REVISOR'S REPORT

TRANSPORTATION CODE
TITLES 1, 2, 3, 4, 6, AND 7

VOLUME V

A NONSUBSTANTIVE REVISION
OF THE STATUTES RELATING TO
TRANSPORTATION

Including
Carriers
Aviation
Navigation
Roadways
Vehicles and Traffic

To be submitted to the 74th Legislature
as part of the
Texas Legislative Council's
Statutory Revision Program

Austin, Texas
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Section 501.001. Short Title
Section 501.002. Definitions
Section 501.003. Construction
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SUBTITLE A. CERTIFICATES OF TITLE AND REGISTRATION OF VEHICLES

CHAPTER 501. CERTIFICATE OF TITLE ACT

SUBCHAPTER A. GENERAL PROVISIONS

Revised Law

Sec. 501.001. SHORT TITLE. This chapter may be cited as the
Certificate of Title Act. (V.A.C.S. Art. 6687-1, Sec. 1 (part).)

Source Law

Art. 6687-1
Sec. 1. This Act shall be referred to, cited and
known as the "Certificate of Title Act," ......

Revised Law

Sec. 501.002. DEFINITIONS. In this chapter:

(1) "Certificate of title" means an instrument issued
under Section 501.021.
(2) "Dealer" means a person who purchases motor vehicles for sale at retail.

(3) "Department" means the Texas Department of Transportation.

(4) "Distributor" means a person engaged in the business of selling to a dealer motor vehicles purchased from a manufacturer.

(5) "First sale" means:

(A) the bargain, sale, transfer, or delivery of a motor vehicle that has not been previously registered or licensed, with intent to pass an interest in the motor vehicle, other than a lien, regardless of where the bargain, sale, transfer, or delivery occurred; and

(B) the registration or licensing of that vehicle.

(6) "House trailer" means a trailer designed for human habitation. The term does not include manufactured housing.

(7) "Importer" means a person, other than a manufacturer, that brings a used motor vehicle into this state for sale in this state.

(8) "Importer's certificate" means a certificate for a used motor vehicle brought into this state for sale in this state.

(9) "Lien" means:

(A) a lien provided for by the constitution or statute in a motor vehicle; or

(B) a security interest, as defined by Section 1.201, Business & Commerce Code, in a motor vehicle, other than an absolute title, created by any written security agreement, as defined by Section 9.105, Business & Commerce Code, including a lease, conditional sales contract, deed of trust, chattel mortgage, trust receipt, or reservation of title.

(10) "Manufactured housing" has the meaning assigned by the Texas Manufactured Housing Standards Act (Article 5221f, Vernon's Texas Civil Statutes).
(11) "Manufacturer" means a person regularly engaged in the business of manufacturing or assembling new motor vehicles.

(12) "Manufacturer's permanent vehicle identification number" means the number affixed by the manufacturer to a motor vehicle in a manner and place easily accessible for physical examination and die-stamped or otherwise permanently affixed on one or more removable parts of the vehicle.

(13) "Motorcycle" means a motor vehicle, other than a tractor, designed to propel itself with not more than three wheels in contact with the ground.

(14) "Motor vehicle" means:

(A) any motor driven or propelled vehicle required to be registered under the laws of this state;

(B) a trailer or semitrailer, other than manufactured housing, that has a gross vehicle weight that exceeds 4,000 pounds;

(C) a house trailer;

(D) a four-wheel all-terrain vehicle designed by the manufacturer for off-highway use that is not required to be registered under the laws of this state; or

(E) a motorcycle, motor-driven cycle, or moped that is not required to be registered under the laws of this state, other than a motorcycle, motor-driven cycle, or moped designed for and used exclusively on a golf course.

(15) "New motor vehicle" means a motor vehicle that has not been the subject of a first sale.

(16) "Owner" includes a person, other than a manufacturer, importer, distributor, or dealer, claiming title to or having a right to operate under a lien a motor vehicle that has been subject to a first sale.

