Hall

S.B. No. 87

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the repeal of the driver responsibility program and the
3 vehicle safety inspection program for certain vehicles; imposing
4 replacement fees.

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

6 ARTICLE 1. DRIVER RESPONSIBILITY PROGRAM

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

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

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

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

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

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

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

23 (1) possess a valid license for the preceding three
24 years that has not been suspended, revoked, or forfeited in the past

1 three years for an offense that involves the operation of a motor
2 vehicle;

3 (2) has not been convicted of:

4 (A) criminally negligent homicide; or

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

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

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

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

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

19 (f) The Department of State Health Services may not consider
20 offenses described by ~~[for which points are assessed under]~~ Section
21 542.304 ~~[708.052]~~, Transportation Code, to determine whether to
22 hire or retain an employee or to contract with a person on whom
23 criminal history record information is obtained under this section.

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

26 (b) For purposes of Subsection (a), the department may not
27 consider offenses described by ~~[for which points are assessed~~

1 ~~under~~] Section 542.304 [~~708.052~~], Transportation Code.

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

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

8 (1) has been convicted of, or placed on deferred
9 adjudication community supervision or deferred disposition for, an
10 offense that directly relates to the duties and responsibilities of
11 the administrator, employee, or representative, other than an
12 offense described by [~~for which points are assigned under~~] Section
13 542.304 [~~708.052~~], Transportation Code;

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

17 (A) an offense listed in Article 42A.054(a)(2),
18 (3), (4), (6), (7), (8), (10), or (14), Code of Criminal Procedure;
19 or

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

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

27 SECTION 1.06. Section 780.002, Health and Safety Code, is

1 amended to read as follows:

2 Sec. 780.002. CERTAIN DEPOSITS TO ACCOUNT. The comptroller
3 shall deposit any gifts, grants, donations, and legislative
4 appropriations made for the purposes of the designated trauma
5 facility and emergency medical services account established under
6 Section 780.003 to the credit of the account. [~~(a) On the first~~
7 ~~Monday of each month, the Department of Public Safety shall remit~~
8 ~~the surcharges collected during the previous month under the driver~~
9 ~~responsibility program operated by that department under Chapter~~
10 ~~708, Transportation Code, to the comptroller.~~

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

19 ~~[(c) Notwithstanding Subsection (b), in any state fiscal~~
20 ~~year the comptroller shall deposit 49.5 percent of the surcharges~~
21 ~~collected under Chapter 708, Transportation Code, to the credit of~~
22 ~~the general revenue fund only until the total amount of the~~
23 ~~surcharges deposited to the credit of the general revenue fund~~
24 ~~under Subsection (b), and the state traffic fines deposited to the~~
25 ~~credit of that fund under Section 542.4031(g)(1), Transportation~~
26 ~~Code, equals \$250 million for that year. If in any state fiscal~~
27 ~~year the amount received by the comptroller under those laws for~~

1 ~~deposit to the credit of the general revenue fund exceeds \$250~~
2 ~~million, the comptroller shall deposit the additional amount to the~~
3 ~~credit of the Texas mobility fund.]~~

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

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

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

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

24 [~~3~~] make lease payments to the master lease purchase
25 program for the financing of the driver's license reengineering
26 project.

27 SECTION 1.08. Subchapter C, Chapter 542, Transportation

1 Code, is amended by adding Section 542.304 to read as follows:

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

- 6 (1) Article 102.022(a), Code of Criminal Procedure;
7 (2) Section 1001.112(a-2), Education Code;
8 (3) Section 411.110(f), Government Code; and
9 (4) Sections 773.0614(b) and 773.06141(a), Health and
10 Safety Code.

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

- 13 (1) include:
14 (A) a violation of the traffic law of this state,
15 another state, or a political subdivision of this or another state;
16 and

17 (B) an offense under Section 545.412; and

18 (2) do not include:

19 (A) an offense committed before September 1,
20 2003;

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

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

27 (D) an offense under Section 545.4251.

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

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

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

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

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

24 ARTICLE 2. VEHICLE SAFETY INSPECTION PROGRAM

25 SECTION 2.01. Section 382.0622(a), Health and Safety Code,
26 is amended to read as follows:

27 (a) Clean Air Act fees consist of:

1 (1) fees collected by the commission under Sections
2 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided
3 by law;

4 (2) each amount described by Sections 548.510(d)(3)
5 and (f)(2) [\$2 from the portion of each fee collected for
6 inspections of vehicles other than mopeds and remitted to the state
7 under Sections 548.501 and 548.503], Transportation Code; and

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

10 SECTION 2.02. Section 382.202, Health and Safety Code, is
11 amended by amending Subsection (d) and adding Subsection (e-1) to
12 read as follows:

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

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

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

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

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

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

15 (3) a vehicle:

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

18 (B) that the department[+
19 [~~(i)~~] can verify is driven an average of
20 less than 5,000 miles each year [~~was driven fewer than 5,000 miles~~
21 ~~since the last safety inspection, and~~

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

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

27 SECTION 2.04. Section 780.003(b), Health and Safety Code,

1 is amended to read as follows:

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

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

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

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

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

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

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

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

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

26 (B) with the department's approval, a surplus
27 lines insurer that meets the requirements of Chapter 981, Insurance

1 Code, and rules adopted by the commissioner of insurance under that
2 chapter, if the applicant is unable to obtain insurance from an
3 insurer described by Paragraph (A); and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (4) one person to represent the public interest.

