

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1636  
By: Carona  
Transportation & Homeland Security  
4/16/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Department of Transportation (TxDOT) registers 21 million vehicles and processes six million vehicle titles annually. There are more than 1,600 fees associated with this process, which is confusing for consumers and inefficient. The process should be streamlined to clarify the system for consumers and increase its efficiency.

C.S.S.B. 1636 amends current law relating to motor vehicle registration fees.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 502.160, Transportation Code, as follows:

Sec. 502.160. New heading: FEE: MOTORCYCLE OR MOPED. Provides that the fee for a registration year for registration of a motorcycle or moped is \$30.

SECTION 2. Amends the heading to Section 502.161, Transportation Code, to read as follows:

Sec. 502.161. FEE: VEHICLES THAT WEIGH 6,000 POUNDS OR LESS.

SECTION 3. Amends Section 502.161(a), Transportation Code, to provide that the fee for a registration year for registration of a vehicle with a gross weight of 6,000 pounds or less is \$50.75, unless otherwise provided in this chapter. Deletes existing text providing that the fee for a registration year for registration of a passenger car, a municipal bus, or a private bus that weighs 6,000 pounds or less is \$40.50 for a vehicle the model year of which is more than six years before the year in which the registration year begins, \$50.50 for a vehicle the model year of which is more than three years but is six years or less before the year in which the registration year begins, or \$58.50 for a vehicle the model year of which is three years or less before the year in which the registration year begins. Makes a nonsubstantive change.

SECTION 4. Amends the heading to Section 502.162, Transportation Code, to read as follows:

Sec. 502.162. FEE: VEHICLES THAT WEIGH MORE THAN 6,000 POUNDS.

SECTION 5. Amends Section 502.162(a), Transportation Code, to provide that the fee for a registration year for registration of a vehicle with a gross weight of more than 6,000 pounds is, unless otherwise provided in this chapter, in certain amounts, rather than the fee for registration of a commercial motor vehicle or truck tractor is \$25 plus an amount determined according to the vehicle's gross weight and tire equipment as follows in certain amounts. Deletes existing text related to certain other amounts.

SECTION 6. Amends Section 502.165, Transportation Code, as follows:

Sec. 502.165. FEE: ROAD TRACTOR. Provides that the fee for a registration year for registration of a road tractor is the fee prescribed by weight, rather than \$25 plus an amount according to the vehicle's weight, as certified by a public weigher or license and

weight inspector of the Department of Public Safety under Section 502.161 or 502.162, as applicable. Deletes existing text related to the fee schedule for each 100 pounds.

SECTION 7. Amends the heading to Section 502.166, Transportation Code, to read as follows:

Sec. 502.166. FEE: TRAILER, TRAVEL TRAILER, OR SEMITRAILER.

SECTION 8. Amends Section 502.166, Transportation Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Provides that the fee for a registration year for registration of a trailer, travel trailer, or semitrailer with a gross weight of 6,000 pounds or less is \$45.00, rather than is \$25 plus an amount determined according to the vehicle's gross weight and tire equipment. Deletes existing text related to certain other amounts.

(a-1) Provides that the fee for a registration year for registration of a trailer, travel trailer, or semitrailer with a gross weight of more than 6,000 pounds is calculated by gross weight according to Section 502.162.

SECTION 9. Amends Sections 502.167(a), (b), and (c), Transportation Code, as follows:

(a) Provides that this section applies only to a truck-tractor or commercial motor vehicle with a gross weight of more than 10,000 pounds, rather than with a manufacturer's rated carrying capacity of more than one ton, that is used or is to be used in combination with a semitrailer that has a gross weight of more than 6,000 pounds.

(b) Provides that the fee, rather than notwithstanding Section 502.162, the fee, for a registration year for registration of a truck-tractor or commercial motor vehicle is calculated by gross weight according to Section 502.162, rather than \$40 plus an amount determined according to the combined gross weight of the vehicles, under certain amounts.

(c) Provides that the fee, rather than notwithstanding Section 502.166, the fee, for a registration year for registration of a semitrailer used in the manner described by Subsection (a), regardless of the date the semitrailer is registered, is:

(1) \$30, for a semitrailer being propelled by a power unit for which a permit under Section 623.011 (Permit for Excess Axle or Gross Weight) has been issued; or

(2) \$15, for a semitrailer being propelled by a power unit for which a permit under Section 623.011 has not been issued.