(17) "Semitrailer" means a vehicle that is designed or used with a motor vehicle so that part of the weight of the vehicle and its load rests on or is carried by another vehicle.

(18) "Serial number" means a vehicle identification
number that is affixed to a part of a motor vehicle and that is:
(A) the manufacturer's permanent vehicle identification number;
(B) a derivative number of the manufacturer's permanent vehicle identification number;
(C) the motor number; or
(D) the vehicle identification number assigned by the department.

(19) "Steal" has the meaning assigned by Section 31.01, Penal Code.

(20) "Subsequent sale" means:
(A) the bargain, sale, transfer, or delivery of a motor vehicle that has been previously registered or licensed in this state or elsewhere, with intent to pass an interest in the vehicle, other than a lien, regardless of where the bargain, sale, transfer, or delivery occurs; and
(B) the registration of the vehicle if registration is required under the laws of this state.

(21) "Title receipt" means an instrument issued under Section 501.024.

(22) "Trailer" means a vehicle that:
(A) is designed or used to carry a load wholly on the trailer's own structure; and
(B) is drawn or designed to be drawn by a motor vehicle.

(23) "Used motor vehicle" means a motor vehicle that has been the subject of a first sale. (V.A.C.S. Art. 6687-1, Secs. 1 (part), 2, 2a, 2b, 2c, 2d, 2e, 3, 4 (part), 7, 8, 9, 10, 13 (part), 14, 16, 17, 18, 19, 20, 21, 23 (part), 24 (part), 25.)

Source Law
Sec. 1. . . . The terms thereinafter set out, as herein defined shall control in the enforcement and construction of this Act, and it is further provided that wherever the term "Motor Vehicle" appears in this Act, it shall be construed to include "house trailer," also "trailers" and "semi-trailers" having a gross weight in excess of four thousand (4,000)
Sec. 2. The term "motor vehicle" means every kind of motor driven or propelled vehicle required to be registered or licensed under the laws of this state, including trailers, house trailers, and semi-trailers, and shall also include motorcycles, motor-driven cycles, mopeds, and four-wheel all terrain vehicles designed by the manufacturer for off-highway use, whether required to be registered or not. "Motor vehicle" does not include motorcycles, motor-driven cycles, and mopeds, designed for and used exclusively on golf courses.

Sec. 2a. The term "House Trailer" means a vehicle without automotive power designed for human habitation and for carrying persons and property upon its own structure and for being drawn by a motor vehicle.

Sec. 2b. The term "trailer" means every vehicle having a gross unloaded weight in excess of four thousand (4,000) pounds designed or used to carry its load wholly on its own structure and to be drawn by a motor vehicle.

Sec. 2c. The term "semi-trailer" means vehicles of the trailer type having a gross weight in excess of four thousand (4,000) pounds so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by another vehicle.

Sec. 2d. The term "motorcycle" means every motor vehicle designed to propel itself with not more than three wheels in contact with the ground but excluding a tractor.

Sec. 2e. The terms "motor vehicle" and "house trailer" do not include "manufactured housing" as defined in the Texas Manufactured Housing Standards Act, as amended (Article 5221f, Vernon's Texas Civil Statutes).

Sec. 3. The term "Lien" means a security interest, as defined in Section 1.201(37), Business and Commerce Code, created by every kind of lease, conditional sales contract, deed of trust, chattel mortgage, trust receipt, reservation of title, or other written security agreement, as defined in Section 9.105(a)(8), Business and Commerce Code, of whatsoever kind or character whereby an interest, other than an absolute title, is sought to be held or given in a motor vehicle, and means any lien created or given by constitution or statute in a motor vehicle.

Sec. 4. The term "Owner" includes any person, firm, association, or corporation other than a manufacturer, importer, distributor, or dealer claiming title to, or having a right to operate pursuant to a lien on a motor vehicle after the first sale as herein defined.

