

BILL ANALYSIS

Senate Research Center
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S.B. 684
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Transportation
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The federal government ended its vehicle safety inspection program in 1976, and most states do not require regular inspections. Annual vehicle inspections do little to contribute to road safety, as most accidents are caused by human error. Examinations of the impact of periodic inspections have found no statistically significant effect of mandatory inspections on fatalities or injuries. What is more, insurance rates and the median number of crash deaths are not lower in those states that do. Periodic vehicle inspections serve as a source of revenue for the state while doing little to improve road safety.

This bill changes the inspection period to five years for a passenger car or light truck. It raises the fee for the inspection of a vehicle other than a mo-ped to \$26.50 from \$12.50 and the fee for the inspection of a mo-ped to \$19.75 from \$5.75. It increases the amount remitted to the state and the amount paid to the state from a political subdivision for the certification of an inspection station. It makes a vehicle emissions inspection fee collectible during the registration of a vehicle.

Personal vehicles would still have to undergo an emissions test in counties that require it. Often, inspections are improperly performed and funds misused. A 2016 report by KVUE found inspection shops illegally passed vehicles in exchange for cash, and shops were more likely to fail vehicles if they sold the parts to fix a putative problem. The bill maintains the revenue neutrality of the Mobility Fund.

As proposed, S.B. 684 amends current law relating to the inspection periods for certain motor vehicles and increases certain fees.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Department of Public Safety of the State of Texas is modified in SECTION 2 (Section 548.101, Transportation Code) and SECTION 10 (Section 548.505, Transportation Code) of this bill.

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 6 (Section 548.254, Transportation Code) of this bill.

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 6 (Section 548.254, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 382.202(d), Health and Safety Code, as follows:

(d) Requires the Department of Public Safety of the State of Texas (DPS), on adoption of a resolution by the Texas Commission on Environmental Quality (TCEQ) and after proper notice, to implement a system that requires, in a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F (Motor Vehicle Emissions Inspection and Maintenance), Chapter 548 (Compulsory Inspection of Vehicles), Transportation Code, that a motor vehicle registered in this state, 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. Deletes existing text requiring that as a condition of obtaining a passing vehicle inspection report issued under Subchapter C (Periods of Inspection; Prerequisites to Issuance of Passing Vehicle Inspection Report), Chapter 548, Transportation Code, a motor vehicle be annually or biennially inspected under the vehicle emissions inspection and maintenance program. Makes nonsubstantive changes.

SECTION 2. Amends Section 548.101, Transportation Code, as follows:

Sec. 548.101. New heading: GENERAL FIVE-YEAR INSPECTION PERIOD. Requires DPS, except as provided by Section 548.102, to require an inspection every five years, rather than an annual inspection. Deletes existing text requiring that the rules DPS is required to make with respect to the periods of inspection meet certain standards.

SECTION 3. Amends the heading to Section 548.102, Transportation Code, to read as follows:

Sec. 548.102. FIVE-YEAR INITIAL INSPECTION PERIOD FOR PASSENGER CAR OR LIGHT TRUCK.

SECTION 4. Amends Section 548.102(a), Transportation Code, as follows:

(a) Provides that the initial inspection period is five years, rather than two years, for a passenger car or light truck that meets certain criteria.

SECTION 5. Amends Subchapter C, Chapter 548, Transportation Code, by adding Section 548.106, as follows:

Sec. 548.106. TIMING OF INSPECTION FOR REGISTRATION-BASED ENFORCEMENT. Requires DPS to require a vehicle required to be inspected under Chapter 548 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 (Definitions), 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 6. Amends Section 548.254, Transportation Code, as follows:

Sec. 548.254. VALIDITY OF VEHICLE INSPECTION REPORT. Requires DPS and TCEQ if necessary, by rule to establish the length of time a vehicle inspection report required by this chapter is valid. Deletes existing text providing that a vehicle inspection report is invalid after the end of the 12th month following the month in which the report is issued.

SECTION 7. Amends Sections 548.501(a) and (b), Transportation Code, as follows:

(a) Provides that, except as provided by Sections 548.503 and 548.504 (Inspection of Commercial Motor Vehicle), the fee for inspection of a vehicle, rather than the fee for inspection of a motor vehicle, other than a moped is \$26.50, rather than \$12.50. Provides that the fee for inspection of a moped is \$19.75, rather than \$5.75.

(b) Requires that \$19.50 out of each fee for an inspection, rather than \$5.50 out of each fee for an inspection, be remitted to the state under Section 548.509.

SECTION 8. Amends Section 548.502, Transportation Code, as follows:

Sec. 548.502. INSPECTION BY POLITICAL SUBDIVISION OR STATE AGENCY. Provides that a political subdivision or state agency for which DPS certifies an inspection station under Section 548.004 (Department Certification of Inspection Stations for Political Subdivisions and State Agencies):

(1) is required to pay to the state \$27.50, rather than \$5.50, for each inspection under Section 548.509; and

(2) is prohibited from being required to pay the remainder of the inspection fee.

SECTION 9. Amends Section 548.503, Transportation Code, as follows:

Sec. 548.503. New heading: INITIAL FIVE-YEAR INSPECTION OF PASSENGER CAR OR LIGHT TRUCK. (a) Increases the minimum fee for the costs of providing inspections and administering the inspection program under this subsection from \$21.75 to \$32.25.

(b) Increases the amount out of each fee for an inspection under this section to be remitted to the state under Section 548.509 from \$14.75 to \$25.25.

SECTION 10. Amends Section 548.505, Transportation Code, as follows:

Sec. 548.505. EMISSIONS-RELATED INSPECTION FEE. (a) Authorizes DPS by rule to impose an emissions-related inspection fee for a vehicle inspected under Section 548.301(a) (relating to requiring TCEQ to establish a motor vehicle emissions inspection program for vehicles). Deletes existing text relating to the additional fee that DPS is authorized to impose for a vehicle inspected under Section 548.501 (Inspection Fees Generally), Section 548.502, Section 548.503, or Section 548.504.

(b) Authorizes DPS to provide a maximum fee for an inspection under this section, rather than under Subchapter H (Inspection and Certification Fees). Makes a conforming change.

SECTION 11. Amends Section 548.508, Transportation Code, as follows:

Sec. 548.508. DISPOSITION OF FEES. Requires that each fee remitted to the Comptroller of Public Accounts of the State of Texas under this subchapter, except as provided by Sections 382.0622 (Clean Air Act Fees) and 382.202 (Vehicle Emissions Inspection and Maintenance Program), Health and Safety Code, and Sections 548.5055 (Texas Emissions Reduction Plan Fee) and 548.510 (Fee for Certain Vehicles Not Subject to Inspection; Collection of Fee during Registration), of this code to be deposited to the credit of the Texas mobility fund.

SECTION 12. Amends Section 548.509, Transportation Code, as follows:

Sec. 548.509. COLLECTION OF FEE DURING REGISTRATION. (a) Requires 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, to 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) Creates this subsection from existing text.

SECTION 13. Effective date: September 1, 2023.