

**House Bill 1755**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter A, Chapter 2301, Occupations Code, is amended by adding Section 2301.0045 to read as follows:

Sec. 2301.0045. NONAPPLICABILITY OF CHAPTER TO ASSEMBLED VEHICLES AND HOBBYIST. This chapter does not apply to an assembled vehicle or a hobbyist, as those terms are defined by Section 731.001, Transportation Code.

No equivalent provision.

SECTION 2. Subtitle J, Title 7, Transportation Code, is amended by adding Chapter 731 to read as follows:

CHAPTER 731. ASSEMBLED VEHICLES  
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 731.001. DEFINITIONS. (a) In this chapter:

(1) "Assembled vehicle" means a vehicle that:

(A) is assembled from two or more of the following three basic component parts:

(i) motor;

(ii) frame; and

(iii) body; and

(B) is:

(i) built, assembled, constructed, or reconstructed from new

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SECTION 1. Same as House version.

SECTION 2. Subchapter A, Chapter 2302, Occupations Code, is amended by adding Section 2302.009 to read as follows:

Sec. 2302.009. REBUILDING OF ASSEMBLED VEHICLE PROHIBITED. A salvage vehicle dealer may not, as part of engaging in a business or activity regulated under this chapter, rebuild an assembled vehicle, as defined by Section 731.001, Transportation Code.

SECTION 3. Subtitle J, Title 7, Transportation Code, is amended by adding Chapter 731 to read as follows:

CHAPTER 731. ASSEMBLED VEHICLES  
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 731.001. DEFINITIONS. (a) In this chapter:

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or used materials and parts by a hobbyist;  
(ii) altered or modified to the extent that the vehicle no longer reflects the original manufacturer's configuration;  
(iii) assembled from a kit; or  
(iv) partially built, assembled, constructed, or reconstructed by a manufacturer licensed under Chapter 2301, Occupations Code, except for the electrical or mechanical components, and sold to a hobbyist who completes the vehicle.

(2) "Board" means the board of the Texas Department of Motor Vehicles.

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(1) "Assembled motorcycle" means a motorcycle, as defined by Section 541.201, that is built or assembled by a hobbyist.  
(2) "Assembled motor vehicle" means a motor vehicle, as defined by Section 501.002(17)(A), that:  
(A) has a motor, body, and frame; and  
(B) is built or assembled by a hobbyist.  
(3) "Assembled trailer" means a trailer, semitrailer, or travel trailer, as those terms are defined by Section 501.002, that is built or assembled by a hobbyist.  
(4) "Assembled vehicle" means:  
(A) an assembled motor vehicle;  
(B) an assembled motorcycle;  
(C) an assembled trailer;  
(D) a custom vehicle;  
(E) a street rod;  
(F) a replica; or  
(G) a glider kit.  
(5) "Board" means the board of the Texas Department of Motor Vehicles.  
(6) "Custom vehicle" and "street rod" have the meanings assigned by Section 504.501.  
(7) "Glider kit" means a truck tractor, as defined by Section 541.201, that is built or assembled using:  
(A) a kit that typically consists of a new cab, frame, and front

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- (3) "Hobbyist" means a person who:
- (A) builds, assembles, constructs, or reconstructs an assembled vehicle or completes an assembled vehicle that was partially built, assembled, constructed, or reconstructed by a manufacturer licensed under Chapter 2301, Occupations Code; and
  - (B) is the owner of the assembled vehicle.
- (4) "Master technician" means a person who holds a master technician certification issued by the National Institute for Automotive Service Excellence.
- (5) "Owner" has the meaning assigned by Section 541.001.
- (6) "Title" has the meaning assigned by Section 501.002.
- (b) For purposes of Subsection (a)(1), the term "assembled vehicle" includes the following types of assembled vehicles:
- (1) kit vehicles;
  - (2) dune buggies;
  - (3) sand rails;
  - (4) glider kits;
  - (5) replicas;
  - (6) custom vehicles and street rods, as those terms are defined by Section 504.501;
  - (7) assembled motorcycles;
  - (8) assembled trailers; and

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- axle and new accessories; and
- (B) a used powertrain.
- (8) "Hobbyist" means a person who:
- (A) builds or assembles an assembled vehicle for personal use;
  - (B) does not engage in the continuous sale of vehicles, as defined by the department; and
  - (C) is not the maker of a kit or a manufacturer, as defined by Section 2301.002, Occupations Code.
- (9) "Master technician" means a person who holds a master technician certification issued by the National Institute for Automotive Service Excellence.
- (10) "Owner" has the meaning assigned by Section 541.001.
- (11) "Replica" means a vehicle that uses a manufactured prefabricated body or a body constructed from materials not original to the vehicle and that resembles an established make of a previous year vehicle model. The term may include a custom vehicle or street rod.
- (12) "Title" and "vehicle identification number" have the meanings assigned by Section 501.002.
- (13) "Vehicle" has the meaning assigned by Section 502.001.
- (b) For purposes of Subsection (a)(4), the term "assembled vehicle" does not include a golf cart, as defined by Section 551.401, or an off-highway vehicle, as defined by Section 663.001, regardless of whether the vehicle is built or assembled by a hobbyist.