Sec. 7. The term "First Sale" means the bargain, sale, transfer, or delivery with intent to pass an interest therein, other than a lien, of a motor vehicle which has not been previously registered or licensed in this State or elsewhere; and such a bargain, sale, transfer or delivery, accompanied by registration or licensing of said vehicle in this State or elsewhere, shall constitute the first sale of said vehicle, irrespective of where such bargain, sale, transfer, or delivery occurred.

Sec. 8. The term "Subsequent Sale" means the bargain, sale, transfer, or delivery, with intent to
pass an interest therein, other than a lien, of a motor
vehicle which has been registered or licensed within
this State or elsewhere, save and except when such
vehicle is not required under law to be registered or
licensed in this State; and any such bargain, sale,
transfer, or delivery of a motor vehicle after same has
been registered or licensed shall constitute a
subsequent sale, irrespective of where such bargain,
sale, transfer, or delivery occurred.
Sec. 9. The term "New Car" means a motor vehicle
which has never been the subject of a first sale either
within this State or elsewhere.
Sec. 10. The term "Used Car" means a motor
vehicle that has been the subject of a first sale
whether within this State or elsewhere.

Sec. 13. The term "Receipt" means the written
acknowledgment [by a designated agent of the Department
of having received an application for a certificate of
title and the required fee] . . . .
Sec. 14. The terms "Stolen" and "Converted" mean
the same as defined in the Penal Code.

Sec. 16. The term "Manufacturer" means any
person regularly engaged in the business of
manufacturing or assembling new motor vehicles, either
within or without this State.
Sec. 17. The term "Importer" means any person,
except a manufacturer, who brings any used motor
vehicle into this State for the purpose of sale within
this State.
Sec. 18. The term "Distributor" means any person
engaged in the business of selling to a dealer motor
vehicles theretofore bought from a manufacturer.
Sec. 19. The term "Dealer" means any person
purchasing motor vehicles for resale at retail to
owners.
Sec. 20. The terms "motor number" or "serial
number" means the manufacturer's permanent vehicle
identification number or derivative number thereof
affixed to or imprinted upon the engine or motor,
transmission, body, frame, chassis or other part of a
motor vehicle or the number assigned by the Texas
Highway Department, affixed to or imprinted upon the
drive or motor, transmission, body, frame, chassis or
other part of a motor vehicle.
Sec. 21. The term "manufacturer's permanent
vehicle identification number" means the number affixed
by the manufacturer to a motor vehicle in a manner and
place easily accessible for physical examination and
die-stamped or otherwise permanently affixed on various
removable parts of the vehicle.

Sec. 23. The term "Importer's Certificate" means
the certificate . . . for each used motor vehicle
brought into this State for the purpose of sale within
this State . . . .
Sec. 24. The term "Certificate of Title" means a
written instrument . . . .
Sec. 25. The term "department" means the State
Highway Department of the State of Texas.
that the terms defined in that act "shall control in the enforcement and construction of this Act." The revised law omits this language as unnecessary because the revised law provides that in this chapter each defined term has the meaning provided in this section.

(2) Sections 2 and 8, V.A.C.S. Article 6687-1, refer to a motor vehicle "registered or licensed" in this state. The revised law omits the reference to "licensed" to conform to the terminology of V.A.C.S. Article 6675a-1 et seq., revised as Chapter 502 of this code, which governs the registration of motor vehicles. The revised law retains the references in Sections 7 and 8, V.A.C.S. Article 6687-1, to a motor vehicle "registered or licensed" in another state because "licensed" may be the correct term for another state.

(3) Section 2a, V.A.C.S. Article 6687-1, refers to a "vehicle without automotive power." The revised law substitutes "trailer" for that phrase because, as used, "trailer" and "vehicle without automotive power" have the same meaning and the former term is more commonly used. Section 2a also refers to a vehicle designed "for carrying persons and property upon its own structure and for being drawn by a motor vehicle." The revised law omits the quoted language because the concepts are included within the meaning of "trailer" as defined by this section.