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

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

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

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

22 Sec. 548.2521 [~~548.105~~]. EVIDENCE OF FINANCIAL
23 RESPONSIBILITY AS PREREQUISITE TO ISSUANCE OF PASSING VEHICLE
24 INSPECTION REPORT. (a) An inspection station or inspector may not
25 issue a passing vehicle inspection report for a vehicle unless the
26 owner or operator furnishes evidence of financial responsibility at
27 the time of inspection. Evidence of financial responsibility may

1 be shown in the manner specified under Section 601.053(a). A
2 personal automobile insurance policy used as evidence of financial
3 responsibility must be written for a term of 30 days or more as
4 required by Section 1952.054, Insurance Code.

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

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

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

- 15 (1) was manufactured before September 1, 1995;
16 (2) is operated only temporarily on a highway of this
17 state and at a speed of less than 30 miles per hour; and
18 (3) complies with [~~Section 548.051 and~~] each
19 applicable provision in Title 49, Code of Federal Regulations.

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

- 23 (1) is not domiciled in this state;
24 (2) is registered in this state or under the
25 International Registration Plan as authorized by Section 502.091;
26 and
27 (3) has been issued a certificate of inspection in

1 compliance with federal motor carrier safety regulations.

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

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

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

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

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

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

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

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

25 (1) providing inspections; and

26 (2) administering the program.

27 (b) The department may provide a maximum fee for an

1 inspection under this section [~~subchapter~~]. The department may not
2 set a minimum fee for an inspection under this section
3 [~~subchapter~~].

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

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

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

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

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

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

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

27 SECTION 2.21. Section 548.510, Transportation Code, is

1 amended to read as follows:

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

8 (1) \$9.25 for a passenger car or light truck that:

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

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

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

16 (2) \$7.50 for a trailer, semitrailer, pole trailer, or
17 mobile home [~~A vehicle described by Section 548.052(3)~~] that has an
18 actual gross weight or registered gross weight of more than 4,500
19 pounds and less than 7,501 pounds;

20 (3) \$0.25 for a moped; and

21 (4) \$12.50 for a motor vehicle that is not subject to a
22 fee under Subdivision (1) or (2) [~~is subject to a fee in the amount~~
23 ~~of \$7.50~~].

24 (b) The Texas Department of Motor Vehicles or a county
25 assessor-collector that registers a vehicle described by this
26 section [~~Subsection (a)~~] shall collect at the time of registration
27 of the vehicle the fee prescribed by this section [~~Subsection (a)~~].

1 The Texas Department of Motor Vehicles or the county
2 assessor-collector, as applicable, shall remit the fee to the
3 comptroller.

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

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

8 (1) \$3.50 to the credit of the Texas mobility fund;

9 (2) \$2 to the credit of the general revenue fund; and

10 (3) \$2 to the credit of the clean air account.

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

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

17 (1) \$3.50 of each fee to the credit of the Texas
18 mobility fund;

19 (2) \$2 of each fee to the credit of the clean air
20 account; and

21 (3) \$7 to the credit of the designated trauma facility
22 and emergency medical services account established under Section
23 780.003, Health and Safety Code.

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

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

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

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

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

10 (3) a vehicle that is issued a permit under Section
11 502.094 and is described by Section 502.094(e)(1) or (2);

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

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

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

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

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

24 (9) a vehicle that is being registered under Section
25 548.256(b);

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

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

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

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

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

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

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

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

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

25 (2) ~~[with intent to circumvent the emissions~~
26 ~~inspection requirements seeks an inspection of a vehicle at a~~
27 ~~station not certified to perform an emissions inspection if the~~

1 ~~person knows that the vehicle is required to be inspected under~~
2 ~~Section 548.301, or~~

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

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

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

10 ~~(1)~~ equipped in violation of this chapter or a rule
11 adopted under this chapter[+ ~~or~~

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

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

- 16 (1) the heading to Subchapter B, Chapter 548;
- 17 (2) Sections 548.051 and 548.052;
- 18 (3) the heading to Subchapter C, Chapter 548;
- 19 (4) Sections 548.101, 548.102, 548.103, and 548.104;
- 20 (5) Sections 548.301(d) and 548.3045(b); and
- 21 (6) Sections 548.501, 548.502, and 548.503.

22 ARTICLE 3. TRANSITION

23 SECTION 3.01. The change in law made by this Act applies
24 only to an offense committed on or after the effective date of this
25 Act. An offense committed before the effective date of this Act is
26 governed by the law in effect on the date the offense was committed,
27 and the former law is continued in effect for that purpose. For

1 purposes of this section, an offense was committed before the
2 effective date of this Act if any element of the offense occurred
3 before that date.

4 ARTICLE 4. EFFECTIVE DATE

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