SECTION 10. Amends Section 502.168, Transportation Code, as follows:

Sec. 502.168. FEE: MOTOR BUS. Provides that the fee for a registration year for registration of a motor bus is the fee prescribed by Section 502.161 or 502.162, as applicable, rather than \$25 plus an amount determined according to the vehicle's gross weight, as follows in certain amounts.

SECTION 11. Amends Section 502.1705(b), Transportation Code, to authorize the Texas Department of Transportation (TxDOT) to use money collected under this section to provide for or enhance automated on-premises and off-premises registration and services related to the titling of vehicles. Deletes existing text authorizing TxDOT to use money collected under this section to perform one or more of the following: enhancing TxDOT's automated registration and title system, providing for the automated on-site production of registration insignia, or providing for automated on-premises and off-premises self-service registration.

SECTION 12. Amends the heading to Section 502.184, Transportation Code, to read as follows:

Sec. 502.184. REPLACEMENT OF REGISTRATION INSIGNIA.

SECTION 13. Amends Sections 502.184(a), (b), (e), and (f), Transportation Code, as follows:

(a) Authorizes the owner of a registered motor vehicle to obtain a replacement registration insignia, rather than to obtain from TxDOT through the county assessor-collector replacement license plates or replacement registration insignia, by:

(1) certifying that the replacement registration insignia will not be used on any other vehicle owned or operated by the person making the statement, rather than filing with the assessor-collector a statement showing that one or both of the license plates or the registration insignia to be replaced has been lost, stolen, or mutilated, and stating that no license plate or registration insignia to be replaced will be used on any vehicle owned or operated by the person making the statement;

(2) paying a fee of \$6, plus the fees required by Section 502.1705(a) (relating to the required collection of a \$1 fee in addition to other registration fees related to license plates or other devices used as the registration insignia) for each replacement registration insignia, except as provided by other law, rather than paying a fee of \$5 plus the fees required by Sections 502.170(a) (relating to the required collection of a 30 cent fee in addition to other registration fees related to license plates or other devices used as the registration insignia and 502.1705(a) for each set of replacement license plates or each replacement registration insignia, except as provided by Subsection (b), (c) (relating to the fee for replacement of license plates issued under Section 504.507), or (i) (relating to authorizing the owner of a certain vehicle listed in Section 502.180(h) (relating to requiring the registration insignia for validation of a license plate to be attached to the rear license plate of the vehicle under certain criteria) to obtain certain replacements by paying a fee); and

(3) returning each replaced registration insignia in the owner's possession, rather than returning to the assessor collector each replaced plate or registration insignia in the owner's possession.

(b) Provides that no fee is required under this section if the replacement fee for a license plate has been paid under Section 502.1841, rather than for the replacement of lost, stolen, or mutilated specialized license plates issued under Sections 504.308 (Distinguished Flying Cross Medal Recipients) and 504.315(e) (relating to requiring TxDOT to issue specialty license plates to a recipient of a Congressional Medal of Honor) and (f) (relating to requiring TxDOT to issue specialty license plates for recipients of the Air Force Cross or Distinguished Service Cross, the Army Distinguished Service Cross, the Navy Cross, or the Medal of Honor). Deletes existing text relating to certain fees for replacement of certain specialized license plates.

(e) Prohibits a county assessor-collector from issuing a replacement registration insignia without complying with this section, rather than prohibiting a county assessor-collector from issuing replacement license plates or a replacement registration insignia without complying with this section.

(f) Requires a county assessor-collector to retain \$2.50 of each fee collected under this section and report and send the remainder to TxDOT, rather than requiring a county assessor-collector to retain \$2.50 of each fee collected under this section and report and send the remainder to TxDOT as provided by Sections 502.102 (Disposition of Fees Generally) and 502.105 (Report of Fees Collected).

SECTION 14. Amends Subchapter D, Chapter 502, Transportation Code, by adding Section 502.1841, as follows:

Sec. 502.1841. REPLACEMENT LICENSE PLATES. (a) Authorizes the owner of a registered motor vehicle to obtain replacement license plates for the vehicle by:

- (1) certifying that the replacement plates will not be used on any other vehicle owned or operated by the person making the statement;
- (2) paying a fee of \$6 plus the fee required by Section 502.1705(a) for each set of replacement license plates, unless otherwise specified by law; and
- (3) returning to TxDOT each license plate in the owner's possession for which a replacement license plate is obtained.

