

BILL ANALYSIS

Senate Research Center
79R6885 JD-D

S.B. 850
By: Shapleigh
Transportation & Homeland Security
3/14/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Texas has long played an important role in national defense efforts and the military. Texas is home to an array of defense installations, defense dependent communities, and defense industries. In fact, Texas has 18 major military installations which comprise 11 percent of the nation's military forces. Over 21,600 members of the various Texas National Guard, Texas State Guard, and military reserves have been called to active military duty. Of those called to active military duty, over 5,200 members are currently deployed to Iraq or Afghanistan.

Texas National Guard, Texas State Guard, and military reservists are routinely called to active duty to support contingency operations in combat zones. Leaving higher paying civil employment substantially decreases expendable income for service members called to active military duty.

Certain service members in Texas may be called to active duty in a combat theater of operations outside of the United States in support of a worldwide contingency operation for up to 18 months. Service members are required to pay vehicle registration fees even when called to active duty. During this time, the motor vehicle registration may lapse and upon return, the soldier is required to pay a motor vehicle fee. Data from the Texas Department of Transportation for fiscal year 2004 indicated the average cost of a vehicle registration was \$57.54.

As proposed, S.B. 850 provides an exemption for motor vehicle registration for certain service members who are called to active duty in a combat theater of operations outside of the United States in support of a worldwide contingency operation for up to 18 months.

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 Subchapter D, Chapter 502, Transportation Code, by adding Section 502.189, as follows:

Sec. 502.189. RENEWAL FEE EXEMPTION: CERTAIN MEMBERS OF TEXAS NATIONAL GUARD, TEXAS STATE GUARD, OR MILITARY RESERVE ON ACTIVE MILITARY DUTY. (a) Provides that this section applies only to certain members of the Texas National Guard, the Texas State Guard, or a military reserve unit in this state.

(b) Provides that a person described by Subsection (a) who is in the combat theater of operations at the end of the registration year for the vehicle is entitled to renew the registration of one motor vehicle without payment of the applicable fees for renewal, including the renewal fee for a vehicle issued specialty or personalized license plates, and including any additional or optional fee authorized or imposed by this chapter, if the person or a personal representative presents evidence satisfactory to the Department of Transportation (department) that the person and the motor vehicle meet the requirements of this section. Provides that if the person is the registered owner of two or more vehicles, the

person is entitled to renew the registration of only one of those vehicles without payment of the renewal fee.

(c) Provides that a person entitled to an exemption under this section who pays or paid the registration fee for the motor vehicle is not entitled to a refund of the fee but may require the department to apply the registration fee paid to the next or a subsequent registration year of the vehicle, as applicable.

SECTION 2. Effective date: September 1, 2005.