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(9) assembled semitrailers.

Sec. 731.002. RULES. The board may adopt rules as necessary to implement and administer this chapter.

Sec. 731.003. CONFLICT OF LAW. To the extent of a conflict between this chapter, including a rule adopted under this chapter, and another law, this chapter controls.

SUBCHAPTER B. TITLE AND REGISTRATION

Sec. 731.051. ELIGIBILITY FOR TITLE AND REGISTRATION. (a) Except as provided by Subsection (b), an owner of an assembled vehicle shall title and register the vehicle as provided by Chapters 501 and 502, as applicable, and in accordance with rules adopted under this chapter, regardless of whether the vehicle has a manufacturer's statement of origin, as defined by Section 2301.002, Occupations Code, or manufacturer's certificate of origin.

(b) An assembled vehicle may not be titled or registered in this state if the vehicle:

(1) is assembled, constructed, or reconstructed from the merging of two or more vehicle classes;

(2) uses the frame or body of a vehicle that has been declared nonrepairable or junked;

(3) contains any electrical or mechanical components from a flood-damaged vehicle;

(4) is designed for off-highway use only;

(5) is designed by the manufacturer for on-track racing only;

(6) has been stripped to the extent that the vehicle loses its original identity; or

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Sec. 731.002. RULES. The board may adopt rules as necessary to implement and administer this chapter.

Sec. 731.003. CONFLICT OF LAW. To the extent of a conflict between this chapter, including a rule adopted under this chapter, and another law, this chapter controls.

SUBCHAPTER B. TITLE AND REGISTRATION

Sec. 731.051. ELIGIBILITY FOR TITLE AND REGISTRATION. (a) Except as provided by Subsection (b), an owner of an assembled vehicle shall apply for a title for the vehicle and register the vehicle as provided by Chapters 501 and 502, as applicable, and in accordance with rules adopted under this chapter, regardless of whether the assembled vehicle was built or assembled using a vehicle that was previously titled in this state or another jurisdiction.

(b) An assembled vehicle may not be titled or registered in this state if the vehicle:

(1) is built or assembled from the merging of two or more vehicle classes, provided that component parts from the following vehicle classes may be interchanged:

(A) two-axle, four-tire passenger cars;

(B) two-axle, four-tire pickups, panels, and vans; and

(C) six-tire dually pickups, of which the rear tires are dual tires;

(2) uses the frame or body of a nonrepairable motor vehicle, as defined by Section 501.091;

(3) contains any electrical or mechanical components from a flood-damaged vehicle;

(4) is designed for off-highway use only;

(5) is designed by the manufacturer for on-track racing only;

(6) has been stripped to the extent that the vehicle loses its original identity; or

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(7) uses any parts that do not meet federal motor vehicle safety standards, if standards have been developed for those parts.

Sec. 731.052. PROCEDURES AND REQUIREMENTS FOR TITLE AND REGISTRATION. (a) The board by rule shall establish procedures and requirements for:

(1) issuance of a title for an assembled vehicle; and

(2) registration of an assembled vehicle.

(b) Rules adopted under Subsection (a):

(1) may not exclude a type of assembled vehicle, other than an assembled vehicle described by Section 731.051(b), from eligibility for title and registration;

(2) must establish the form of a title issued for an assembled vehicle, including the information contained on the title;

(3) must exempt an assembled vehicle or a type of assembled vehicle from any provision of Chapter 501 or 502 that an assembled vehicle or type of assembled vehicle, by its nature, cannot comply with or otherwise meet the requirements of; and

(4) may require the owner of an assembled vehicle to provide proof that the vehicle passed an inspection or reinspection conducted by a master technician in addition to passing any inspection or reinspection required under Chapter 548.

(c) A rule described by Subsection (b)(4):

(1) may apply to all assembled vehicles or may apply only to certain types of assembled vehicles;

(2) must specify the items of equipment that must be inspected by a master technician and may specify different items of equipment that must be inspected based on the type of assembled vehicle;

(3) must require a master technician conducting the inspection to evaluate the structural integrity of the assembled

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(7) uses any parts that do not meet federal motor vehicle safety standards, if standards have been developed for those parts.

