

By: Miles

S.B. No. 2102

A BILL TO BE ENTITLED

AN ACT

relating to the initial registration and inspection period for certain rental vehicles; authorizing fees.

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

SECTION 1. 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) \$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;

(3) \$6 from the portion of each fee collected for an inspection of a vehicle and remitted to the state under Section 548.5035, Transportation Code; and

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

SECTION 2. Section 382.202, Health and Safety Code, is amended by amending Subsection (d) and adding Subsection (d-2) to read as follows:

(d) Except as provided by Subsection (d-2), on [en] adoption of a resolution by the commission and after proper notice, the Department of Public Safety of the State of Texas shall implement a

1 system that requires, as a condition of obtaining a passing vehicle
2 inspection report issued under Subchapter C, Chapter 548,
3 Transportation Code, in a county that is included in a vehicle
4 emissions inspection and maintenance program under Subchapter F of
5 that chapter, that the vehicle, unless the vehicle is not covered by
6 the system, be annually or biennially inspected under the vehicle
7 emissions inspection and maintenance program as required by the
8 state's air quality state implementation plan. The Department of
9 Public Safety shall implement such a system when it is required by
10 any provision of federal or state law, including any provision of
11 the state's air quality state implementation plan.

12 (d-2) If the state's air quality state implementation plan
13 provides for a three-year emissions inspection period for a vehicle
14 described by Section 548.1025(a), Transportation Code:

15 (1) the system implemented by the Department of Public
16 Safety of the State of Texas under Subsection (d) shall provide for
17 a three-year emissions inspection period for a vehicle described by
18 Section 548.1025(a), Transportation Code; and

19 (2) the commission shall establish and assess fees for
20 the emissions inspection of a vehicle described by Section
21 548.1025(a), Transportation Code, in amounts calculated to provide
22 the same revenue that would be provided if the vehicle was inspected
23 annually or biennially.

24 SECTION 3. Subchapter A, Chapter 502, Transportation Code,
25 is amended by adding Section 502.0026 to read as follows:

26 Sec. 502.0026. EXTENDED REGISTRATION OF CERTAIN RENTAL
27 VEHICLES. (a) Notwithstanding Section 502.044, the initial

1 registration period is three years for a passenger car or light
2 truck:

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

6 (2) that has not been previously registered in this or
7 another state;

8 (3) that on the date of sale is of the current or
9 preceding model year; and

10 (4) for which a rental certificate has been furnished
11 as described by Section 152.061(b), Tax Code.

12 (b) Payment for all applicable fees, including any optional
13 fee imposed under Subchapter H and other registration fees and the
14 fee required by Section 548.5035, for the entire registration
15 period is due at the time of registration.

16 SECTION 4. Subchapter C, Chapter 548, Transportation Code,
17 is amended by adding Section 548.1025 to read as follows:

18 Sec. 548.1025. THREE-YEAR INITIAL INSPECTION PERIOD FOR
19 CERTAIN RENTAL VEHICLES. (a) Notwithstanding any other law, the
20 initial inspection period is three years for a passenger car or
21 light truck:

22 (1) that is sold in this state or purchased by a
23 commercial fleet buyer described by Section 501.0234(b)(4) for use
24 in this state;

25 (2) that has not been previously registered in this or
26 another state;

27 (3) that on the date of sale is of the current or

1 preceding model year; and

2 (4) for which a rental certificate has been furnished
3 as described by Section 152.061(b), Tax Code.

4 (b) This section does not affect a requirement that a motor
5 vehicle emissions inspection be conducted in a county covered by an
6 inspection and maintenance program approved by the United States
7 Environmental Protection Agency under Section 548.301 and the Clean
8 Air Act (42 U.S.C. Section 7401 et seq.).

9 SECTION 5. Section 548.501(a), Transportation Code, is
10 amended to read as follows:

11 (a) Except as provided by Sections 548.503, 548.5035, and
12 548.504, the fee for inspection of a motor vehicle other than a
13 moped is \$12.50. The fee for inspection of a moped is \$5.75.

14 SECTION 6. Subchapter H, Chapter 548, Transportation Code,
15 is amended by adding Section 548.5035 to read as follows:

16 Sec. 548.5035. INITIAL THREE-YEAR INSPECTION OF CERTAIN
17 RENTAL VEHICLES. (a) The fee for inspection of a passenger car or
18 light truck under Section 548.1025 shall be set by the department by
19 rule on or before September 1 of each year.

20 (b) A fee set by the department under this section must:

21 (1) be based on the costs of providing inspections and
22 administering the program; and

23 (2) be calculated to ensure that the state receives at
24 least the same amount of revenue from the fee over a three-year
25 period that the state would have received if the vehicle was subject
26 to Section 548.102.

27 (c) The department by rule shall establish the amount of the

1 fee for an inspection under this section that shall be remitted to
2 the state under Section 548.509.

3 SECTION 7. (a) As soon as practicable in the Texas
4 Commission on Environmental Quality's ordinary course of business,
5 the commission shall submit for the approval of the United States
6 Environmental Protection Agency a revision of the state's air
7 quality state implementation plan to provide for a three-year
8 emissions inspection period for a vehicle described by Section
9 548.1025(a), Transportation Code, as added by this Act.

10 (b) On the approval of a revision to the state's air quality
11 state implementation plan described by Subsection (a) of this
12 section, rules and processes necessary to implement and administer
13 the revised plan shall be adopted by:

- 14 (1) the Texas Commission on Environmental Quality; and
15 (2) the Public Safety Commission.

16 SECTION 8. This Act takes effect September 1, 2023.