

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5-24-13

Date

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2305 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Kirk Watson

Kirk Watson

Robert Nichols

Robert Nichols

Kelly Hancock

Kelly Hancock

Ken Paxton

Ken Paxton

Royce West

On the part of the Senate

Royce West

Eddie Rodriguez

Eddie Rodriguez

Linda Harper-Brown

Linda Harper-Brown

Eric Johnson

Eric Johnson

Armanda Martinez

Armanda Martinez

On the part of the House

Paul Workman

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 2305

A BILL TO BE ENTITLED

AN ACT

1
2 relating to motor vehicle inspections; creating an offense;
3 changing the collection method for certain fees.

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

5 SECTION 1. Section 548.104, Transportation Code, is amended
6 to read as follows:

7 Sec. 548.104. EQUIPMENT-RELATED PREREQUISITES TO ISSUANCE
8 OF PASSING VEHICLE INSPECTION REPORT [~~CERTIFICATE~~]. (a) The
9 commission shall adopt uniform standards of safety applicable to
10 each item required to be inspected by Section 548.051. The
11 standards and the list of items to be inspected shall be posted in
12 each inspection station.

13 (b) An inspection station or inspector may issue a passing
14 vehicle [~~an~~] inspection report [~~certificate~~] only if the vehicle is
15 inspected and found to be in proper and safe condition and to comply
16 with this chapter and the rules adopted under this chapter.

17 (c) An inspection station or inspector may inspect only the
18 equipment required to be inspected by Section 548.051 and may not:

19 (1) falsely and fraudulently represent to an applicant
20 that equipment required to be inspected must be repaired, adjusted,
21 or replaced before the vehicle will pass inspection; or

22 (2) require an applicant to have another part of the
23 vehicle or other equipment inspected as a prerequisite for issuance
24 of a passing vehicle [~~an~~] inspection report [~~certificate~~].

1 (d) An inspection station or inspector may not issue a
2 passing vehicle [~~an~~] inspection report [~~certificate~~] for a vehicle
3 equipped with:

4 (1) a carburetion device permitting the use of
5 liquefied gas alone or interchangeably with another fuel, unless a
6 valid liquefied gas tax decal issued by the comptroller is attached
7 to the lower right-hand corner of the front windshield of the
8 vehicle on the passenger side; [~~or~~]

9 (2) a sunscreening device prohibited by Section
10 547.613, except that the department by rule shall provide
11 procedures for issuance of a passing vehicle [~~an~~] inspection report
12 [~~certificate~~] for a vehicle exempt under Section 547.613(c); or

13 (3) a compressed natural gas container unless the
14 owner demonstrates in accordance with department rules proof:

15 (A) that:

16 (i) the container has met the inspection
17 requirements under 49 C.F.R. Section 571.304; and

18 (ii) the manufacturer's recommended service
19 life for the container, as stated on the container label required by
20 49 C.F.R. Section 571.304, has not expired; or

21 (B) that the vehicle is a fleet vehicle for which
22 the fleet operator employs a technician certified to inspect the
23 container.

24 (e) The department shall adopt rules relating to inspection
25 of and issuance of a vehicle [~~an~~] inspection report [~~certificate~~]
26 for a moped.

27 SECTION 2. Article 45.003, Code of Criminal Procedure, is

1 amended to read as follows:

2 Art. 45.003. DEFINITION FOR CERTAIN PROSECUTIONS. For
3 purposes of dismissing a charge under Section 502.407 [~~or 548.605~~],
4 Transportation Code, "day" does not include Saturday, Sunday, or a
5 legal holiday.

6 SECTION 3. Section 51.207(d), Education Code, is amended to
7 read as follows:

8 (d) This subsection applies only to a public institution of
9 higher education campus that is not covered by Subsection (b). The
10 institution may not issue a permit to a student of the institution
11 for driving or parking a motor vehicle on institutional property
12 unless the institution provides written notice to the student that
13 failure to register the vehicle in this state [~~or to display a~~
14 ~~current and appropriate inspection certificate issued under~~
15 ~~Chapter 548, Transportation Code,~~] may violate state law if the
16 owner of the vehicle resides in this state.

17 SECTION 4. Section 103.0213, Government Code, is amended to
18 read as follows:

19 Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
20 CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a
21 party to a civil suit, as applicable, shall pay the following fees
22 and costs under the Transportation Code if ordered by the court or
23 otherwise required:

24 (1) administrative fee on dismissal of charge of
25 driving with an expired motor vehicle registration (Sec. 502.407,
26 Transportation Code) . . . not to exceed \$20;

27 (2) administrative fee on dismissal of charge of

1 driving with an expired driver's license (Sec. 521.026,
2 Transportation Code) . . . not to exceed \$20;

3 (3) [~~administrative fee on remediation of charge of~~
4 ~~driving with an expired inspection certificate (Sec. 548.605,~~
5 ~~Transportation Code)~~ . . . not to exceed \$20;

6 [(4)] administrative fee for failure to appear for a
7 complaint or citation on certain offenses (Sec. 706.006,
8 Transportation Code) . . . \$30 for each violation; and

9 (4) [(5)] administrative fee for failure to pay or
10 satisfy certain judgments (Sec. 706.006, Transportation Code)
11 . . . \$30.

12 SECTION 5. Section 382.0622(a), Health and Safety Code, is
13 amended to read as follows:

14 (a) Clean Air Act fees consist of:

15 (1) fees collected by the commission under Sections
16 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided
17 by law;

18 (2) \$2 of each fee [~~advance payment~~] collected for
19 inspections of [~~by the Department of Public Safety for inspection~~
20 ~~certificates for~~] vehicles other than mopeds under Section 548.501,
21 Transportation Code; and

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

24 SECTION 6. Sections 382.202(d) and (l), Health and Safety
25 Code, are amended to read as follows:

26 (d) On adoption of a resolution by the commission and after
27 proper notice, the Department of Public Safety of the State of Texas

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

13 (1) Except as provided by this subsection, a person who
14 sells or transfers ownership of a motor vehicle for which a passing
15 vehicle [~~emissions~~] inspection report [~~certificate~~] has been
16 issued is not liable for the cost of emission control system repairs
17 that are required for the vehicle subsequently to receive a passing
18 report [~~an emissions inspection certificate~~]. This subsection does
19 not apply to repairs that are required because emission control
20 equipment or devices on the vehicle were removed or tampered with
21 before the sale or transfer of the vehicle.

22 SECTION 7. Section 382.205(d), Health and Safety Code, is
23 amended to read as follows:

24 (d) The Department of Public Safety of the State of Texas by
25 rule shall adopt:

26 (1) testing procedures in accordance with motor
27 vehicle emissions testing equipment specifications; and

1 (2) procedures for issuing a vehicle [~~or denying an~~
2 ~~emissions~~] inspection report following an emissions inspection and
3 submitting information to the inspection database described by
4 Section 548.251, Transportation Code, following an emissions
5 inspection [~~certificate~~].

6 SECTION 8. Sections 382.220(b) and (d), Health and Safety
7 Code, are amended to read as follows:

8 (b) A program under this section must be implemented in
9 consultation with the commission and may include a program to:

10 (1) expand and enhance the AirCheck Texas Repair and
11 Replacement Assistance Program;

12 (2) develop and implement programs or systems that
13 remotely determine vehicle emissions and notify the vehicle's
14 operator;

15 (3) develop and implement projects to implement the
16 commission's smoking vehicle program;

17 (4) develop and implement projects in consultation
18 with the director of the Department of Public Safety for
19 coordinating with local law enforcement officials to reduce the use
20 of counterfeit registration insignia and vehicle inspection
21 reports [~~state inspection stickers~~] by providing local law
22 enforcement officials with funds to identify vehicles with
23 counterfeit registration insignia and vehicle inspection reports
24 [~~state inspection stickers~~] and to carry out appropriate actions;

25 (5) develop and implement programs to enhance
26 transportation system improvements; or

27 (6) develop and implement new air control strategies

1 designed to assist local areas in complying with state and federal
2 air quality rules and regulations.

3 (d) Fees collected under Sections 382.202 and 382.302 may be
4 used, in an amount not to exceed \$5 million per fiscal year, for
5 projects described by Subsection (b). The fees shall be made
6 available only to counties participating in the low-income vehicle
7 repair assistance, retrofit, and accelerated vehicle retirement
8 programs created under Section 382.209 and only on a matching
9 basis, whereby the commission provides money to a county in the same
10 amount that the county dedicates to a project authorized by
11 Subsection (b). The commission may reduce the match requirement
12 for a county that proposes to develop and implement independent
13 test facility fraud detection programs, including the use of remote
14 sensing technology for coordinating with law enforcement officials
15 to detect, prevent, and prosecute the use of counterfeit
16 registration insignia and vehicle inspection reports [~~state~~
17 ~~inspection stickers~~].

18 SECTION 9. Sections 2308.253(d) and (e), Occupations Code,
19 are amended to read as follows:

20 (d) Except as provided by a contract described by Subsection
21 (e), a parking facility owner may not have a vehicle removed from
22 the parking facility merely because the vehicle does not display[+
23 [~~(1)~~] an unexpired license plate or registration
24 insignia issued for the vehicle under Chapter 502, Transportation
25 Code, or the vehicle registration law of another state or country[+
26 ~~or~~

27 [~~(2) a valid vehicle inspection certificate issued~~

1 ~~under Chapter 548, Transportation Code, or the vehicle inspection~~
2 ~~law of another state or country].~~

3 (e) A contract provision providing for the removal from a
4 parking facility of a vehicle that does not display an unexpired
5 license plate or registration insignia [~~or a valid inspection~~
6 ~~certificate~~] is valid only if the provision requires the owner or
7 operator of the vehicle to be given at least 10 days' written notice
8 that the vehicle will be towed from the facility at the vehicle
9 owner's or operator's expense if it is not removed from the parking
10 facility. The notice must be:

11 (1) delivered in person to the owner or operator of the
12 vehicle; or

13 (2) sent by certified mail, return receipt requested,
14 to that owner or operator.

15 SECTION 10. Section 501.030(a), Transportation Code, is
16 amended to read as follows:

17 (a) Before a motor vehicle that was last registered or
18 titled in another state or country may be titled in this state, [~~the~~
19 ~~applicant must furnish~~] the county assessor-collector shall verify
20 that the vehicle has passed the inspections required by Chapter
21 548, as indicated in the Department of Public Safety's inspection
22 database under Section 548.251 [~~with a verification form under~~
23 ~~Section 548.256~~].

24 SECTION 11. Section 502.0023, Transportation Code, is
25 amended by adding Subsection (j) to read as follows:

26 (j) A motor vehicle, semitrailer, or trailer registered
27 under this section is subject to the inspection requirements of

1 Chapter 548 as if the vehicle, semitrailer, or trailer were
2 registered without extended registration. The department and the
3 Department of Public Safety shall by rule establish a method to
4 enforce the inspection requirements of Chapter 548 for motor
5 vehicles, semitrailers, and trailers registered under this
6 section. The department may assess a fee to cover the department's
7 administrative costs of implementing this subsection.

8 SECTION 12. Section 502.047, Transportation Code, is
9 amended to read as follows:

10 Sec. 502.047. REGISTRATION-BASED ENFORCEMENT OF MOTOR
11 VEHICLE [EMISSIONS] INSPECTION [AND MAINTENANCE] REQUIREMENTS.