Sec. 731.052. PROCEDURES AND REQUIREMENTS FOR TITLE AND REGISTRATION. (a) The board by rule shall establish procedures and requirements for:

(1) issuance of a title for an assembled vehicle; and

(2) registration of an assembled vehicle.

(b) Rules adopted under Subsection (a):

(1) may not exclude a type of assembled vehicle, other than an assembled vehicle described by Section 731.051(b), from eligibility for title and registration;

(2) must establish the form of a title issued for an assembled vehicle; and

(3) must exempt an assembled vehicle or a type of assembled vehicle from any provision of Chapter 501 or 502 that an assembled vehicle or type of assembled vehicle, by its nature, cannot comply with or otherwise meet the requirements of.

*(See Subchapter C below.)*

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vehicle, including, as applicable, the connection points of the:  
(A) frame, chassis, or body;  
(B) steering system;  
(C) drive train; and  
(D) suspension; and  
(4) must require an owner of an assembled vehicle that is required to have the vehicle inspected or reinspected by a master technician to pay all fees required for the inspection or reinspection in addition to all applicable fees required under Chapter 548 for an inspection or reinspection conducted under that chapter.

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Sec. 731.053. CERTIFICATE OF TITLE REQUIREMENTS.  
(a) The title for an assembled vehicle that has never been titled in this state or any other jurisdiction must:  
(1) list the owner of the assembled vehicle as the purchaser;  
(2) contain the notation "NONE" in the space for the seller's name;  
(3) list the municipality and state in which the vehicle was completed in the space for the seller's municipality and state; and  
(4) contain the odometer reading and the notation "NOT ACTUAL MILEAGE".  
(b) Except as provided by Subsection (a), a title issued for an assembled vehicle must contain all of the information required under Section 501.021.  
Sec. 731.054. ASSIGNMENT OF VEHICLE IDENTIFICATION NUMBER. The department shall assign a vehicle identification number under Section 501.033 to an assembled vehicle unless the vehicle has a discernible vehicle identification number assigned by:  
(1) the manufacturer of the component part by which the vehicle may be identified; or

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*(See Secs. 731.052(b)(4) and (c) above.)*

(2) the maker of the kit from which the vehicle is built or assembled.

SUBCHAPTER C. INSPECTION BY MASTER TECHNICIAN

Sec. 731.101. INSPECTION REQUIRED FOR ISSUANCE OF TITLE. (a) In addition to the inspection required under Chapter 548, an assembled vehicle must pass an inspection conducted by a master technician for the type of assembled vehicle being inspected. The inspection must be conducted before issuance of a title for the assembled vehicle.

(b) On application for title for an assembled vehicle, the owner of the assembled vehicle must provide:

(1) proof acceptable to the department that the vehicle passed an inspection conducted under this section; and

(2) a copy of the master technician's Automobile and Light Truck certification or a successor certification.

(c) The board by rule shall establish procedures and requirements for the inspection required by this section. Rules adopted under this subsection:

(1) must establish inspection criteria;

(2) may specify additional items of equipment that must be inspected by a master technician and may specify different items of equipment that must be inspected based on the type of assembled vehicle; and

(3) must require an owner of an assembled vehicle that is being inspected under this section to pay all fees required for the inspection, including any reinspection, in addition to all applicable fees required under Chapter 548 for an inspection or reinspection conducted under that chapter.

Sec. 731.102. EQUIPMENT SUBJECT TO INSPECTION. An inspection conducted under Section 731.101 must:

(1) as applicable, include the following items of an assembled

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vehicle:  
(A) frame, chassis, and any structural components of the vehicle;  
(B) wheel assembly;  
(C) brake system, including each brake and power brake unit;  
(D) steering system, including power steering; and  
(E) front seat belts in vehicles that contain seat belt anchorages; and  
(2) include an evaluation of the structural integrity of the assembled vehicle and, as applicable, the connection points of the:  
(A) frame, chassis, or body;  
(B) steering system;  
(C) drive train; and  
(D) suspension.

SECTION 3. Section 501.002, Transportation Code, is amended by amending Subdivisions (1), (8), (24), and (32) and adding Subdivision (1-a) to read as follows:

(1) "Assembled vehicle" has the meaning assigned by Section 731.001.

(1-a) "Certificate of title" means a printed record of title issued under Section 501.021.