(4) Section 4, V.A.C.S. Article 6687-1, excludes from the definition of "owner" the federal government, an agency of the federal government, the state, or a political subdivision of the state not required to register a motor vehicle. The revised law omits the exception provided for the federal government and an agency of the federal government because this provision duplicates Section 60, V.A.C.S. Article 6687-1 (revised
as Section 501.004 of this code). The revised law also omits the exception provided for the state or a political subdivision of the state because that provision contradicts Section 60, V.A.C.S. Article 6687-1 (revised as Section 501.004 of this code), which provides that this chapter does apply to a motor vehicle owned by the state or a political subdivision of the state. As originally enacted, Section 60 provided, consistent with Section 4, that motor vehicles owned by the state or a political subdivision of the state were not subject to the certificate of title requirements of the act. However, in 1947, Section 60 was amended to provide that the state and political subdivisions are subject to the act (Chapter 174, Acts of the 50th Legislature, Regular Session, 1947). The 1947 amendment did not address the contrary language in the Section 4 definition, but by implication that provision is repealed by the change to Section 60. The omitted provisions read:

Sec. 4. [The term "Owner" includes] ... except the Federal Government and any of its agencies, and the State of Texas and any governmental subdivision or agency thereof not required by law to register or license motor vehicles owned or used thereby in this State.

(5) Section 4, V.A.C.S. Article 6687-1, refers to a "person, firm, association, or corporation." The revised law omits the reference to "firm, association, or corporation" as unnecessary because Section 311.005(2), Government Code (Code Construction Act), applicable to the revised law, defines "person" as including a corporation, association, "and any other legal entity."

(6) Section 5, V.A.C.S. Article 6687-1, defines "mortgagee." The revised law omits this reference and
substitutes "lienholder" for "mortgagee" because Article 6687-1 uses both "mortgagee" and "lienholder" to mean a person who holds a lien. The omitted provision reads:

Sec. 5. The term "Mortgagee" means a secured party, as defined in Section 9.105(a)(9), Business and Commerce Code, and any other person, firm, association or corporation holding a lien on a motor vehicle.

(7) Section 6, V.A.C.S. Article 6687-1, defines "mortgagor." The revised law omits this definition because the defined term is not used in this statute. The omitted definition reads:

Sec. 6. The term "Mortgagor" means a debtor, as defined in Section 9.105(a)(4), Business and Commerce Code, and any other person, firm, association or corporation giving a lien on a motor vehicle or agreeing that a lien may be retained thereon or any part thereof or as against whom a lien arises under the constitution or a statute.

(8) Section 9, V.A.C.S. Article 6687-1, defines a "new car" as a "motor vehicle" that has not been the subject of a first sale. The revised law substitutes "new motor vehicle" for "new car" because the term "motor vehicle" is broader than "car" and "motor vehicle" is the defined term.

(9) Section 10, V.A.C.S. Article 6687-1, defines a "used car" as a "motor vehicle" that has been the subject of a first sale. The revised law substitutes "used motor vehicle" for "used car" because the term "motor vehicle" is broader than "car" and "motor vehicle" is the defined term.

(10) Sections 7-10, V.A.C.S. Article 6687-1, refer to motor vehicles licensed, registered, or sold in "this State or elsewhere." Section 16, V.A.C.S. Article 6687-1, refers to a motor vehicle manufactured or assembled "either within or without this State."
The revised law omits these references to the locations of those events as unnecessary because no legal significance is attached to the location of those events.

(11) The revised law omits the definition of "person" contained in Section 11, V.A.C.S. Article 6687-1, because it is substantively identical to the definition provided by Section 311.005(2), Government Code (Code Construction Act), applicable to the revised law. The substantive provisions of the definition that include officers, employees, or agents of the state or a political subdivision of the state among those required by law to register a motor vehicle and the federal government and its agencies not being required by law to register a motor vehicle are omitted because they duplicate Section 60, V.A.C.S. Article 6687-1 (revised as Section 501.004 of this code). The omitted law reads:

Sec. 11. The term "Person" includes individuals, firms, associations, and corporations required by law to register motor vehicles owned or used thereby, including officers, employees, or agents acting for the State of Texas or any Governmental subdivision or agency thereof, but shall not include the Federal Government or any of its agencies not required by law to register motor vehicles owned or used thereby.