12 (a) The department and the Department of Public Safety shall
13 ensure compliance with the motor vehicle inspection requirements
14 under Chapter 548, including compliance with the motor vehicle
15 emissions inspection and maintenance program under Subchapter F of
16 that chapter, through a vehicle registration-based enforcement
17 system [inspection sticker-based enforcement system except as
18 provided by this section or Section 548.3011. Subsections (b)-(e)
19 apply only if the United States Environmental Protection Agency
20 determines that the state has not demonstrated, as required by 40
21 C.F.R. Section 51.361, that sticker-based enforcement of the
22 program is more effective than registration-based enforcement and
23 gives the Texas Commission on Environmental Quality or the governor
24 written notification that the reregistration-based enforcement of
25 the program, as described by those subsections, will be required.
26 If Subsections (b)-(e) are made applicable as provided by this
27 subsection, the department shall terminate reregistration-based

1 ~~enforcement of the program under those subsections on the date the~~
2 ~~United States Environmental Protection Agency gives the Texas~~
3 ~~Commission on Environmental Quality or a person the commission~~
4 ~~designates written notification that reregistration-based~~
5 ~~enforcement is not required for the state implementation plan].~~

6 (b) A motor vehicle may not be registered if the department
7 receives from the Texas Commission on Environmental Quality or the
8 Department of Public Safety notification that the registered owner
9 of the vehicle has not complied with [~~Subchapter F,~~] Chapter 548.

10 (c) A motor vehicle may not be registered if the vehicle was
11 denied registration under Subsection (b) unless verification is
12 received that the registered vehicle owner is in compliance with
13 [~~Subchapter F,~~] Chapter 548.

14 (d) The department and the Department of Public Safety shall
15 enter into an agreement regarding the timely submission by the
16 Department of Public Safety of inspection compliance information to
17 the department.

18 (d-1) The department, the Texas Commission on Environmental
19 Quality, and the Department of Public Safety shall enter an
20 agreement regarding the responsibilities for costs associated with
21 implementing this section.

22 (e) A county tax assessor-collector is not liable to any
23 person for refusing to register a motor vehicle because of the
24 person's failure to provide verification of the person's compliance
25 with [~~Subchapter F,~~] Chapter 548.

26 SECTION 13. Section 502.059(c), Transportation Code, is
27 amended to read as follows:

1 (c) Except as provided by Subsection (f), the registration
2 insignia for validation of a license plate shall be attached to the
3 inside of the vehicle's windshield, if the vehicle has a
4 windshield, in the lower left corner in a manner that will not
5 obstruct the vision of the driver [~~within six inches of the place~~
6 ~~where the motor vehicle inspection sticker is required to be~~
7 ~~placed~~]. If the vehicle does not have a windshield, the owner, when
8 applying for registration or renewal of registration, shall notify
9 the department, and the department shall issue a distinctive device
10 for attachment to the rear license plate of the vehicle.

11 SECTION 14. The heading to Section 521.3465, Transportation
12 Code, is amended to read as follows:

13 Sec. 521.3465. AUTOMATIC SUSPENSION ON CONVICTION OF
14 CERTAIN OFFENSES INVOLVING FICTITIOUS MOTOR VEHICLE LICENSE
15 PLATES, REGISTRATION INSIGNIA, OR VEHICLE [~~SAFETY~~] INSPECTION
16 REPORTS [~~CERTIFICATES~~].

17 SECTION 15. Section 521.3465(a), Transportation Code, is
18 amended to read as follows:

19 (a) A license is automatically suspended on final
20 conviction of the license holder of:

21 (1) an offense under Section 502.475(a)(4)
22 [~~502.409(a)(4)~~]; or

23 (2) an offense under Section 548.603(a)(1) that
24 involves a fictitious vehicle [~~safety~~] inspection report
25 [~~certificate~~].

26 SECTION 16. Section 521.3466(a), Transportation Code, is
27 amended to read as follows:

1 (a) A license is automatically revoked on final conviction
2 of the license holder of an offense under Section 37.10, Penal Code,
3 if the governmental record was a motor vehicle license plate or
4 registration insignia, within the meaning of Chapter 502, or a
5 vehicle [safety] inspection report [certificate], within the
6 meaning of Chapter 548.

7 SECTION 17. Section 548.001, Transportation Code, is
8 amended by adding Subdivision (10) to read as follows:

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

13 SECTION 18. Section 548.004(c), Transportation Code, is
14 amended to read as follows:

15 (c) The facility may inspect only a vehicle owned by the
16 political subdivision or state agency. ~~[An officer, employee, or~~
17 ~~inspector of the subdivision or agency may not place an inspection~~
18 ~~certificate received from the department under this section on a~~
19 ~~vehicle not owned by the subdivision or agency.]~~

20 SECTION 19. Section 548.053(a), Transportation Code, is
21 amended to read as follows:

22 (a) If an inspection discloses the necessity for
23 adjustment, correction, or repair, an inspection station or
24 inspector may not issue a passing vehicle inspection report ~~[an~~
25 ~~inspection certificate]~~ until the adjustment, correction, or
26 repair is made. The owner of the vehicle may have the adjustment,
27 correction, or repair made by a qualified person of the owner's

1 choice, subject to reinspection. The vehicle shall be reinspected
2 once free of charge within 15 days after the date of the original
3 inspection, not including the date the original inspection is made,
4 at the same inspection station after the adjustment, correction, or
5 repair is made.

6 SECTION 20. The heading to Subchapter C, Chapter 548,
7 Transportation Code, is amended to read as follows:

8 SUBCHAPTER C. PERIODS OF INSPECTION; PREREQUISITES TO ISSUANCE OF
9 PASSING VEHICLE INSPECTION REPORT [~~CERTIFICATE~~]

10 SECTION 21. Section 548.101, Transportation Code, is
11 amended to read as follows:

12 Sec. 548.101. GENERAL ONE-YEAR INSPECTION PERIOD. Except as
13 provided by Section 548.102, the department shall require an annual
14 inspection. The department shall set the periods of inspection and
15 may make rules with respect to those periods. The rules must provide
16 that:

17 (1) a vehicle owner may obtain an inspection not
18 earlier than 90 days before the date of expiration of the vehicle's
19 registration; and

20 (2) a used motor vehicle sold by a dealer, as defined
21 by Section 503.001, must be inspected in the 180 days preceding the
22 date the dealer sells the vehicle.

23 SECTION 22. Section 548.103, Transportation Code, is
24 amended to read as follows:

25 Sec. 548.103. EXTENDED INSPECTION PERIOD FOR CERTAIN
26 VEHICLES. The department may extend the time within which the
27 resident owner of a vehicle that is not in this state when an

1 inspection is required must obtain a vehicle [~~an~~] inspection report
2 [~~certificate~~] in this state.

3 SECTION 23. Section 548.105, Transportation Code, is
4 amended to read as follows:

5 Sec. 548.105. EVIDENCE OF FINANCIAL RESPONSIBILITY AS
6 PREREQUISITE TO ISSUANCE OF PASSING VEHICLE INSPECTION REPORT
7 [~~CERTIFICATE~~]. (a) An inspection station or inspector may not
8 issue a passing vehicle [~~an~~] inspection report [~~certificate~~] for a
9 vehicle unless the owner or operator furnishes evidence of
10 financial responsibility at the time of inspection. Evidence of
11 financial responsibility may be shown in the manner specified under
12 Section 601.053(a). A personal automobile insurance policy used as
13 evidence of financial responsibility must be written for a term of
14 30 days or more as required by Section 1952.054 [~~Article 5.06~~],
15 Insurance Code.

16 (b) An inspection station is not liable to a person,
17 including a third party, for issuing a passing vehicle [~~an~~]
18 inspection report [~~certificate~~] in reliance on evidence of
19 financial responsibility furnished to the station. An inspection
20 station that is the seller of a motor vehicle may rely on an oral
21 insurance binder.

22 SECTION 24. The heading to Subchapter E, Chapter 548,
23 Transportation Code, is amended to read as follows:

24 SUBCHAPTER E. ISSUANCE [~~, RECORDING, AND PROOF~~] OF VEHICLE
25 INSPECTION REPORTS; SUBMISSION OF INFORMATION TO DEPARTMENT
26 DATABASE [~~CERTIFICATES AND VERIFICATION FORMS~~]

27 SECTION 25. Section 548.251, Transportation Code, is

1 amended to read as follows:

2 Sec. 548.251. DEPARTMENT TO MAINTAIN DATABASE [~~PROVIDE~~
3 ~~INSPECTION CERTIFICATES AND VERIFICATION FORMS~~]. The department
4 shall maintain an electronic database to which inspection stations
5 may electronically submit the information required by Section
6 548.253 [~~provide serially numbered inspection certificates and~~
7 ~~verification forms to inspection stations. The department may~~
8 ~~issue a unique inspection certificate for:~~

9 [~~(1) a commercial motor vehicle inspected under~~
10 ~~Section 548.201, or~~

11 [~~(2) a vehicle inspected under Subchapter F~~].

12 SECTION 26. Section 548.252, Transportation Code, is
13 amended to read as follows:

14 Sec. 548.252. ISSUANCE [~~SAFEKEEPING AND CONTROL~~] OF VEHICLE
15 INSPECTION REPORTS [~~CERTIFICATES AND VERIFICATION FORMS~~].

16 (a) The department by rule shall require an inspection station to:

17 (1) issue a vehicle inspection report to the owner or
18 operator of each vehicle inspected by the station; and

19 (2) issue a passing vehicle inspection report to the
20 owner or operator of each vehicle inspected by the station that
21 passes the inspections required by this chapter.

22 (b) The department may adopt rules regarding the issuance of
23 vehicle inspection reports, including rules providing for [~~On being~~
24 ~~licensed, an inspector or owner of an inspection station shall:~~

25 [~~(1) provide for~~] the format and safekeeping of the
26 reports [~~inspection certificates and verification forms,~~

27 [~~(2) safeguard the certificates and forms against~~

1 ~~theft, loss, or damage;~~

2 ~~[(3) control the sequence of issuance of the~~
3 ~~certificates and forms; and~~

4 ~~[(4) ensure that the certificates and forms are issued~~
5 ~~in accordance with department rules].~~

6 SECTION 27. Section 548.253, Transportation Code, is
7 amended to read as follows:

8 Sec. 548.253. INFORMATION TO BE SUBMITTED [~~RECORDED~~] ON
9 COMPLETION [~~ISSUANCE~~] OF INSPECTION [~~CERTIFICATE AND VERIFICATION~~
10 ~~FORM~~]. An inspection station or inspector, on completion of
11 [~~issuing~~] an inspection [~~certificate and verification form~~], shall
12 electronically submit to the department's inspection database:

13 (1) the vehicle identification number of the inspected
14 vehicle and an indication of whether the vehicle passed the
15 inspections required by this chapter [~~make a record and report as~~
16 ~~prescribed by the department of the inspection and certificate~~
17 ~~issued~~]; and

18 (2) any additional [~~include in the inspection~~
19 ~~certificate and verification form the~~] information required by rule
20 by the department for the type of vehicle inspected.

21 SECTION 28. Section 548.254, Transportation Code, is
22 amended to read as follows:

23 Sec. 548.254. VALIDITY OF VEHICLE INSPECTION REPORT
24 [~~CERTIFICATE~~]. A vehicle [~~An~~] inspection report [~~certificate~~] is
25 invalid after the end of the 12th month following the month in which
26 the report [~~certificate~~] is issued. [~~An unused inspection~~
27 ~~certificate representing a previous inspection period may not be~~

1 ~~issued after the beginning of the next period.]~~

2 SECTION 29. Section 548.256, Transportation Code, is
3 amended to read as follows:

4 Sec. 548.256. PROOF OF INSPECTION [~~VERIFICATION FORM~~]
5 REQUIRED TO REGISTER VEHICLE. [~~(a)~~] Before a vehicle [~~that is~~
6 ~~brought into this state by a person other than a manufacturer or~~
7 ~~importer~~] may be registered, the Texas Department of Motor Vehicles
8 or the county assessor-collector registering the vehicle shall
9 verify that the vehicle has passed the inspections required by this
10 chapter, as indicated in the department's inspection database. If
11 the database information is not available, the owner of the vehicle
12 may present a vehicle inspection report issued for the vehicle[+
13 ~~the owner must have the vehicle inspected and have the inspection~~
14 ~~station record the following information on a verification form~~
15 ~~prescribed and provided by the department:~~

16 [(1) ~~the vehicle identification number,~~

17 [(2) ~~the number appearing on the odometer of the~~
18 ~~vehicle at the time of the inspection, if the vehicle has an~~
19 ~~odometer, and~~

20 [(3) ~~other information the department requires~~].

