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| BILL ANALYSIS |

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| H.B. 3297 |
| By: Harris, Cody |
| Homeland Security & Public Safety |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  Most states have done away with their mandatory vehicle inspection programs since the federal government ended the program requirement in 1976. Texas, however, is one of the few states that still require annual vehicle safety inspections. The impact of the mandatory vehicle safety inspection program on road safety is not strong enough to justify the program's existence. Accordingly, H.B. 3297 seeks to address the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY**  It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS**  H.B. 3297 repeals Transportation Code provisions mandating vehicle safety inspections for noncommercial vehicles, while retaining provisions providing for safety inspections for commercial vehicles and providing for vehicle emissions inspections where applicable.  H.B. 3297 amends the Transportation Code to establish the inspection program replacement fee. The bill requires a person applying for initial registration or renewal of registration of a motor vehicle, trailer, semitrailer, pole trailer, or mobile home to pay an annual fee of $7.50 due at the time of registration, which is in addition to any other fees imposed at the time of registration. The bill retains the requirement, applicable previously to the $7.50 fee imposed for certain vehicles that were excepted from the repealed safety inspection requirement, for the comptroller to deposit each fee as follows:   * $3.50 to the credit of the Texas mobility fund; * $2 to the credit of the general revenue fund; and * $2 to the credit of the clean air account.   Instead of that $7.50 fee, H.B. 3297 requires an applicant for the initial registration of a passenger car or light truck sold in Texas or purchased for use in Texas by a qualifying commercial fleet buyer to pay instead a one-time fee of $16.75 if the vehicle is, on the date of sale, of the current model year or preceding model year and has not been previously registered in Texas or any other state. The bill establishes that an applicant required to pay the $16.75 fee is not required to pay the $7.50 fee for the next registration year for the same vehicle. The bill requires the comptroller to deposit each of the one-time $16.75 fees after receipt of the fee as follows:   * $12.75 to the credit of the Texas Mobility Fund; * $2 to the credit of the general revenue fund; and * $2 to the credit of the clean air account.   H.B. 3297 exempts the following vehicles from the inspection program replacement fee:   * a vehicle that is being registered under the International Registration Plan; * a token trailer that is being registered, including a token trailer that is being registered for an extended period; * a vehicle that is issued a 72-hour or 144-hour permit and is either:   + registered in another U.S. state, a Canadian province, or a state of the United Mexican States; or   + 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; * a former military vehicle that is issued the applicable specialty license plate for such vehicles; * a log loader vehicle that is issued the applicable specialty license plate for such vehicles; * farm machinery, road-building equipment, a farm trailer, or a vehicle required to display a slow-moving-vehicle emblem; * a commercial motor vehicle that is required to undergo a safety inspection or that is subject to fees imposed in lieu of inspection for certain exempted commercial motor vehicles; * a vehicle that is being registered while it is located out-of-state; * a neighborhood electric vehicle; * a trailer, semitrailer, pole trailer, or mobile home that has an actual gross weight or registered gross weight of 4,500 pounds or less or will move under or bear a factory-delivery license plate or in-transit license plate; * 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 * a vehicle qualified for the tax exemption for motor vehicles transported out of state.   H.B. 3297 requires the Department of Public Safety (DPS) to require a vehicle subject to the remaining inspection requirements to pass the required inspection according to the following timetable:   * for initial registration, not earlier than 90 days before the date of registration; * for a renewal of registration, not earlier than 90 days before the date of expiration of the vehicle's registration; * if the vehicle is a used motor vehicle sold by a dealer, in the 180 days preceding the date the dealer sells the vehicle; or * if the vehicle is subject to the federal motor carrier safety regulations, in a period that complies with those regulations.   The bill specifies that the Texas Department of Motor Vehicles or a county assessor-collector that registers a motor vehicle subject to an emissions-related inspection is responsible for collecting the state's portion of the inspection fee. The bill removes the requirement for a vehicle that is inspected and is subsequently involved in an accident affecting the safe operation of an item of inspection to be reinspected following repair.  H.B. 3297 removes language making it a misdemeanor offense for a person to operate or move a motor vehicle, trailer, semitrailer, pole trailer, or mobile home, or a combination of those vehicles, that is in a mechanical condition that endangers a person, including the operator or an occupant, or property. The bill also removes language making it a misdemeanor offense for a person, with intent to circumvent the emissions inspection requirements, who 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 undergo an inspection as part of the Public Safety Commission's motor vehicle emissions inspection and maintenance program. The changes in law made by the bill apply only to an offense committed on or after the bill's effective date and the bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.  H.B. 3297 requires all assembled motor vehicles to be equipped with front safety belts that contain safety belt anchors.  H.B. 3297 removes the requirement for the four members appointed to the vehicle inspection advisory committee as representatives of inspection station owners and operators be evenly divided between appointees from counties conducting vehicle emissions testing and those from counties conducting safety only inspections.  H.B. 3297 requires DPS to submit to the lieutenant governor and the speaker of the house of representatives not later than January 1, 2025, a report on changes in its expenses and income that result from implementing the changes in law required by the bill, including the increase or decrease, if any, of the number of full-time equivalent employees needed to administer state law governing vehicle equipment standards and vehicle inspections between September 1, 2023, and the date the report is prepared.  H.B. 3297 amends the Health and Safety Code to make conforming changes.  H.B. 3297 repeals the following provisions of the Transportation Code:   * the heading to Subchapter B, Chapter 548; * Sections 548.051 and 548.052; * the heading to Subchapter C, Chapter 548; * Sections 548.101, 548.102, 548.103, and 548.104; * Sections 548.301(d) and 548.3045(b); and * Sections 548.501, 548.502, and 548.503. |
| **EFFECTIVE DATE**  September 1, 2023. |