(12) Section 12, V.A.C.S. Article 6687-1, is omitted as unnecessary. The omitted provision reads:

Sec. 12. The term "Hereafter" means after the effective date of this Act.

(13) Section 13, V.A.C.S. Article 6687-1, defines the term "receipt." The revised law changes this term to "title receipt" because "receipt" is a general term and "title receipt" more accurately reflects the type of receipt being referred to.

(14) Section 14, V.A.C.S. Article 6687-1,
provides that "stolen" and "converted" have the meaning assigned to those terms by the Penal Code. Those terms are not defined in the Penal Code but are included within the concept of theft under that code. Section 31.03, Penal Code, provides that the offense of theft consists of the unlawful appropriation of property with the intent to deprive the owner of property. Therefore, the revised law provides that "steal" has the meaning assigned by Section 31.01, Penal Code, which is to acquire property or service by theft, and omits "convert[ed]" because it is included within the meaning of "steal."

(15) Section 20, V.A.C.S. Article 6687-1, refers to a derivative number of the manufacturer's permanent vehicle identification number or a number assigned by the department that is "affixed to or imprinted upon the engine or motor, transmission, body, frame, chassis or other part of a motor vehicle." The revised law substitutes "affixed to a motor vehicle" for the quoted language because "other part" includes the parts specifically listed, because a number affixed to a motor vehicle must be affixed to a part of the vehicle, and because, in this context, "imprinted upon" is included within the meaning of "affixed to."

(16) Section 25, V.A.C.S. Article 6687-1, refers to the "State Highway Department of the State of Texas." The revised law substitutes "Texas Department of Transportation" for "State Highway Department of the State of Texas" for the reason stated in the reviser's note to Section 201.003 of this code.

(17) Section 26, V.A.C.S. Article 6687-1, provides, in part, that "'Designated Agent' means each County Tax Collector in this State." The revised law omits this portion of Section 26 as unnecessary and
substitutes "county assessor-collector" wherever "designated agent" appears in the source law. The remainder of Section 26 is revised in Section 501.136 of this code. The revised law substitutes "county assessor-collector" for "tax collector," because "county assessor-collector" is the title for that official. See Sections 14, 16, and 16a, Article VIII, Texas Constitution, and Section 6.21, Tax Code. The omitted provision reads:

Sec. 26. The term "Designated Agent" means each County Tax Collector in this State.

Revised Law

Sec. 501.003. CONSTRUCTION. This chapter shall be liberally construed to lessen and prevent:

(1) the theft of motor vehicles;

(2) the importation into this state of and traffic in motor vehicles that are stolen; and

(3) the sale of an encumbered motor vehicle without the enforced disclosure to the purchaser of a lien secured by the vehicle. (V.A.C.S. Art. 6687-1, Sec. 1 (part).)

Source Law

Sec. 1. . . . in the enactment hereof it is hereby declared to be the legislative intent and public policy of this state to lessen and prevent the theft of motor vehicles, house trailers, also trailers and semi-trailers having a gross weight in excess of four thousand (4,000) pounds, and the importation into this state of, and traffic in, stolen motor vehicles, house trailers, trailers and semi-trailers as defined herein, and the sale of encumbered motor vehicles, house trailers, also trailers and semi-trailers as defined herein, without the enforced disclosure to the purchaser of any and all liens for which any such motor vehicle, house trailer, also trailers and semi-trailers as defined herein, stands as security, and the provisions hereof, singularly and collectively, are to be liberally construed to that end. . . .