21 [(b) ~~An inspection station may not issue the verification~~
22 ~~form unless the vehicle complies with the inspection requirements~~
23 ~~of this chapter.~~]

24 SECTION 30. Section 548.258(b), Transportation Code, is
25 amended to read as follows:

26 (b) The department may adopt rules to require an inspection
27 station to use the state electronic Internet portal to[+

1 ~~[(1) purchase inspection certificates, or~~
2 ~~[(2)]~~ send to the department a record, report, or
3 other information required by the department.

4 SECTION 31. Section 548.301(c), Transportation Code, is
5 amended to read as follows:

6 (c) A program established under this section must
7 ~~[Subsection (b) or (b-1) may]~~ include registration and
8 reregistration-based enforcement.

9 SECTION 32. Section 548.302, Transportation Code, is
10 amended to read as follows:

11 Sec. 548.302. COMMISSION TO ADOPT STANDARDS AND
12 REQUIREMENTS. The commission shall:

13 (1) adopt standards for emissions-related inspection
14 criteria consistent with requirements of the United States and the
15 conservation commission applicable to a county in which a program
16 is established under this subchapter; and

17 (2) develop and impose requirements necessary to
18 ensure that a passing vehicle ~~[an]~~ inspection report ~~[certificate]~~
19 is not issued to a vehicle subject to a program established under
20 this subchapter and that information stating that a vehicle has
21 passed an inspection is not submitted to the department's database
22 unless the vehicle has passed a motor vehicle emissions inspection
23 at a facility authorized and certified by the department.

24 SECTION 33. Section 548.304, Transportation Code, is
25 amended to read as follows:

26 Sec. 548.304. STATIONS LICENSED TO CONDUCT EMISSIONS
27 INSPECTIONS. ~~[(a)]~~ The department may authorize and certify

1 inspection stations as necessary to implement the
2 emissions-related inspection requirements of the motor vehicle
3 emissions inspection and maintenance program established under
4 this subchapter if the station meets the department's certification
5 requirements.

6 ~~[(b) The department shall provide inspection certificates
7 for distribution and issuance at inspection stations certified by
8 the department.]~~

9 SECTION 34. Section 548.401, Transportation Code, is
10 amended to read as follows:

11 Sec. 548.401. CERTIFICATION GENERALLY. A person may
12 perform an inspection, ~~[or]~~ issue a vehicle [an] inspection report,
13 or submit inspection information to the department's inspection
14 database ~~[certificate]~~ only if certified to do so by the department
15 under rules adopted by the department.

16 SECTION 35. Section 548.407(d), Transportation Code, is
17 amended to read as follows:

18 (d) The department may provide that a revocation or
19 suspension takes effect on receipt of notice under Subsection (b)
20 if the department finds that the action is necessary to prevent or
21 remedy a threat to public health, safety, or welfare. Violations
22 that present a threat to public health, safety, or welfare include:

23 (1) issuing a passing vehicle [an] inspection report
24 or submitting inspection information to the department's database
25 ~~[certificate]~~ with knowledge that the issuance or submission is in
26 violation of this chapter or rules adopted under this chapter;

27 (2) falsely or fraudulently representing to the owner

1 or operator of a vehicle that equipment inspected or required to be
2 inspected must be repaired, adjusted, or replaced for the vehicle
3 to pass an inspection;

4 (3) issuing a vehicle [~~an~~] inspection report or
5 submitting inspection information to the department's database
6 [~~certificate~~]:

7 (A) without authorization to issue the report or
8 submit the information [~~certificate~~]; or

9 (B) without inspecting the vehicle;

10 (4) issuing a passing vehicle [~~an~~] inspection report
11 or submitting inspection information to the department's database
12 [~~certificate~~] for a vehicle with knowledge that the vehicle has not
13 been repaired, adjusted, or corrected after an inspection has shown
14 a repair, adjustment, or correction to be necessary;

15 (5) knowingly issuing a passing vehicle [~~an~~]
16 inspection report or submitting inspection information to the
17 department's database [~~certificate~~]:

18 (A) for a vehicle without conducting an
19 inspection of each item required to be inspected; or

20 (B) for a vehicle that is missing an item
21 required to be inspected or that has an item required to be
22 inspected that is not in compliance with state law or department
23 rules;

24 (6) refusing to allow a vehicle's owner to have a
25 qualified person of the owner's choice make a required repair,
26 adjustment, or correction;

27 (7) charging for an inspection an amount greater than

1 the authorized fee;

2 (8) a violation of Subchapter F;

3 (9) a violation of Section 548.603; or

4 (10) a conviction of a felony or a Class A or B
5 misdemeanor that directly relates to or affects the duties or
6 responsibilities of a vehicle inspection station or inspector or a
7 conviction of a similar crime under the jurisdiction of another
8 state or the federal government.

9 SECTION 36. Section 548.501, Transportation Code, is
10 amended to read as follows:

11 Sec. 548.501. INSPECTION FEES GENERALLY. (a) Except as
12 provided by Sections 548.503 and 548.504, the fee for inspection of
13 a motor vehicle other than a moped is \$12.50. The fee for
14 inspection of a moped is \$5.75. [~~The fee for a verification form~~
15 ~~issued as required by Section 548.256 is \$1.~~]

16 (b) Out of each fee for an inspection, \$5.50 shall be
17 remitted to the state under Section 548.509. [~~An inspection~~
18 ~~station shall pay to the department \$5.50 of each fee for an~~
19 ~~inspection. The department may require the station to make an~~
20 ~~advance payment of \$5.50 for each inspection certificate provided~~
21 ~~to the station. If advance payment is made,~~

22 [~~(1) no further payment may be required on issuance of~~
23 ~~a certificate,~~

24 [~~(2) the inspection station may waive the fee due from~~
25 ~~the owner of an inspected vehicle who is issued a certificate to~~
26 ~~which the advance payment applies,~~

27 [~~(3) the department shall refund to the inspection~~

1 ~~station \$5.50 for each unissued certificate that the station~~
2 ~~returns to the department in accordance with department rules, and~~
3 ~~(4) the conservation commission shall pay to the~~
4 ~~department \$2 for each unissued certificate that the station~~
5 ~~returns to the department.]~~

6 SECTION 37. Section 548.502, Transportation Code, is
7 amended to read as follows:

8 Sec. 548.502. INSPECTION BY POLITICAL SUBDIVISION OR STATE
9 AGENCY. A political subdivision or state agency for which the
10 department certifies an inspection station under Section 548.004:

11 (1) shall pay to the state ~~[department an advance~~
12 ~~payment of]~~ \$5.50 for each inspection under Section 548.509
13 ~~[certificate provided to it]~~; and

14 (2) may not be required to pay the remainder of the
15 ~~[compulsory]~~ inspection fee.

16 SECTION 38. Section 548.503, Transportation Code, is
17 amended to read as follows:

18 Sec. 548.503. INITIAL TWO-YEAR INSPECTION OF PASSENGER CAR
19 OR LIGHT TRUCK. (a) The fee for inspection of a passenger car or
20 light truck under Section 548.102 shall be set by the department by
21 rule on or before September 1 of each year. A fee set by the
22 department under this subsection must be based on the costs of
23 ~~[producing certificates,]~~ providing inspections~~[,]~~ and
24 administering the program, but may not be less than \$21.75.

25 (b) Out of each fee for an inspection under this section,
26 \$14.75 shall be remitted to the state under Section 548.509. ~~[The~~
27 ~~department shall require an inspection station to make an advance~~

1 ~~payment of \$14.75 for a certificate to be issued under this section.~~
2 ~~Additional payment may not be required of the station for the~~
3 ~~certificate. The inspection station may waive the fee due from the~~
4 ~~owner of the vehicle inspected. A refund for an unissued~~
5 ~~certificate shall be made in the same manner as provided for other~~
6 ~~certificate refunds.]~~

7 SECTION 39. Section 548.504(b), Transportation Code, is
8 amended to read as follows:

9 (b) Out of each fee for inspection of a commercial motor
10 vehicle, \$10 shall be remitted to the state under Section 548.509.
11 ~~[The inspection station shall pay to the department \$10 of each fee~~
12 ~~for inspection of a commercial motor vehicle. The department may~~
13 ~~require the station to make an advance payment of \$10 for a~~
14 ~~certificate to be issued under this section. If advance payment is~~
15 ~~made:~~

16 ~~[(1) no additional payment may be required of the~~
17 ~~station for the certificate; and~~

18 ~~[(2) a refund for an unissued certificate shall be~~
19 ~~made in the same manner as provided for other certificate refunds.]~~

20 SECTION 40. Section 548.505(a), Transportation Code, is
21 amended to read as follows:

22 (a) The department by rule may impose an inspection fee for
23 a vehicle inspected under Section 548.301(a) in addition to the fee
24 provided by Section 548.501, 548.502, 548.503, or 548.504. A fee
25 imposed under this subsection must be based on the costs of:

26 (1) ~~[producing certificates;~~

27 ~~[(2)]~~ providing inspections; and

1 (2) [~~(3)~~] administering the program.

2 SECTION 41. Section 548.508, Transportation Code, is
3 amended to read as follows:

4 Sec. 548.508. DISPOSITION OF FEES. Except as provided by
5 Sections 382.0622 and 382.202, Health and Safety Code, and Section
6 548.5055, each fee remitted to the comptroller [~~collected by the~~
7 ~~department~~] under this subchapter shall be deposited to the credit
8 of the Texas mobility fund.

9 SECTION 42. Subchapter H, Chapter 548, Transportation Code,
10 is amended by adding Section 548.509 to read as follows:

11 Sec. 548.509. COLLECTION OF FEE DURING REGISTRATION. The
12 Texas Department of Motor Vehicles or a county assessor-collector
13 that registers a motor vehicle that is subject to an inspection fee
14 under this chapter shall collect at the time of registration of the
15 motor vehicle the portion of the inspection fee that is required to
16 be remitted to the state. The Texas Department of Motor Vehicles or
17 the county assessor-collector shall remit the fee to the
18 comptroller.

19 SECTION 43. Section 548.601(a), Transportation Code, is
20 amended to read as follows:

21 (a) A person, including an inspector or an inspection
22 station, commits an offense if the person:

23 (1) submits information to the department's inspection
24 database or issues a vehicle inspection report [~~an inspection~~
25 ~~certificate~~] with knowledge that the submission or issuance is in
26 violation of this chapter or rules adopted under this chapter;

27 (2) falsely or fraudulently represents to the owner or

1 operator of a vehicle that equipment inspected or required to be
2 inspected must be repaired, adjusted, or replaced for the vehicle
3 to pass an inspection;

4 (3) misrepresents:

5 (A) material information in an application in
6 violation of Section 548.402 or 548.403; or

7 (B) information filed with the department under
8 this chapter or as required by department rule;

9 (4) submits information to the department's inspection
10 database or issues a vehicle inspection report [~~an inspection~~
11 ~~certificate~~]:

12 (A) without authorization to issue the report or
13 submit the information [~~certificate~~]; or

14 (B) without inspecting the vehicle;

15 (5) submits information to the department's inspection
16 database indicating that a vehicle has passed the applicable
17 inspections or issues a passing vehicle [~~an~~] inspection report
18 [~~certificate~~] for a vehicle with knowledge that the vehicle has not
19 been repaired, adjusted, or corrected after an inspection has shown
20 a repair, adjustment, or correction to be necessary;

21 (6) knowingly submits information to the department's
22 inspection database or issues a vehicle inspection report [~~an~~
23 ~~inspection certificate~~]:

24 (A) for a vehicle without conducting an
25 inspection of each item required to be inspected; or

26 (B) for a vehicle that is missing an item
27 required to be inspected or that has an item required to be

1 inspected that is not in compliance with state law or department
2 rules;

3 (7) refuses to allow a vehicle's owner to have a
4 qualified person of the owner's choice make a required repair,
5 adjustment, or correction;

6 (8) charges for an inspection an amount greater than
7 the authorized fee; or

8 (9) performs an act prohibited by or fails to perform
9 an act required by this chapter or a rule adopted under this
10 chapter.

