

SUBJECT: Amending regulations on annual vehicle safety inspection requirements

COMMITTEE: Homeland Security & Public Safety — favorable, without amendment

VOTE: 5 ayes — Guillen, Bowers, Dorazio, Harless, Troxclair
1 nay — Canales
3 absent — Jarvis Johnson, Goodwin, Holland

WITNESSES: For — (*Registered, but did not testify:* Reed Clay, Continental Automotive Group; Ray Sullivan, Mecum Auction; Kevin Kieschnick, Nueces County Tax Assessor Collector; Karen Steakley, Tesla; Gray Rutledge, Texas Conservative Coalition Research Institute; James Quintero, Texas Public Policy Foundation; Mark Borskey, Texas Recreational Vehicle Association; Natalie Ibe, True Texas Project; Fran Rhodes, True Texas Project; Shelia Franklin; Steven Jordan; Cheryl Wilkerson)

Against — Charles Ray, DEKRA VP Operations Vehicle Inspections and Claims; Charissa Barnes, Official Inspection Station; Greg Cole, Texas State Inspection Association; JoJo Heselmeyer, Texas State Inspection Association (*Registered, but did not testify:* Byron Campbell, Alliance for Automotive Innovation; Mike Sullivan, Group 1 Automotive; Laird Doran, Gulf States Toyota; Ray Hunt, Houston Police Officers' Union; John Chancellor, Texas Police Chiefs Association; AJ Louderback, Texas Sheriffs Regional Alliance; Chris Shields, Toyota; Cynthia Van Maanen)

BACKGROUND: Some have suggested that the annual vehicle safety inspection program may not have a significant impact on road safety.

DIGEST: HB 3297 would repeal Transportation Code provisions mandating vehicle safety inspections for noncommercial vehicles and associated fees while retaining safety inspections for commercial vehicles and providing for vehicle emission inspections where applicable. The bill would make conforming changes throughout statute to reflect these revisions.

Inspection fee replacement. HB 3297 would require that at the time of initial registration or renewal of registration of a motor vehicle, trailer, semi trailer, pole trailer, or mobile home the applicant would pay an annual fee of \$7.50 in addition to other fees imposed at the time of registration. An applicant would pay a one time fee of \$16.75 if the application was for the initial registration of a passenger car or light truck that was sold or purchased by a commercial fleet buyer to be used in Texas, had not been previously registered in Texas or another state, and, on the date of sale, was of the current model year or preceding model year. A person who paid the one time fee would not be required to pay the annual fee for the next registration year for the same vehicle.

The bill would remove an additional fee for vehicles weighing more than 4,500 pounds. The bill would require the comptroller to deposit the established annual fees collected during registration and deposit \$3.50 to the Texas Mobility Fund, \$2 to general revenue, and \$2 to the clean air account. The one time fee for an applicant's initial registration would be deposited by the comptroller after receipt with \$12.75 deposited to the Texas Mobility Fund, \$2 to general revenue, and \$2 to the clean air account.

The registration fees collected would not be motor vehicle registration fees and the revenue collected would not be required to be used for a purpose specified by the state constitution for use of revenues from motor vehicle registration fees.

These fees would not apply to certain vehicles as described by the bill.

Timing of inspection for registration-based enforcement. The Department of Public Safety would have to require a vehicle required to be inspected under the remaining required inspections to pass the inspection:

- for the initial registration, not earlier than 90 days before the date of registration;
- for renewal of registration, not earlier than 90 days before the date

- of expiration of the vehicles registration;
- if the vehicle was a used motor vehicle sold by a dealer, in the 180 days before the date the dealer sells the vehicle; or
- if the vehicle was subject to the federal motor carrier safety regulations, in a period that complies with those regulations.

Other provisions The bill would specify that the Department of Motor Vehicles or a county assessor-collector that registered a motor vehicle subject to emissions related inspection was responsible for collecting the state's portion of the inspection fee.

The bill would remove language making it a misdemeanor offense for a person to operate or move a motor vehicle, trailer, semitrailer, pole trailer, or mobile home, or a combination of those vehicles, that is in a mechanical condition that endangers a person. The bill also would remove language making it a misdemeanor for a person who, with intent to circumvent the emission inspection requirements, sought an inspection of a vehicle at a station not certified to perform an emissions inspection requirement if the person knew that the vehicle was required to undergo inspection as part of the emissions inspection and maintenance program.

HB 3279 would remove language that required an item within a vehicle item, whose safe operation was affected in an accident, to be reinspected and treated and charged as an initial inspection.

The advisory committee for the conservation commission and Texas Department of Transportation would no longer require two persons from counties conducting vehicle emission testing and two from counties conducting safety-only inspections to be included among the members.

The bill would require all assembled motor vehicles to be equipped with front safety belts that contain safety belt anchors.

DPS would be required to submit to the lieutenant governor and the speaker of the House of Representatives not later than January 1, 2025, a report on changes in its expenses and income resulting from implementing

the changes required by the bill, including the increase or decrease, if any, of the number of full-time equivalent employees needed to administer state law governing vehicle equipment standards and vehicle inspections between September 1, 2023, and the date the report is prepared.

The bill would take effect September 1, 2023 and would apply only to an offense committed on or after the bill's effective date.