Revisor's Note

(1) Section 1, V.A.C.S. Article 6687-1, states what is "hereby declared to be the legislative intent
and public policy of this state." The revised law omits the reference to a declaration of legislative intent and public policy because the operative provisions of the law show the legislative intent and public policy intended by the statute.

(2) Section 1, V.A.C.S. Article 6687-1, refers to "motor vehicles, house trailers, also trailers and semi-trailers." The revised law omits the reference to "house trailers," "trailers," and "semi-trailers" because those terms are included in the definition of "motor vehicle."

Revised Law

Sec. 501.004. APPLICABILITY. (a) This chapter applies to a motor vehicle owned by the state or a political subdivision of the state.

(b) This chapter does not apply to:

(1) a trailer or semitrailer used only for the transportation of farm products if the products are not transported for hire;

(2) the filing or recording of a lien that is created only on an automobile accessory, including a tire, radio, or heater;

(3) a motor vehicle while it is owned or operated by the United States; or

(4) a new motor vehicle on loan to a political subdivision of the state for use only in a driver education course approved by the Central Education Agency. (V.A.C.S. Art. 6687-1, Secs. 1 (part), 1a, 60 (part).)

Source Law

Sec. 1. . . . provided, however, that nothing in this Act shall apply to trailers or semi-trailers used solely for the transportation of farm products, if such products are not transported for hire.

Sec. 1a. The provisions of House Bill No. 407, Chapter 4, Acts of the Forty-sixth Legislature, Regular Session, and as by this Act amended, shall not apply to the filing or recording of a lien or liens which are
created only upon tires, radios, heaters, or other automobile accessories.

Sec. 60. The provisions of this Act shall not apply to vehicles owned or operated by the Federal Government or any of its agencies unless such vehicle is sold to a person required under this Act to procure a Certificate of Title, in which event the provisions hereof shall be fully operative as to such vehicle; but shall apply to vehicles owned or acquired by the State of Texas, any County, City, School District, or any other subdivision of State Government. This Act does not apply to new vehicles on loan to a School District or any other subdivision of State Government to be used only in driver education courses approved by the Central Education Agency.

Revisor's Note

(1) Section 1a, V.A.C.S. Article 6687-1, refers to "House Bill No. 407, Acts of the Forty-sixth Legislature, Regular Session." That bill was the legislation enacting V.A.C.S. Article 6687-1, the source law for this chapter, and the revised law substitutes "this chapter" for the reference to that bill.

(2) Section 60, V.A.C.S. Article 6687-1, refers to a "School District or any other subdivision of State Government." The revised law omits the reference to "school district" because a school district is included within the meaning of a political subdivision of the state.

(3) Section 60, V.A.C.S. Article 6687-1, states that Article 6687-1 does not apply to a vehicle owned by the federal government or an agency of the federal government "unless such vehicle is sold to a person required under this Act to obtain a Certificate of Title, in which event the provisions hereof shall be fully operative as to such vehicle." The revised law omits the quoted language as unnecessary because it is obvious that the provisions of Article 6687-1 apply to a motor vehicle sold to a person required to obtain a certificate of title for the motor vehicle under that
Section 60, V.A.C.S. Article 6687-1, refers to a "County, City, School District, or any other subdivision of State Government." The revised law omits the references to "county," "city," and "school district" because those terms are included within the meaning of a political subdivision of the state.

Sec. 501.005. CONFLICTS WITH BUSINESS & COMMERCE CODE. Chapters 1-9, Business & Commerce Code, control over a conflicting provision of this chapter. (V.A.C.S. Art. 6687-1, Sec. 65.)

Sec. 65. In case of any conflict between this Act and the Business and Commerce Code, Chapters 1 through 9, the provisions of the Business and Commerce Code control.