11 SECTION 44. Sections 548.603(a), (b), and (c),
12 Transportation Code, are 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
16 ~~[displays or causes or permits to be displayed an inspection~~
17 ~~certificate]~~ or insurance document knowing that the report
18 ~~[certificate]~~ or document is counterfeit, tampered with, altered,
19 fictitious, issued for another vehicle, issued for a vehicle
20 failing to meet all emissions inspection requirements, or issued in
21 violation of:

22 (A) this chapter, rules adopted under this
23 chapter, or other law of this state; or

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

27 (2) ~~[transfers an inspection certificate from a~~

1 ~~windshield or location to another windshield or location;~~

2 ~~[(3)]~~ with intent to circumvent the emissions
3 inspection requirements seeks an inspection of a vehicle at a
4 station not certified to perform an emissions inspection if the
5 person knows that the vehicle is required to be inspected under
6 Section 548.301; or

7 (3) ~~[(4)]~~ knowingly does not comply with an emissions
8 inspection requirement for a vehicle~~[-or~~

9 ~~[(5) displays on a vehicle an inspection certificate~~
10 ~~that was obtained knowing that the vehicle does not meet all~~
11 ~~emissions inspection requirements for the vehicle].~~

12 (b) A person commits an offense if the person:

13 (1) makes or possesses, with the intent to sell,
14 circulate, or pass, a counterfeit vehicle inspection report
15 ~~[certificate]~~ or insurance document; or

16 (2) possesses any part of a stamp, dye, plate,
17 negative, machine, or other device that is used or designated for
18 use in making a counterfeit vehicle inspection report ~~[certificate]~~
19 or insurance document.

20 (c) The owner of a vehicle commits an offense if the owner
21 knowingly allows the vehicle to be registered using a vehicle
22 inspection report ~~[or operated while the vehicle displays an~~
23 ~~inspection certificate]~~ in violation of Subsection (a).

24 SECTION 45. Section 548.603(f), Transportation Code, as
25 added by Chapter 851 (H.B. 1048), Acts of the 75th Legislature,
26 Regular Session, 1997, is amended to read as follows:

27 (f) Notwithstanding Subsection (c), an offense under

1 Subsection (a)(1) that involves a fictitious vehicle inspection
2 report [~~certificate~~] is a Class B misdemeanor.

3 SECTION 46. Section 548.6035(a), Transportation Code, is
4 amended to read as follows:

5 (a) A person commits an offense if, in connection with a
6 required emissions inspection of a motor vehicle, the person
7 knowingly:

8 (1) submits information to the department's inspection
9 database stating that a vehicle has passed the applicable
10 inspections or issues a passing vehicle inspection report [~~places~~
11 ~~or causes to be placed on a motor vehicle an inspection~~
12 ~~certificate~~], if:

13 (A) the vehicle does not meet the emissions
14 requirements established by the department; or

15 (B) the person has not inspected the vehicle;

16 (2) manipulates an emissions test result;

17 (3) uses or causes to be used emissions data from
18 another motor vehicle as a substitute for the motor vehicle being
19 inspected; or

20 (4) bypasses or circumvents a fuel cap test.

21 SECTION 47. Section 623.011(d), Transportation Code, is
22 amended to read as follows:

23 (d) When the department issues a permit under this section,
24 the department shall issue a sticker to be placed on the front
25 windshield of the vehicle [~~above the inspection certificate issued~~
26 ~~to the vehicle~~]. The department shall design the form of the
27 sticker to aid in the enforcement of weight limits for vehicles.

1 SECTION 48. Section 683.051, Transportation Code, is
2 amended to read as follows:

3 Sec. 683.051. APPLICATION FOR AUTHORIZATION TO DISPOSE OF
4 CERTAIN MOTOR VEHICLES. A person may apply to the department for
5 authority:

6 (1) to sell, give away, or dispose of a motor vehicle
7 to a motor vehicle demolisher if:

8 (A) the person owns the motor vehicle and the
9 certificate of title to the vehicle is lost, destroyed, or faulty;
10 or

11 (B) the vehicle is an abandoned motor vehicle and
12 is:

13 (i) in the possession of the person; or
14 (ii) located on property owned by the
15 person; or

16 (2) to dispose of a motor vehicle to a motor vehicle
17 demolisher for demolition, wrecking, or dismantling if:

18 (A) the abandoned motor vehicle:
19 (i) is in the possession of the person;
20 (ii) is more than eight years old;
21 (iii) either has no motor or is otherwise
22 totally inoperable or does not comply with all applicable air
23 pollution emissions control related requirements included in[+
24 ~~(aa) the vehicle inspection requirements under Chapter 548, as~~
25 ~~evidenced by a current inspection certificate affixed to the~~
26 ~~vehicle windshield; or (bb)] the vehicle emissions inspection and
27 maintenance requirements contained in the Public Safety~~

1 Commission's motor vehicle emissions inspection and maintenance
2 program under Subchapter F, Chapter 548, or the state's air quality
3 state implementation plan; and

4 (iv) was authorized to be towed by a law
5 enforcement agency; and

6 (B) the law enforcement agency approves the
7 application.

8 SECTION 49. Section 683.071, Transportation Code, as
9 amended by Chapters 720 (H.B. 787) and 753 (H.B. 1376), Acts of the
10 82nd Legislature, Regular Session, 2011, is reenacted and amended
11 to read as follows:

12 Sec. 683.071. DEFINITION AND APPLICABILITY. (a) In this
13 subchapter, "junked vehicle" means a vehicle that:

14 (1) is self-propelled; and

15 (2) is:

16 (A) wrecked, dismantled or partially dismantled,
17 or discarded; or

18 (B) inoperable and has remained inoperable for
19 more than:

20 (i) 72 consecutive hours, if the vehicle is
21 on public property; or

22 (ii) 30 consecutive days, if the vehicle is
23 on private property.

24 (b) For purposes of this subchapter, "junked vehicle"
25 includes a motor vehicle, aircraft, or watercraft. This subchapter
26 applies only to:

27 (1) a motor vehicle that displays an expired license

1 plate [~~or invalid motor vehicle inspection certificate~~] or does not
2 display a license plate [~~or motor vehicle inspection certificate~~];

3 (2) an aircraft that does not have lawfully printed on
4 the aircraft an unexpired federal aircraft identification number
5 registered under Federal Aviation Administration aircraft
6 registration regulations in 14 C.F.R. Part 47; or

7 (3) a watercraft that:

8 (A) does not have lawfully on board an unexpired
9 certificate of number; and

10 (B) is not a watercraft described by Section
11 31.055, Parks and Wildlife Code.

12 SECTION 50. The following statutes are repealed:

13 (1) Section 548.053(c), Transportation Code;

14 (2) Section 548.255, Transportation Code;

15 (3) Section 548.257, Transportation Code;

16 (4) Section 548.602, Transportation Code;

17 (5) Section 548.603(e)(2), Transportation Code;

18 (6) Section 548.603(f), Transportation Code, as added
19 by Chapter 1069 (S.B. 1856), Acts of the 75th Legislature, Regular
20 Session, 1997; and

21 (7) Section 548.605, Transportation Code.

22 SECTION 51. Article 45.003, Code of Criminal Procedure,
23 Section 103.0213, Government Code, and Sections 521.3465,
24 521.3466, 548.601, 548.603, and 548.6035, Transportation Code, as
25 amended by this Act, and the repeal by this Act of Sections 548.602
26 and 548.605, Transportation Code, apply only to an offense
27 committed on or after March 1, 2015. An offense committed before

1 March 1, 2015, is governed by the law in effect on the date the
2 offense was committed, and the former law is continued in effect for
3 that purpose. For purposes of this section, an offense was
4 committed before March 1, 2015, if any element of the offense
5 occurred before that date.

6 SECTION 52. To the extent of any conflict, this Act prevails
7 over another Act of the 83rd Legislature, Regular Session, 2013,
8 relating to nonsubstantive additions to and corrections in enacted
9 codes.

10 SECTION 53. (a) Except as provided by Subsection (c) of
11 this section, not later than March 1, 2014, the Texas Department of
12 Motor Vehicles, the Department of Public Safety of the State of
13 Texas, and the Texas Commission on Environmental Quality shall
14 adopt rules necessary to implement the changes in law made by this
15 Act.

16 (b) Not later than March 1, 2014, the Department of Public
17 Safety shall create the database described by Section 548.251,
18 Transportation Code, as amended by this Act, and require inspection
19 stations to submit to the database the information required by
20 Section 548.253, Transportation Code, as amended by this Act.

21 (c) Not later than January 1, 2014, the Department of Public
22 Safety shall adopt rules relating to the proof required by Section
23 548.104(d)(3), Transportation Code, as added by this Act.

24 (d) Except as otherwise provided by Subsections (e) and (f)
25 of this section, this Act takes effect March 1, 2015.

26 (e) Subsections (a), (b), and (c) of this section take
27 effect September 1, 2013.

1 (f) The change in law made by Section 548.104(d)(3),
2 Transportation Code, as added by this Act, takes effect September
3 1, 2014, and applies only to a vehicle inspected on or after that
4 date.

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SECTION 1. Section 548.104(d), Transportation Code, is amended to read as follows:

SECTION 1. Section 548.104, Transportation Code, is amended to read as follows: [FA1(1)]

SECTION 1. Same as Senate version.

Sec. 548.104. EQUIPMENT-RELATED PREREQUISITES TO ISSUANCE OF PASSING VEHICLE INSPECTION REPORT [~~CERTIFICATE~~].

(a) The commission shall adopt uniform standards of safety applicable to each item required to be inspected by Section 548.051. The standards and the list of items to be inspected shall be posted in each inspection station.

(b) An inspection station or inspector may issue a passing vehicle [~~an~~] inspection report [~~certificate~~] only if the vehicle is inspected and found to be in proper and safe condition and to comply with this chapter and the rules adopted under this chapter.

(c) An inspection station or inspector may inspect only the equipment required to be inspected by Section 548.051 and may not:

(1) falsely and fraudulently represent to an applicant that equipment required to be inspected must be repaired, adjusted, or replaced before the vehicle will pass inspection; or

(2) require an applicant to have another part of the vehicle or other equipment inspected as a prerequisite for issuance of a passing vehicle [~~an~~] inspection report [~~certificate~~].

(d) An inspection station or inspector may not issue a passing vehicle [~~an~~] inspection report [~~certificate~~] for a vehicle equipped with:

(d) An inspection station or inspector may not issue ***an inspection certificate*** for a vehicle equipped with:

(1) a carburetion device permitting the use of liquefied gas alone or interchangeably with another fuel, unless a valid liquefied gas tax decal issued by the comptroller is attached to the lower right-hand corner of the front windshield of the vehicle on the passenger side; [~~or~~]

(1) a carburetion device permitting the use of liquefied gas alone or interchangeably with another fuel, unless a valid liquefied gas tax decal issued by the comptroller is attached to the lower right-hand corner of the front windshield of the vehicle on the passenger side; [~~or~~]

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(2) a suncreening device prohibited by Section 547.613, except that the department by rule shall provide procedures for issuance of *an inspection certificate* for a vehicle exempt under Section 547.613(c); or

(3) a compressed natural gas container unless the owner demonstrates in accordance with department rules proof:

(A) that:

(i) the container has met the inspection requirements under 49 C.F.R. Section 571.304; and

(ii) the manufacturer's recommended service life for the container, as stated on the container label required by 49 C.F.R. Section 571.304, has not expired; or

(B) that the vehicle is a fleet vehicle for which the fleet operator employs a technician certified to inspect the container.