(b) Prohibits replacement license plates from being issued except as provided by this section.

(c) Requires a county assessor-collector to retain \$2.50 of each fee collected under this section and forward the remainder of the fee to TxDOT.

(d) Provides that the fee required by this section applies to the issuance of license plates for a transferred used vehicle for which the registration and license plates were not transferred under Subchapter I (Registration Transfer and Removal of License Plates for The Sale or Transfer of Used Vehicles).

SECTION 15. Amends Section 504.101(d), Transportation Code, to prohibit TxDOT from issuing a replacement set of personalized license plates to the same person before the sixth anniversary of the date of issuance unless the applicant for issuance of replacement plates pays the fee required by Section 502.1841, rather than an additional fee of \$30.

SECTION 16. Amends Section 504.501, Transportation Code, as follows:

Sec. 504.501. New heading: CLASSIC MOTOR VEHICLES AND TRAVEL TRAILERS. (a) Requires TxDOT to issue specialty license plates for a motor vehicle that is at least 25 years old. Requires that the license plates include the word "Classic," rather than the words "Classic Auto," "Classic Motorcycle," or "Classic Truck," or a similar designation, as appropriate.

(b) Authorizes a person eligible for the license plates to instead use license plates that were issued by this state in the same year as the model year of the vehicle and are approved by TxDOT if the plates are approved for the vehicle before January 1, 2011. Authorizes TxDOT to require the attachment of a registration insignia to the license plate in a manner that does not affect the display of information originally on the license plate.

(c) Provides that there is no fee for issuance or approval of license plates under this section, rather than providing that the fee for issuance or approval of license plates under this section is \$15.

SECTION 17. Amends Section 504.505(c), Transportation Code, to provide that there is no fee for issuance of the license plates, rather than the initial fee for issuance of the license plates is \$8. Authorizes the license plates to be renewed without payment of a fee.

SECTION 18. Amends Section 504.507(b), Transportation Code, to provide that there is no fee for issuance of the license plates, rather than the fee for issuance of the license plates is \$8. Requires TxDOT to collect any fee, rather than also collect any additional fee, that a county imposes under this chapter for registration of a forestry vehicle, and send the fee to the appropriate county for disposition.

SECTION 19. Amends Section 504.508(b), Transportation Code, to provide that there is no fee for issuance of the license plates, rather than the fee for issuance of the license plates is \$15.

SECTION 20. Amends Section 504.509, Transportation Code, as follows:

Sec. 504.509. VEHICLES CARRYING MOBILE AMATEUR RADIO EQUIPMENT. Creates this section from existing text. Deletes existing Subsection (b) providing that the fee for issuance of the license plates is \$2 for the first year and \$1 for each subsequent year. Makes nonsubstantive changes.

SECTION 21. Amends Section 504.510(b), Transportation Code, to provide that the fee for issuance of the license plates is \$6, rather than \$10.

SECTION 22. Amends Section 504.801(a), Transportation Code, to require the redesign of an existing specialty license plate at the request of a sponsor to be treated like the issuance of a new specialty license plate, except that TxDOT is authorized to require a nonrefundable design fee, rather than a lower deposit amount to reflect the actual costs of redesigning the license plate.

SECTION 23. Repealer: Section 502.007 (Mopeds), Transportation Code.

Repealer: Section 502.161(b) (relating to the fee for a registration year for certain vehicles weighing over 6,000 pounds), Transportation Code.

Repealer: Section 502.170 (Additional Fee for Reflectorized License Plates), Transportation Code.

Repealer: Section 502.1705(c) (relating to applying this section only in a county in which certain TxDOT programs have been implemented), Transportation Code.

Repealer: Section 502.187 (Parade Vehicles Owned by Nonprofit Service Organizations), Transportation Code.

Repealer: Section 502.201(c) (relating to requiring the owner of a certain vehicle to return the license plates and registration receipt to TxDOT for cancellation), Transportation Code.

Repealer: Section 502.453 (Fees Required for Transfer of License Plate and Registration Insignia), Transportation Code.

Repealer: Section 504.409(b) (relating to the fee for issuance of the license plates being \$4), Transportation Code.

Repealer Section 504.5011 (Classic Travel Trailers), Transportation Code.

SECTION 24. Effective date: September 1, 2011.