(8) "First sale" means:

(A) the bargain, sale, transfer, or delivery of a motor vehicle, other than an assembled vehicle, that has not been previously registered or titled, with intent to pass an interest in the motor vehicle, other than a lien, regardless of where the bargain, sale, transfer, or delivery occurred; and

(B) the registration or titling of that vehicle.

(24) "Serial number" means a vehicle identification number

SECTION 4. Section 501.002, Transportation Code, is amended by amending Subdivisions (1), (8), (24), (31), and (32) and adding Subdivision (1-a) to read as follows:

(1) "Assembled vehicle" has the meaning assigned by Section 731.001.

(1-a) "Certificate of title" means a printed record of title issued under Section 501.021.

(8) "First sale" means:

(A) the bargain, sale, transfer, or delivery of a motor vehicle, other than an assembled vehicle, that has not been previously registered or titled, with intent to pass an interest in the motor vehicle, other than a lien, regardless of where the bargain, sale, transfer, or delivery occurred; and

(B) the registration or titling of that vehicle.

(24) "Serial number" means a vehicle identification number



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that is affixed to a part of a motor vehicle and that is:

- (A) the manufacturer's permanent vehicle identification number;
- (B) a derivative number of the manufacturer's permanent vehicle identification number;
- (C) the motor number; [øf]
- (D) the vehicle identification number assigned by the department; or
- (E) the vehicle identification number assigned by the maker of a kit, if the vehicle is an assembled vehicle that is assembled from a kit.

(32) "Vehicle identification number" means:

- (A) the manufacturer's permanent vehicle identification number affixed by the manufacturer to the motor vehicle that is easily accessible for physical examination and permanently affixed on one or more removable parts of the vehicle; or
- (B) a serial number affixed to a part of a motor vehicle that is:
  - (i) a derivative number of the manufacturer's permanent vehicle identification number;
  - (ii) the motor number; [øf]
  - (iii) a vehicle identification number assigned by the department; or
  - (iv) the vehicle identification number assigned by the maker of a kit, if the vehicle is an assembled vehicle that is assembled from a kit.

SECTION 4. Section 501.035(b), Transportation Code, is amended to read as follows:

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that is affixed to a part of a motor vehicle and that is:

- (A) the manufacturer's permanent vehicle identification number;
- (B) a derivative number of the manufacturer's permanent vehicle identification number;
- (C) the motor number; [øf]
- (D) the vehicle identification number assigned by the department; or
- (E) the vehicle identification number assigned by the maker of a kit, if the vehicle is an assembled vehicle that is assembled from a kit.

(31) "Used motor vehicle" means:

- (A) a motor vehicle that has been the subject of a first sale; or
- (B) an assembled vehicle that has been issued a title.

(32) "Vehicle identification number" means:

- (A) the manufacturer's permanent vehicle identification number affixed by the manufacturer to the motor vehicle that is easily accessible for physical examination and permanently affixed on one or more removable parts of the vehicle; or
- (B) a serial number affixed to a part of a motor vehicle that is:
  - (i) a derivative number of the manufacturer's permanent vehicle identification number;
  - (ii) the motor number; [øf]
  - (iii) a vehicle identification number assigned by the department; or
  - (iv) the vehicle identification number assigned by the maker of a kit, if the vehicle is an assembled vehicle that is assembled from a kit.

SECTION 5. Same as House version.

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(b) In this section, "former military vehicle" has the meaning assigned by Section 502.001 [~~504.502(i)~~].

SECTION 5. Section 501.0721, Transportation Code, is amended to read as follows:

Sec. 501.0721. DELIVERY OF RECEIPT AND TITLE TO PURCHASER OF USED MOTOR VEHICLE OR ASSEMBLED VEHICLE. A person, whether acting for that person or another, who sells, trades, or otherwise transfers a used motor vehicle or an assembled vehicle shall deliver to the purchaser at the time of delivery of the vehicle a properly assigned title or other evidence of title as required under this chapter.

No equivalent provision.

SECTION 6. Section 501.145(a), Transportation Code, is amended to read as follows:

(a) Not later than the later of the 30th day after the date of assignment on the documents or the date provided by Section 152.069, Tax Code, the purchaser of the used motor vehicle or assembled vehicle shall file with the county assessor-collector:

- (1) the certificate of title or other evidence of title; or
- (2) if appropriate, a document described by Section 502.457 and the title or other evidence of ownership.

No equivalent provision.

SECTION 7. Section 502.001, Transportation Code, is amended by adding Subdivision (17-a) to read as follows:

(17-a) "Former military vehicle" means a vehicle, including a trailer, that:

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(A) was manufactured for use in any country's military forces; and  
(B) is not operated on continuous tracks.