(2) a sunscreening device prohibited by Section 547.613, except that the department by rule shall provide procedures for issuance of a passing vehicle ~~an~~ inspection report ~~certificate~~ for a vehicle exempt under Section 547.613(c); or

(3) a compressed natural gas container unless the owner demonstrates in accordance with department rules proof:

(A) that:

(i) the container has met the inspection requirements under 49 C.F.R. Section 571.304; and

(ii) the manufacturer's recommended service life for the container, as stated on the container label required by 49 C.F.R. Section 571.304, has not expired; or

(B) that the vehicle is a fleet vehicle for which the fleet operator employs a technician certified to inspect the container.

(e) *The department shall adopt rules relating to inspection of and issuance of a vehicle ~~an~~ inspection report ~~certificate~~ for a moped.* [FA1(2)]

No equivalent provision.

SECTION __. Article 45.003, Code of Criminal Procedure, is amended to read as follows:

Art. 45.003. DEFINITION FOR CERTAIN PROSECUTIONS. For purposes of dismissing a charge under Section 502.407 [~~or 548.605~~], Transportation Code, "day" does not include Saturday, Sunday, or a legal holiday. [FA1(4)]

SECTION 2. Same as Senate version.

No equivalent provision.

SECTION __. Subsection (d), Section 51.207, Education Code, is amended to read as follows:

(d) This subsection applies only to a public institution of higher education campus that is not covered by Subsection

SECTION 3. Same as Senate version except for recitation.

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(b). The institution may not issue a permit to a student of the institution for driving or parking a motor vehicle on institutional property unless the institution provides written notice to the student that failure to register the vehicle in this state ~~[or to display a current and appropriate inspection certificate issued under Chapter 548, Transportation Code.]~~ may violate state law if the owner of the vehicle resides in this state. [FA1(4)]

No equivalent provision.

SECTION __. Section 103.0213, Government Code, is amended to read as follows:

Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES; TRANSPORTATION CODE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs under the Transportation Code if ordered by the court or otherwise required:

- (1) administrative fee on dismissal of charge of driving with an expired motor vehicle registration (Sec. 502.407, Transportation Code) . . . not to exceed \$20;
- (2) administrative fee on dismissal of charge of driving with an expired driver's license (Sec. 521.026, Transportation Code) . . . not to exceed \$20;
- (3) ~~[administrative fee on remediation of charge of driving with an expired inspection certificate (Sec. 548.605, Transportation Code) . . . not to exceed \$20;~~
- ~~(4)~~ administrative fee for failure to appear for a complaint or citation on certain offenses (Sec. 706.006, Transportation Code) . . . \$30 for each violation; and
- ~~(4)~~ ~~(5)~~ administrative fee for failure to pay or satisfy certain judgments (Sec. 706.006, Transportation Code) . . . \$30.

SECTION 4. Same as Senate version.

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[FA1(4)]

No equivalent provision.

SECTION __. Subsection (a), Section 382.0622, 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 of each fee ~~[advance payment]~~ collected for inspections of ~~[by the Department of Public Safety for inspection certificates for]~~ vehicles other than mopeds under Section 548.501, Transportation Code; and
(3) fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d). [FA1(4)]

SECTION 5. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Subsections (d) and (l), Section 382.202, Health and Safety Code, are amended to read as follows:
(d) On adoption of a resolution by the commission and after proper notice, the Department of Public Safety of the State of Texas shall implement a system that requires, as a condition of obtaining a passing vehicle [safety] inspection report [certificate] issued under Subchapter C, Chapter 548, Transportation Code, in a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F of that chapter, that the vehicle, 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. The Department of Public Safety shall implement such a system when it is required by any

SECTION 6. Same as Senate version except for recitation.

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provision of federal or state law, including any provision of the state's air quality state implementation plan.

(1) Except as provided by this subsection, a person who sells or transfers ownership of a motor vehicle for which a passing vehicle [emissions] inspection report [certificate] has been issued is not liable for the cost of emission control system repairs that are required for the vehicle subsequently to receive a passing report [an emissions inspection certificate]. This subsection does not apply to repairs that are required because emission control equipment or devices on the vehicle were removed or tampered with before the sale or transfer of the vehicle. [FA1(4)]

No equivalent provision.

SECTION __. Subsection (d), Section 382.205, Health and Safety Code, is amended to read as follows:

(d) The Department of Public Safety of the State of Texas by rule shall adopt:

(1) testing procedures in accordance with motor vehicle emissions testing equipment specifications; and

(2) procedures for issuing a vehicle [or denying an emissions] inspection report following an emissions inspection and submitting information to the inspection database described by Section 548.251, Transportation Code, following an emissions inspection [certificate]. [FA1(4)]

SECTION 7. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Subsections (b) and (d), Section 382.220, Health and Safety Code, are amended to read as follows:

(b) A program under this section must be implemented in consultation with the commission and may include a program to:

SECTION 8. Same as Senate version except for recitation.

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- (1) expand and enhance the AirCheck Texas Repair and Replacement Assistance Program;
 - (2) develop and implement programs or systems that remotely determine vehicle emissions and notify the vehicle's operator;
 - (3) develop and implement projects to implement the commission's smoking vehicle program;
 - (4) develop and implement projects in consultation with the director of the Department of Public Safety for coordinating with local law enforcement officials to reduce the use of counterfeit registration insignia and vehicle inspection reports [~~state inspection stickers~~] by providing local law enforcement officials with funds to identify vehicles with counterfeit registration insignia and vehicle inspection reports [~~state inspection stickers~~] and to carry out appropriate actions;
 - (5) develop and implement programs to enhance transportation system improvements; or
 - (6) develop and implement new air control strategies designed to assist local areas in complying with state and federal air quality rules and regulations.
- (d) Fees collected under Sections 382.202 and 382.302 may be used, in an amount not to exceed \$5 million per fiscal year, for projects described by Subsection (b). The fees shall be made available only to counties participating in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement programs created under Section 382.209 and only on a matching basis, whereby the commission provides money to a county in the same amount that the county dedicates to a project authorized by Subsection (b). The commission may reduce the match requirement for a county that proposes to develop and implement independent test facility fraud detection programs, including the use of

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remote sensing technology for coordinating with law enforcement officials to detect, prevent, and prosecute the use of counterfeit registration insignia and vehicle inspection reports [~~state inspection stickers~~]. [FA1(4)]

No equivalent provision.

SECTION __. Subsections (d) and (e), Section 2308.253, Occupations Code, are amended to read as follows:

(d) Except as provided by a contract described by Subsection (e), a parking facility owner may not have a vehicle removed from the parking facility merely because the vehicle does not display[~~:~~

[~~(1)~~] an unexpired license plate or registration insignia issued for the vehicle under Chapter 502, Transportation Code, or the vehicle registration law of another state or country[~~;~~ ~~or~~

[~~(2)~~] a valid vehicle inspection certificate issued under Chapter 548, Transportation Code, or the vehicle inspection law of another state or country].

(e) A contract provision providing for the removal from a parking facility of a vehicle that does not display an unexpired license plate or registration insignia [~~or a valid inspection certificate~~] is valid only if the provision requires the owner or operator of the vehicle to be given at least 10 days' written notice that the vehicle will be towed from the facility at the vehicle owner's or operator's expense if it is not removed from the parking facility. The notice must be:

(1) delivered in person to the owner or operator of the vehicle; or

(2) sent by certified mail, return receipt requested, to that owner or operator. [FA1(4)]

SECTION 9. Same as Senate version except for recitation.

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No equivalent provision.

SECTION __. Subsection (a), Section 501.030, Transportation Code, is amended to read as follows:
(a) Before a motor vehicle that was last registered or titled in another state or country may be titled in this state, ~~the applicant must furnish~~ the county assessor-collector shall verify that the vehicle has passed the inspections required by Chapter 548, as indicated in the Department of Public Safety's inspection database under Section 548.251 ~~[with a verification form under Section 548.256]~~. [FA1(4)]

SECTION 10. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Section 502.0023, Transportation Code, is amended by adding Subsection (j) to read as follows:
(j) A motor vehicle, semitrailer, or trailer registered under this section is subject to the inspection requirements of Chapter 548 as if the vehicle, semitrailer, or trailer were registered without extended registration. The department and the Department of Public Safety shall by rule establish a method to enforce the inspection requirements of Chapter 548 for motor vehicles, semitrailers, and trailers registered under this section. The department may assess a fee to cover the department's administrative costs of implementing this subsection. [FA1(4),FA2]

SECTION 11. Same as Senate version.

No equivalent provision.

SECTION __. The heading to Section 502.0023, Transportation Code, is amended. [Amended by FA1(4) and then deleted by FA2]

Same as House version.

No equivalent provision.

SECTION __. Subsections (a) and (b), Section 502.0023,

Same as House version.

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Transportation Code, are amended. [Amended by FA1(4) and then deleted by FA2]

No equivalent provision.

SECTION __. Section 502.047, Transportation Code, is amended to read as follows:
Sec. 502.047. REGISTRATION-BASED ENFORCEMENT OF MOTOR VEHICLE [EMISSIONS] INSPECTION [AND MAINTENANCE] REQUIREMENTS. (a) The department and the Department of Public Safety shall ensure compliance with the motor vehicle inspection requirements under Chapter 548, including compliance with the motor vehicle emissions inspection and maintenance program under Subchapter F of that chapter, through a vehicle registration-based enforcement system [inspection sticker-based enforcement system except as provided by this section or Section 548.3011. Subsections (b)-(e) apply only if the United States Environmental Protection Agency determines that the state has not demonstrated, as required by 40 C.F.R. Section 51.361, that sticker-based enforcement of the program is more effective than registration-based enforcement and gives the Texas Commission on Environmental Quality or the governor written notification that the reregistration-based enforcement of the program, as described by those subsections, will be required. If Subsections (b)-(e) are made applicable as provided by this subsection, the department shall terminate reregistration-based enforcement of the program under those subsections on the date the United States Environmental Protection Agency gives the Texas Commission on Environmental Quality or a person the commission designates written notification that reregistration-based enforcement is not required for the state implementation plan].

SECTION 12. Same as Senate version.

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(b) A motor vehicle may not be registered if the department receives from the Texas Commission on Environmental Quality or the Department of Public Safety notification that the registered owner of the vehicle has not complied with ~~[Subchapter F,]~~ Chapter 548.

(c) A motor vehicle may not be registered if the vehicle was denied registration under Subsection (b) unless verification is received that the registered vehicle owner is in compliance with ~~[Subchapter F,]~~ Chapter 548.

(d) The department and the Department of Public Safety shall enter into an agreement regarding the timely submission by the Department of Public Safety of inspection compliance information to the department.

(d-1) The department, the Texas Commission on Environmental Quality, and the Department of Public Safety shall enter an agreement regarding the responsibilities for costs associated with implementing this section.

(e) A county tax assessor-collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to provide verification of the person's compliance with ~~[Subchapter F,]~~ Chapter 548. [FA 1(4)]

No equivalent provision.

SECTION __. Subsection (c), Section 502.059, Transportation Code, is amended to read as follows:

(c) Except as provided by Subsection (f), the registration insignia for validation of a license plate shall be attached to the inside of the vehicle's windshield, if the vehicle has a windshield, in the lower left corner in a manner that will not obstruct the vision of the driver ~~[within six inches of the place where the motor vehicle inspection sticker is required to be placed]~~. If the vehicle does not have a windshield, the owner,

SECTION 13. Same as Senate version except for recitation.

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when applying for registration or renewal of registration, shall notify the department, and the department shall issue a distinctive device for attachment to the rear license plate of the vehicle. [FA1(4)]

No equivalent provision.

SECTION __. The heading to Section 521.3465, Transportation Code, is amended to read as follows:
Sec. 521.3465. AUTOMATIC SUSPENSION ON CONVICTION OF CERTAIN OFFENSES INVOLVING FICTITIOUS MOTOR VEHICLE LICENSE PLATES, REGISTRATION INSIGNIA, OR VEHICLE [SAFETY] INSPECTION REPORTS [CERTIFICATES]. [FA1(4)]

SECTION 14. Same as Senate version.

No equivalent provision.

SECTION . Subsection (a), Section 521.3465, Transportation Code, is amended to read as follows:
(a) A license is automatically suspended on final conviction of the license holder of:
(1) an offense under Section 502.475(a)(4) [~~502.409(a)(4)~~];
or
(2) an offense under Section 548.603(a)(1) that involves a fictitious vehicle [~~safety~~] inspection report [~~certificate~~]. [FA1(4)]

SECTION 15. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Subsection (a), Section 521.3466, Transportation Code, is amended to read as follows:
(a) A license is automatically revoked on final conviction of the license holder of an offense under Section 37.10, Penal Code, if the governmental record was a motor vehicle license plate or registration insignia, within the meaning of Chapter

SECTION 16. Same as Senate version except for recitation.

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502. or a vehicle ~~[safety]~~ inspection report ~~[certificate]~~, within the meaning of Chapter 548. [FA1(4)]

No equivalent provision.

SECTION __. Section 548.001, Transportation Code, is amended by adding Subdivision (10) to read as follows:
(10) "Vehicle inspection report" means a report issued by an inspector or an inspection station for a vehicle that indicates whether the vehicle has passed the safety and, if applicable, emissions inspections required by this chapter. [FA1(4)]

SECTION 17. Same as Senate version.

No equivalent provision.

SECTION __. Subsection (c), Section 548.004, Transportation Code, is amended to read as follows:
(c) The facility may inspect only a vehicle owned by the political subdivision or state agency. ~~[An officer, employee, or inspector of the subdivision or agency may not place an inspection certificate received from the department under this section on a vehicle not owned by the subdivision or agency.]~~ [FA1(4)]

SECTION 18. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Subsection (a), Section 548.053, Transportation Code, is amended to read as follows:
(a) If an inspection discloses the necessity for adjustment, correction, or repair, an inspection station or inspector may not issue a passing vehicle inspection report ~~[an inspection certificate]~~ until the adjustment, correction, or repair is made. The owner of the vehicle may have the adjustment, correction, or repair made by a qualified person of the owner's choice, subject to reinspection. The vehicle shall be reinspected once free of charge within 15 days after the date of the original

SECTION 19. Same as Senate version, except for recitation.

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inspection, not including the date the original inspection is made, at the same inspection station after the adjustment, correction, or repair is made. [FA1(4)]

No equivalent provision.

SECTION __. The heading to Subchapter C, Chapter 548, Transportation Code, is amended to read as follows:
SUBCHAPTER C. PERIODS OF INSPECTION;
PREREQUISITES TO ISSUANCE OF PASSING VEHICLE INSPECTION REPORT [~~CERTIFICATE~~] [FA1(4)]

SECTION 20. Same as Senate version.

No equivalent provision.

SECTION __. Section 548.101, Transportation Code, is amended to read as follows:
Sec. 548.101. GENERAL ONE-YEAR INSPECTION PERIOD. Except as provided by Section 548.102, the department shall require an annual inspection. The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration. [FA1(4)]

SECTION 21. Section 548.101, Transportation Code, is amended to read as follows:
Sec. 548.101. GENERAL ONE-YEAR INSPECTION PERIOD. Except as provided by Section 548.102, the department shall require an annual inspection. The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that:
(1) a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration; and
(2) a used motor vehicle sold by a dealer, as defined by Section 503.001, must be inspected in the 180 days preceding the date the dealer sells the vehicle.

No equivalent provision.

SECTION __. Section 548.103, Transportation Code, is amended to read as follows:
Sec. 548.103. EXTENDED INSPECTION PERIOD FOR CERTAIN VEHICLES. The department may extend the time

SECTION 22. Same as Senate version.

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within which the resident owner of a vehicle that is not in this state when an inspection is required must obtain a vehicle [an] inspection report [certificate] in this state. [FA1(4)]

No equivalent provision.

SECTION __. Section 548.105, Transportation Code, is amended to read as follows:

Sec. 548.105. EVIDENCE OF FINANCIAL RESPONSIBILITY AS PREREQUISITE TO ISSUANCE OF PASSING VEHICLE INSPECTION REPORT [CERTIFICATE]. (a) An inspection station or inspector may not issue a passing vehicle [an] inspection report [certificate] for a vehicle unless the owner or operator furnishes evidence of financial responsibility at the time of inspection. Evidence of financial responsibility may be shown in the manner specified under Section 601.053(a). A personal automobile insurance policy used as evidence of financial responsibility must be written for a term of 30 days or more as required by Section 1952.054 [~~Article 5-06~~], Insurance Code.

(b) An inspection station is not liable to a person, including a third party, for issuing a passing vehicle [an] inspection report [certificate] in reliance on evidence of financial responsibility furnished to the station. An inspection station that is the seller of a motor vehicle may rely on an oral insurance binder. [FA1(4)]

SECTION 23. Same as Senate version.

No equivalent provision.

SECTION __. The heading to Subchapter E, Chapter 548, Transportation Code, is amended to read as follows:
SUBCHAPTER E. ISSUANCE[~~-, RECORDING, AND PROOF~~] OF VEHICLE INSPECTION REPORTS; SUBMISSION OF INFORMATION TO DEPARTMENT

SECTION 24. Same as Senate version.

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~~DATABASE [CERTIFICATES AND VERIFICATION FORMS] [FA1(4)]~~

No equivalent provision.

SECTION __. Section 548.251, Transportation Code, is amended to read as follows:
Sec. 548.251. DEPARTMENT TO MAINTAIN DATABASE ~~[PROVIDE INSPECTION CERTIFICATES AND VERIFICATION FORMS]~~. The department shall maintain an electronic database to which inspection stations may electronically submit the information required by Section 548.253 ~~[provide serially numbered inspection certificates and verification forms to inspection stations. The department may issue a unique inspection certificate for:~~
~~(1) a commercial motor vehicle inspected under Section 548.201; or~~
~~(2) a vehicle inspected under Subchapter F]. [FA1(4)]~~

SECTION 25. Same as Senate version.

No equivalent provision.

SECTION __. Section 548.252, Transportation Code, is amended to read as follows:
Sec. 548.252. ISSUANCE ~~[SAFEKEEPING AND CONTROL]~~ OF VEHICLE INSPECTION REPORTS ~~[CERTIFICATES AND VERIFICATION FORMS]~~. (a) The department by rule shall require an inspection station to:
(1) issue a vehicle inspection report to the owner or operator of each vehicle inspected by the station; and
(2) issue a passing vehicle inspection report to the owner or operator of each vehicle inspected by the station that passes the inspections required by this chapter.
(b) The department may adopt rules regarding the issuance of vehicle inspection reports, including rules providing for ~~[On~~

SECTION 26. Same as Senate version.

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~~being licensed, an inspector or owner of an inspection station shall:~~

~~[(1) provide for] the format and safekeeping of the reports [inspection certificates and verification forms;~~

~~[(2) safeguard the certificates and forms against theft, loss, or damage;~~

~~[(3) control the sequence of issuance of the certificates and forms; and~~

~~[(4) ensure that the certificates and forms are issued in accordance with department rules]. [FA1(4)]~~

No equivalent provision.

SECTION __. Section 548.253, Transportation Code, is amended to read as follows:

Sec. 548.253. INFORMATION TO BE SUBMITTED [RECORDED] ON COMPLETION [ISSUANCE] OF INSPECTION [CERTIFICATE AND VERIFICATION FORM]. An inspection station or inspector, on completion of [issuing] an inspection [certificate and verification form], shall electronically submit to the department's inspection database:

(1) the vehicle identification number of the inspected vehicle and an indication of whether the vehicle passed the inspections required by this chapter [make a record and report as prescribed by the department of the inspection and certificate issued]; and

(2) any additional [include in the inspection certificate and verification form the] information required by rule by the department for the type of vehicle inspected. [FA1(4)]

SECTION 27. Same as Senate version.

No equivalent provision.

SECTION __. Section 548.254, Transportation Code, is amended to read as follows:

SECTION 28. Same as Senate version.

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Sec. 548.254. VALIDITY OF VEHICLE INSPECTION REPORT ~~[CERTIFICATE]~~. A vehicle ~~[An]~~ inspection report ~~[certificate]~~ is invalid after the end of the 12th month following the month in which the report ~~[certificate]~~ is issued. ~~[An unused inspection certificate representing a previous inspection period may not be issued after the beginning of the next period.]~~ [FA1(4)]

No equivalent provision.

SECTION __. Section 548.256, Transportation Code, is amended to read as follows:

Sec. 548.256. PROOF OF INSPECTION ~~[VERIFICATION FORM]~~ REQUIRED TO REGISTER VEHICLE. ~~[(a)]~~ Before a vehicle ~~[that is brought into this state by a person other than a manufacturer or importer]~~ may be registered, the Texas Department of Motor Vehicles or the county assessor-collector registering the vehicle shall verify that the vehicle has passed the inspections required by this chapter, as indicated in the department's inspection database. If the database information is not available, the owner of the vehicle may present a vehicle inspection report issued for the vehicle; ~~the owner must have the vehicle inspected and have the inspection station record the following information on a verification form prescribed and provided by the department:~~
~~[(1) the vehicle identification number;~~
~~[(2) the number appearing on the odometer of the vehicle at the time of the inspection, if the vehicle has an odometer; and~~
~~[(3) other information the department requires].~~
~~[(b) An inspection station may not issue the verification form unless the vehicle complies with the inspection requirements of this chapter.]~~ [FA1(4)]

SECTION 29. Same as Senate version.

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No equivalent provision.

SECTION __. Subsection (b), Section 548.258, Transportation Code, is amended to read as follows:
(b) The department may adopt rules to require an inspection station to use the state electronic Internet portal to:
~~[(1) purchase inspection certificates; or~~
~~[(2)]~~ send to the department a record, report, or other information required by the department. [FA1(4)]

SECTION 30. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Subsection (c), Section 548.301, Transportation Code, is amended to read as follows:
(c) A program established under this section must ~~[Subsection (b) or (b-1) may]~~ include registration and reregistration-based enforcement. [FA1(4)]

SECTION 31. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Section 548.302, Transportation Code, is amended to read as follows:
Sec. 548.302. COMMISSION TO ADOPT STANDARDS AND REQUIREMENTS. The commission shall:
(1) adopt standards for emissions-related inspection criteria consistent with requirements of the United States and the conservation commission applicable to a county in which a program is established under this subchapter; and
(2) develop and impose requirements necessary to ensure that a passing vehicle [an] inspection report [certificate] is not issued to a vehicle subject to a program established under this subchapter and that information stating that a vehicle has passed an inspection is not submitted to the department's database unless the vehicle has passed a motor vehicle emissions inspection at a facility authorized and certified by the department. [FA1(4)]

SECTION 32. Same as Senate version.

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No equivalent provision.

SECTION __. Section 548.304, Transportation Code, is amended to read as follows:
Sec. 548.304. STATIONS LICENSED TO CONDUCT EMISSIONS INSPECTIONS. ~~[(a)]~~ The department may authorize and certify inspection stations as necessary to implement the emissions-related inspection requirements of the motor vehicle emissions inspection and maintenance program established under this subchapter if the station meets the department's certification requirements.
~~[(b) The department shall provide inspection certificates for distribution and issuance at inspection stations certified by the department.]~~ [FA1(4)]

SECTION 33. Same as Senate version.

No equivalent provision.

SECTION __. Section 548.401, Transportation Code, is amended to read as follows:
Sec. 548.401. CERTIFICATION GENERALLY. A person may perform an inspection, ~~[(a)]~~ issue a vehicle ~~[(a)]~~ inspection report, or submit inspection information to the department's inspection database ~~[(a)]~~ only if certified to do so by the department under rules adopted by the department. [FA1(4)]

SECTION 34. Same as Senate version.

No equivalent provision.

SECTION __. Subsection (d), Section 548.407, Transportation Code, is amended to read as follows:
(d) The department may provide that a revocation or suspension takes effect on receipt of notice under Subsection (b) if the department finds that the action is necessary to prevent or remedy a threat to public health, safety, or welfare.