SECTION 8. Subchapter D, Chapter 502, Transportation Code, is amended by adding Section 502.141 to read as follows:

Sec. 502.141. OFF-HIGHWAY FORMER MILITARY VEHICLES. (a) Except as provided by Subsections (b) and (c), a person may not register a former military vehicle designated for off-highway use, with or without design alterations, for operation on a public highway.

(b) A former military vehicle may be registered for on-road use if the vehicle:

(1) is a high mobility multipurpose wheeled vehicle designated for off-highway use; and

(2) has a gross vehicle weight rating of less than 10,000 pounds.

(c) A former military vehicle issued specialty license plates under Section 504.502 may be operated on a public highway in accordance with that section.

SECTION 9. Subchapter A, Chapter 503, Transportation Code, is amended by adding Section 503.013 to read as follows:

Sec. 503.013. DEALER TRANSFER OF CERTAIN ASSEMBLED VEHICLES PROHIBITED. (a) In this section:

(1) "Assembled vehicle" has the meaning assigned by Section 731.001.

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SECTION 7. Same as House version.

SECTION 8. Subchapter A, Chapter 503, Transportation Code, is amended by adding Section 503.013 to read as follows:

Sec. 503.013. DEALER TRANSFER OF CERTAIN ASSEMBLED VEHICLES PROHIBITED. (a) In this section,

"assembled vehicle" and "replica" have the meanings assigned by Section 731.001.

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(2) "Replica" means an assembled vehicle that uses a manufactured prefabricated body or a body constructed from materials not original to the vehicle and that resembles an established make of a previous year vehicle model. The term may include a custom vehicle or street rod, as those terms are defined by Section 504.501.

(b) Ownership of an assembled vehicle, other than a replica, may not be transferred to or by a dealer under this chapter.

SECTION 10. Section 504.502(i), Transportation Code, is amended to read as follows:

(i) In this section, "former military vehicle" means a vehicle, including a trailer, regardless of the vehicle's size, weight, or year of manufacture, that:

(1) was manufactured for use in any country's military forces;

~~and~~

(2) is maintained to represent its military design and markings accurately; and

(3) is not operated on continuous tracks.

SECTION 11. Subchapter C, Chapter 547, Transportation Code, is amended by adding Section 547.209 to read as follows:

Sec. 547.209. NONAPPLICABILITY OF SUBCHAPTER TO ASSEMBLED VEHICLES. This subchapter does not apply to an item of vehicle equipment intended for an assembled vehicle, as defined by Section 731.001.

SECTION 12. Subchapter A, Chapter 548, Transportation

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(b) Ownership of an assembled vehicle, other than a replica, may not be transferred to or by a dealer under this chapter.

SECTION 9. Same as House version.

**No equivalent provision.**

SECTION 10. Same as House version.

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Code, is amended by adding Section 548.009 to read as follows:

Sec. 548.009. ASSEMBLED VEHICLES. (a) In this section, "assembled vehicle" has the meaning assigned by Section 731.001.

(b) A provision of this chapter does not apply to an assembled vehicle if the provision:

(1) conflicts with Chapter 731 or a rule adopted under that chapter; or

(2) is a provision that an assembled vehicle, by its nature, cannot comply with or otherwise meet.

No equivalent provision.

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SECTION 11. Section 663.001, Transportation Code, is amended by amending Subdivision (1-b) and adding Subdivision (3) to read as follows:

(1-b) "Off-highway vehicle" means:

(A) an all-terrain vehicle or recreational off-highway vehicle, as those terms are defined by Section 502.001; ~~or~~

(B) a sand rail; or

(C) a utility vehicle.

(3) "Sand rail" means a vehicle, as defined by Section 502.001, that:

(A) is designed or built primarily for off-highway use in sandy terrains, including for use on sand dunes;

(B) has a tubular frame, an integrated roll cage, and an engine that is rear-mounted or placed midway between the front and rear axles of the vehicle; and

(C) has a gross vehicle weight, as defined by Section 541.401, of:

(i) not less than 700 pounds; and

(ii) not more than 2,000 pounds.

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SECTION 13. As soon as practicable after the effective date of this Act, the board of the Texas Department of Motor Vehicles shall:

- (1) adopt the rules required by Chapter 731, Transportation Code, as added by this Act; and
- (2) adopt or modify any rules necessary to implement the changes in law made by this Act.

SECTION 14. This Act takes effect September 1, 2019.

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SECTION 12. Same as House version.

SECTION 13. Same as House version.

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