SECTION 35. Same as Senate version except for recitation.

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Violations that present a threat to public health, safety, or welfare include:

- (1) issuing a passing vehicle [an] inspection report or submitting inspection information to the department's database [certificate] with knowledge that the issuance or submission is in violation of this chapter or rules adopted under this chapter;
- (2) falsely or fraudulently representing to the owner or operator of a vehicle that equipment inspected or required to be inspected must be repaired, adjusted, or replaced for the vehicle to pass an inspection;
- (3) issuing a vehicle [an] inspection report or submitting inspection information to the department's database [certificate]:
 - (A) without authorization to issue the report or submit the information [certificate]; or
 - (B) without inspecting the vehicle;
- (4) issuing a passing vehicle [an] inspection report or submitting inspection information to the department's database [certificate] for a vehicle with knowledge that the vehicle has not been repaired, adjusted, or corrected after an inspection has shown a repair, adjustment, or correction to be necessary;
- (5) knowingly issuing a passing vehicle [an] inspection report or submitting inspection information to the department's database [certificate]:
 - (A) for a vehicle without conducting an inspection of each item required to be inspected; or
 - (B) for a vehicle that is missing an item required to be inspected or that has an item required to be inspected that is not in compliance with state law or department rules;
- (6) refusing to allow a vehicle's owner to have a qualified person of the owner's choice make a required repair, adjustment, or correction;

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- (7) charging for an inspection an amount greater than the authorized fee;
- (8) a violation of Subchapter F;
- (9) a violation of Section 548.603; or
- (10) a conviction of a felony or a Class A or B misdemeanor that directly relates to or affects the duties or responsibilities of a vehicle inspection station or inspector or a conviction of a similar crime under the jurisdiction of another state or the federal government. [FA1(4)]

No equivalent provision.

SECTION __. Section 548.501, Transportation Code, is amended to read as follows:
Sec. 548.501. INSPECTION FEES GENERALLY. (a) Except as provided by Sections 548.503 and 548.504, the fee for inspection of a motor vehicle other than a moped is \$12.50. The fee for inspection of a moped is \$5.75. ~~[The fee for a verification form issued as required by Section 548.256 is \$1.]~~
(b) Out of each fee for an inspection, \$5.50 shall be remitted to the state under Section 548.509. ~~[An inspection station shall pay to the department \$5.50 of each fee for an inspection. The department may require the station to make an advance payment of \$5.50 for each inspection certificate provided to the station. If advance payment is made:
[(1) no further payment may be required on issuance of a certificate;
[(2) the inspection station may waive the fee due from the owner of an inspected vehicle who is issued a certificate to which the advance payment applies;
[(3) the department shall refund to the inspection station \$5.50 for each unissued certificate that the station returns to~~

SECTION 36. Same as Senate version.

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~~the department in accordance with department rules; and
[(4) the conservation commission shall pay to the department
\$2 for each unissued certificate that the station returns to the
department.]~~ [FA1(4)]

No equivalent provision.

SECTION __. Section 548.502, Transportation Code, is amended to read as follows:
Sec. 548.502. INSPECTION BY POLITICAL SUBDIVISION OR STATE AGENCY. A political subdivision or state agency for which the department certifies an inspection station under Section 548.004:
(1) shall pay to the state ~~[department an advance payment of]~~ \$5.50 for each inspection under Section 548.509 ~~[certificate provided to it]~~; and
(2) may not be required to pay the remainder of the ~~[compulsory]~~ inspection fee. [FA1(4)]

SECTION 37. Same as Senate version.

No equivalent provision.

SECTION __. Section 548.503, Transportation Code, is amended to read as follows:
Sec. 548.503. INITIAL TWO-YEAR INSPECTION OF PASSENGER CAR OR LIGHT TRUCK. (a) The fee for inspection of a passenger car or light truck under Section 548.102 shall be set by the department by rule on or before September 1 of each year. A fee set by the department under this subsection must be based on the costs of ~~[producing certificates.]~~ providing inspections~~;~~ and administering the program, but may not be less than \$21.75.
(b) Out of each fee for an inspection under this section, \$14.75 shall be remitted to the state under Section 548.509. ~~[The department shall require an inspection station to make an~~

SECTION 38. Same as Senate version.

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~~advance payment of \$14.75 for a certificate to be issued under this section. Additional payment may not be required of the station for the certificate. The inspection station may waive the fee due from the owner of the vehicle inspected. A refund for an unissued certificate shall be made in the same manner as provided for other certificate refunds.] [FA1(4)]~~

No equivalent provision.

SECTION __. Subsection (b), Section 548.504, Transportation Code, is amended to read as follows:
(b) Out of each fee for inspection of a commercial motor vehicle, \$10 shall be remitted to the state under Section 548.509. ~~[The inspection station shall pay to the department \$10 of each fee for inspection of a commercial motor vehicle. The department may require the station to make an advance payment of \$10 for a certificate to be issued under this section. If advance payment is made:
(1) no additional payment may be required of the station for the certificate; and
(2) a refund for an unissued certificate shall be made in the same manner as provided for other certificate refunds.]~~ [FA1(4)]

SECTION 39. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Subsection (a), Section 548.505, Transportation Code, is amended to read as follows:
(a) The department by rule may impose an inspection fee for a vehicle inspected under Section 548.301(a) in addition to the fee provided by Section 548.501, 548.502, 548.503, or 548.504. A fee imposed under this subsection must be based on the costs of:
(1) ~~[producing certificates;~~

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~~(2)~~ providing inspections; and
(2) ~~(3)~~ administering the program. [FA1(4)]

No equivalent provision.

SECTION __. Section 548.508, Transportation Code, is amended to read as follows:
Sec. 548.508. DISPOSITION OF FEES. Except as provided by Sections 382.0622 and 382.202, Health and Safety Code, and Section 548.5055, each fee remitted to the comptroller ~~collected by the department~~ under this subchapter shall be deposited to the credit of the Texas mobility fund. [FA1(4)]

SECTION 41. Same as Senate version.

No equivalent provision.

SECTION __. Subchapter H, Chapter 548, Transportation Code, is amended by adding Section 548.509 to read as follows:
Sec. 548.509. COLLECTION OF FEE DURING REGISTRATION. 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 shall 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. The Texas Department of Motor Vehicles or the county assessor-collector shall remit the fee to the comptroller. [FA1(4)]

SECTION 42. Same as Senate version.

No equivalent provision.

SECTION __. Subsection (a), Section 548.601, Transportation Code, is amended to read as follows:
(a) A person, including an inspector or an inspection station, commits an offense if the person:
(1) submits information to the department's inspection

SECTION 43. Same as Senate version except for recitation.

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~~database or issues a vehicle inspection report [an inspection certificate]~~ with knowledge that the ~~submission or~~ issuance is in violation of this chapter or rules adopted under this chapter;

(2) falsely or fraudulently represents to the owner or operator of a vehicle that equipment inspected or required to be inspected must be repaired, adjusted, or replaced for the vehicle to pass an inspection;

(3) misrepresents:

(A) material information in an application in violation of Section 548.402 or 548.403; or

(B) information filed with the department under this chapter or as required by department rule;

(4) ~~submits information to the department's inspection database or issues a vehicle inspection report [an inspection certificate]~~:

(A) without authorization to issue the ~~report or submit the information [certificate]~~; or

(B) without inspecting the vehicle;

(5) ~~submits information to the department's inspection database indicating that a vehicle has passed the applicable inspections or issues a passing vehicle [an] inspection report [certificate]~~ for a vehicle with knowledge that the vehicle has not been repaired, adjusted, or corrected after an inspection has shown a repair, adjustment, or correction to be necessary;

(6) knowingly ~~submits information to the department's inspection database or issues a vehicle inspection report [an inspection certificate]~~:

(A) for a vehicle without conducting an inspection of each item required to be inspected; or

(B) for a vehicle that is missing an item required to be inspected or that has an item required to be inspected that is not in compliance with state law or department rules;

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- (7) refuses to allow a vehicle's owner to have a qualified person of the owner's choice make a required repair, adjustment, or correction;
 - (8) charges for an inspection an amount greater than the authorized fee; or
 - (9) performs an act prohibited by or fails to perform an act required by this chapter or a rule adopted under this chapter.
- [FA1(4)]

No equivalent provision.

SECTION __. Subsections (a), (b), and (c), Section 548.603, Transportation Code, are amended to read as follows:

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

(1) presents to an official of this state or a political subdivision of this state a vehicle inspection report ~~displays or causes or permits to be displayed an inspection certificate~~ or insurance document knowing that the report ~~certificate~~ or document is counterfeit, tampered with, altered, fictitious, issued for another vehicle, issued for a vehicle failing to meet all emissions inspection requirements, or issued in violation of:

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

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

(2) ~~[transfers an inspection certificate from a windshield or location to another windshield or location;~~

~~(3)~~ with intent to circumvent the emissions inspection requirements 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 be inspected under

SECTION 44. Same as Senate version except for recitation.

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Section 548.301; or
(3) [(4)] knowingly does not comply with an emissions inspection requirement for a vehicle[; or
[(5) displays on a vehicle an inspection certificate that was obtained knowing that the vehicle does not meet all emissions inspection requirements for the vehicle].
(b) A person commits an offense if the person:
(1) makes or possesses, with the intent to sell, circulate, or pass, a counterfeit vehicle inspection report [ertificate] or insurance document; or
(2) possesses any part of a stamp, dye, plate, negative, machine, or other device that is used or designated for use in making a counterfeit vehicle inspection report [ertificate] or insurance document.
(c) The owner of a vehicle commits an offense if the owner knowingly allows the vehicle to be registered using a vehicle inspection report [or operated while the vehicle displays an inspection certificate] in violation of Subsection (a). [FA1(4)]

No equivalent provision.

SECTION __. Subsection (f), Section 548.603, Transportation Code, as added by Chapter 851 (H.B. 1048), Acts of the 75th Legislature, Regular Session, 1997, is amended to read as follows:
(f) Notwithstanding Subsection (c), an offense under Subsection (a)(1) that involves a fictitious vehicle inspection report [ertificate] is a Class B misdemeanor. [FA1(4)]

SECTION 45. Same as Senate version, except for recitation.

No equivalent provision.

SECTION __. Subsection (a), Section 548.6035, Transportation Code, is amended to read as follows:
(a) A person commits an offense if, in connection with a

SECTION 46. Same as Senate version except for recitation.

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required emissions inspection of a motor vehicle, the person knowingly:

(1) submits information to the department's inspection database stating that a vehicle has passed the applicable inspections or issues a passing vehicle inspection report [~~places or causes to be placed on a motor vehicle an inspection certificate~~], if:

(A) the vehicle does not meet the emissions requirements established by the department; or

(B) the person has not inspected the vehicle;

(2) manipulates an emissions test result;

(3) uses or causes to be used emissions data from another motor vehicle as a substitute for the motor vehicle being inspected; or

(4) bypasses or circumvents a fuel cap test. [FA1(4)]

No equivalent provision.

SECTION __. Subsection (d), Section 623.011, Transportation Code, is amended to read as follows:

(d) When the department issues a permit under this section, the department shall issue a sticker to be placed on the front windshield of the vehicle [~~above the inspection certificate issued to the vehicle~~]. The department shall design the form of the sticker to aid in the enforcement of weight limits for vehicles. [FA1(4)]

SECTION 47. Same as Senate version except for recitation.

No equivalent provision.

SECTION __. Section 683.051, Transportation Code, is amended to read as follows:

Sec. 683.051. APPLICATION FOR AUTHORIZATION TO DISPOSE OF CERTAIN MOTOR VEHICLES. A person may apply to the department for authority:

SECTION 48. Same as Senate version.

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(1) to sell, give away, or dispose of a motor vehicle to a motor vehicle demolisher if:

- (A) the person owns the motor vehicle and the certificate of title to the vehicle is lost, destroyed, or faulty; or
- (B) the vehicle is an abandoned motor vehicle and is:
 - (i) in the possession of the person; or
 - (ii) located on property owned by the person; or

(2) to dispose of a motor vehicle to a motor vehicle demolisher for demolition, wrecking, or dismantling if:

- (A) the abandoned motor vehicle:
 - (i) is in the possession of the person;
 - (ii) is more than eight years old;
 - (iii) either has no motor or is otherwise totally inoperable or does not comply with all applicable air pollution emissions control related requirements included in ~~in~~ ~~[(aa) the vehicle inspection requirements under Chapter 548, as evidenced by a current inspection certificate affixed to the vehicle windshield; or (bb)]~~ the vehicle emissions inspection and maintenance requirements contained in the Public Safety Commission's motor vehicle emissions inspection and maintenance program under Subchapter F, Chapter 548, or the state's air quality state implementation plan; and
 - (iv) was authorized to be towed by a law enforcement agency; and
- (B) the law enforcement agency approves the application.

[FA1(4)]

No equivalent provision.

SECTION __. Section 683.071, Transportation Code, as amended by Chapters 720 (H.B. 787) and 753 (H.B. 1376), Acts of the 82nd Legislature, Regular Session, 2011, is

SECTION 49. Same as Senate version

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reenacted and amended to read as follows:

Sec. 683.071. DEFINITION AND APPLICABILITY. (a) In this subchapter, "junked vehicle" means a vehicle that:

(1) is self-propelled; and

(2) is:

(A) wrecked, dismantled or partially dismantled, or discarded; or

(B) inoperable and has remained inoperable for more than:

(i) 72 consecutive hours, if the vehicle is on public property;

or

(ii) 30 consecutive days, if the vehicle is on private property.

(b) For purposes of this subchapter, "junked vehicle" includes a motor vehicle, aircraft, or watercraft. This subchapter applies only to:

(1) a motor vehicle that displays an expired license plate [~~or invalid motor vehicle inspection certificate~~] or does not display a license plate [~~or motor vehicle inspection certificate~~];

(2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or

(3) a watercraft that:

(A) does not have lawfully on board an unexpired certificate of number; and

(B) is not a watercraft described by Section 31.055, Parks and Wildlife Code. [FA1(4)]

No equivalent provision.

SECTION __. The following statutes are repealed:

(1) Subsection (c), Section 548.053, Transportation Code;

(2) Section 548.255, Transportation Code;

SECTION 50. Same as Senate version except for recitations.

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- (3) Section 548.257, Transportation Code;
- (4) Section 548.602, Transportation Code;
- (5) Subdivision (2), Subsection (e), Section 548.603, Transportation Code;
- (6) Subsection (f), Section 548.603, Transportation Code, as added by Chapter 1069 (S.B. 1856), Acts of the 75th Legislature, Regular Session, 1997; and
- (7) Section 548.605, Transportation Code. [FA1(4)]

No equivalent provision.

SECTION __. Article 45.003, Code of Criminal Procedure, Section 103.0213, Government Code, and Sections 521.3465, 521.3466, 548.601, 548.603, and 548.6035, Transportation Code, as amended by this Act, and the repeal by this Act of Sections 548.602 and 548.605, Transportation Code, apply only to an offense committed on or after March 1, 2015. An offense committed before March 1, 2015, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before March 1, 2015, if any element of the offense occurred before that date. [FA1(4)]

SECTION 51. Same as Senate version.

No equivalent provision.

SECTION __. To the extent of any conflict, this Act prevails over another Act of the 83rd Legislature, Regular Session, 2013, relating to nonsubstantive additions to and corrections in enacted codes. [FA1(4)]

SECTION 52. Same as Senate version.

No equivalent provision.

SECTION __. (a) Except as provided by Subsection (c) of this section, not later than March 1, 2014, the Texas

SECTION 53. Same as Senate version.

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Department of Motor Vehicles, the Department of Public Safety of the State of Texas, and the Texas Commission on Environmental Quality shall adopt rules necessary to implement the changes in law made by this Act.

(b) Not later than March 1, 2014, the Department of Public Safety shall create the database described by Section 548.251, Transportation Code, as amended by this Act, and require inspection stations to submit to the database the information required by Section 548.253, Transportation Code, as amended by this Act.

(c) Not later than January 1, 2014, the Department of Public Safety shall adopt rules relating to the proof required by Section 548.104(d)(3), Transportation Code, as added by this Act.

(d) Except as otherwise provided by Subsections (e) and (f) of this section, this Act takes effect March 1, 2015.

(e) Subsections (a), (b), and (c) of this section take effect September 1, 2013.

(f) The change in law made by Section 548.104(d)(3), Transportation Code, as added by this Act, takes effect September 1, 2014, and applies only to a vehicle inspected on or after that date. [FA1(3)]

(See SECTION 2(b) below.)

SECTION 2. (a) Not later than January 1, 2014, the Department of Public Safety shall adopt rules relating to the proof required by Section 548.104(d), Transportation Code, as amended by this Act.

(b) The change in law made by Section 548.104(d), Transportation Code, as amended by this Act, applies only to a vehicle inspected on or after September 1, 2014.

No equivalent provision. [Deleted by FA1(3)]

Same as Senate version.

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SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SENATE VERSION (IE)

No equivalent provision. [Deleted by FA1(3)]

CONFERENCE

Same as Senate version.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2305 by Rodriguez, Eddie (Relating to motor vehicle inspections; creating an offense; changing the collection method for certain fees.), **Conference Committee Report**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2305, Conference Committee Report: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Clean Air Account 151
2014	(\$800,000)
2015	\$0
2016	\$0
2017	\$0
2018	\$0

Fiscal Analysis

The bill would amend the Transportation Code to prohibit an inspection station from issuing a passing vehicle inspection report for a vehicle equipped a compressed natural gas container unless the owner of the vehicle can demonstrate the container is still within its manufacturer's

recommended service life and has met certain inspection requirements, and the vehicle is a fleet vehicle for which the fleet operator employs a technician certified to inspect the container. The bill would require the Department of Public Safety to adopt rules to implement these provisions of the bill by January 1, 2014. It is assumed the costs associated with implementing these provisions of the bill could be absorbed within existing resources.

The bill would also amend the Code of Criminal Procedure, Education Code, Government Code, Health and Safety Code, Occupations Code, and Transportation Code to establish a combined vehicle safety and vehicle registration sticker.

The bill would require the Department of Public Safety (DPS) and the Department of Motor Vehicles (DMV) to replace the current Texas dual inspection/registration sticker system with a single registration sticker. The bill would stipulate a vehicle may not be registered without proof of a safety and/or emission inspection, either electronically or via a printed inspection report.

The bill would require vehicle owners to complete vehicle safety inspections prior to their registration renewal. The bill would stipulate a vehicle owner may obtain an inspection certificate not earlier than 90 days before the date of expiration of the vehicle's registration.

The bill would require DPS, in consultation with the Texas Commission on Environmental Quality (TCEQ), to implement a system for both safety and air quality inspections. The bill would direct DPS to provide notice to the DMV of non-compliant vehicles. The bill would require DMV and DPS to enter into an agreement regarding timely data submissions by DPS. TCEQ presumably would no longer track and report data on vehicles that fail the emissions test.

The bill would require DPS to maintain an electronic database to which inspections stations must electronically submit, upon completion of an inspection, the inspected vehicle's vehicle identification number and whether the vehicle passed the inspections.

The bill would require DPS to adopt rules regarding the issuance of inspection reports. The bill would require DPS to provide to inspection stations equipment and supplies necessary to comply with the rules adopted by DPS pertaining to the issuance of inspection reports.

The bill would stipulate that prior to a vehicle being registered, the DMV or the county assessor-collector registering the vehicle shall verify the vehicle passed its inspection in the inspection database.

The bill would require \$5.50 of each passenger car or light truck inspection fee and \$10 of each commercial vehicle inspection fee to be remitted to the state at the time of the inspection. The bill would require the DMV or the county assessor-collector that register a vehicle that is subject to an inspection fee to remit the state portion directly to the Comptroller.

The bill would amend the Government Code to remove the \$20 administrative fee for driving with an expired report. The bill would amend the Health and Safety Code to require DPS to adopt procedures for inspection stations to submit reports to an inspections database regarding vehicles that did not pass vehicle inspection.

The bill would amend the Transportation Code to clarify that a commercial vehicle with extended registrations shall be subject to the inspection requirements specified in the bill as if the commercial vehicle were registered without an extended registration.

The DMV notes implementing the provisions of the bill would require the following actions on the part of the agency: work with DPS and TCEQ to adopt rules to implement the program; make

certain programmatic changes to the DMV's automated systems, website and forms; and provide notice to County Tax Assessor-Collectors, law enforcement and other agency partners. It is assumed the DMV could implement the provisions of the bill within current appropriations.

DPS notes implementing the provisions of the bill would require the following actions on the part of the agency: create and update program content; modify Information Technology (IT) software applications; and communicate and train agency staff. The agency estimates that it would need to hire Information Technology contractors. DPS also notes it would need to collaborate with DMV and TCEQ to implement the provisions required by the bill. It is assumed DPS could implement these actions within current appropriations.

TCEQ notes the bill would require a revision to the state's Inspections and Maintenance Implementation Plan, certain rulemaking and policy changes, and the development of new analyzer and software specification. It is assumed TCEQ could implement these actions within current appropriations. TCEQ estimates the agency would also need to modify its analyzer equipment, resulting in a one-time cost of \$800,000 in fiscal year 2014 out of the Clean Air Account #151.

The Comptroller notes that the bill would not alter the amount of motor vehicle inspection fee revenue that the state would receive. However, the Comptroller notes bill would alter the manner by which the fee revenue would be collected and remitted to the state treasury. Currently, inspection stations remit inspection revenues to DPS, which then remits the revenue to the state treasury. The bill would require revenues to be remitted to the state treasury by the DMV or county-assessor collectors at the time of the vehicle registration.

The bill would also create several new criminal offenses. Expanding the list of behaviors for which a criminal penalty is applied is expected to result in increased demands upon the correctional resources of counties or of the state due to longer terms of probation, or longer terms of confinement in county jail, state jail, or prison. For this analysis, it is assumed the number of offenders convicted or whose cases would now be dismissed under the provisions of the bill would not result in a significant impact on the programs and workload of state correctional agencies.

The bill would require DMV, DPS, and TCEQ to adopt rules to implement the bill by March 1, 2014. The bill would require DPS to create the vehicle inspection database by March 1, 2014. All provisions of the bill would take effect by September 1, 2015.

Methodology

The Texas Commission on Environmental Quality reports the bill would require modifications to the software resident on four vehicle emissions analyzers. The agency estimates the cost of these modifications would be \$800,000 (\$200,000 x four analyzers) in fiscal year 2014.

Technology

The Texas Commission on Environmental Quality estimates the software resident on four vehicle emissions analyzers would require modifications at \$200,000 per analyzer platform (\$800,000 in total) in fiscal year 2014.

Local Government Impact

Local entities could see a negative fiscal impact due to the potential loss of revenue from fees collected for the Low Income Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program. The bill would require an indeterminate number of counties to modify the testing hardware used for vehicle diesel emissions analyzers owned by local entities. Additionally, county courts would see a decrease in fees associated with charges relating to inspection certificates. Reduced funding for local governments would vary but is not anticipated to be significant.

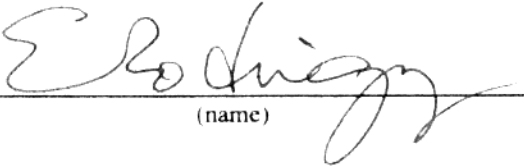
Source Agencies: 405 Department of Public Safety, 582 Commission on Environmental Quality, 608 Department of Motor Vehicles, 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 601 Department of Transportation

LBB Staff: UP, AG, AI, JAW, TG, TL, MH, MMe, KKR

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 2305 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.


(name)

5-24-13
(date)