Sections 501.006-501.020 reserved for expansion

SUBCHAPTER B. CERTIFICATE OF TITLE REQUIREMENTS

Sec. 501.021. CERTIFICATE OF TITLE. (a) A motor vehicle certificate of title is an instrument issued by the department that includes:

(1) the name and address of the purchaser and seller at the first sale or the transferee and transferor at a subsequent sale;

(2) the make of the motor vehicle;

(3) the body type of the vehicle;

(4) the manufacturer's permanent vehicle identification number of the vehicle or the vehicle's motor number if the vehicle was manufactured before the date that stamping a permanent identification number on a motor vehicle was universally adopted;

(5) the serial number for the vehicle;
(6) the number on the vehicle's current Texas license plates;

(7) a statement:

(A) that no lien on the vehicle is recorded; or

(B) of the name and address of each lienholder and the date of each lien on the vehicle, listed in the chronological order in which the lien was recorded;

(8) a space for the signature of the owner of the vehicle;

(9) a statement indicating rights of survivorship under Section 501.031;

(10) if the vehicle has an odometer, the odometer reading indicated by the application for the certificate of title; and

(11) any other information required by the department.

(b) A certificate of title must bear the following statement on its face:

"UNLESS OTHERWISE AUTHORIZED BY LAW, IT IS A VIOLATION OF STATE LAW TO SIGN THE NAME OF ANOTHER PERSON ON A CERTIFICATE OF TITLE OR OTHERWISE GIVE FALSE INFORMATION ON A CERTIFICATE OF TITLE." (V.A.C.S. Art. 6687-1, Secs. 24 (part), 33(e).)

Source Law

Sec. 24. [The term "Certificate of Title" means a written instrument] which may be issued solely by and under the authority of the department, and which must give the following data together with such other data as the department may require from time to time:

(a) The name and address of the purchaser and seller at first sale or transferee and transferor at any subsequent sale.

(b) The make.

(c) The body type.

(d) The motor number.

At such time as the stamping of permanent identification numbers on motor vehicles in a manner and place easily accessible for physical examination is universally adopted by motor vehicle manufacturers as the permanent vehicle identification, the department is authorized to use such permanent identification number as the major identification of motor vehicles subsequently manufactured. The motor number will continue to be the major identification of vehicles manufactured before such change is adopted.

(e) The serial number.

(f) The license number of the current
Texas plates.

(g) The names and addresses and dates of any liens on the motor vehicle, in chronological order of recordation.

(h) If no liens are registered on the motor vehicle, a statement of such fact.

(i) A space for the signature of the owner . . .

(j) A statement indicating "rights of survivorship" . . .

(k) If the motor vehicle is equipped with an odometer, the number of miles the motor vehicle has travelled as reflected by the application.

Sec. 33.

(e) Each certificate of title to a motor vehicle must bear the following statement: "UNLESS OTHERWISE AUTHORIZED BY LAW IT IS A VIOLATION OF STATE LAW TO SIGN THE NAME OF ANOTHER PERSON ON A CERTIFICATE OF TITLE OR OTHERWISE GIVE FALSE INFORMATION ON A CERTIFICATE OF TITLE." The Department shall determine the location of the statement on the face of the certificate of title.

Revisor's Note

(1) Section 24, V.A.C.S. Article 6687-1, provides that a certificate of title is a written instrument issued "solely by and under the authority" of the Texas Department of Transportation. The revised law omits "solely" and "under the authority of" as unnecessary because those phrases are implicit within the statement in the revised law that a certificate of title is an instrument "issued by the department."

(2) Section 24, V.A.C.S. Article 6687-1, refers to additional information on a certificate of title that the department may "from time to time" require. The revised law omits as unnecessary the reference to "from time to time" because the department is authorized to adopt rules and procedures and to change rules and procedures as necessary to administer programs under the authority of the department. Therefore, when referring to a requirement adopted by the department, it is not necessary to state that the requirement may be changed by the department.

(3) Section 24, V.A.C.S. Article 6687-1,
provides that the motor number for a motor vehicle must be included on the certificate of title until such time as the stamping of permanent identification numbers on motor vehicles is universally adopted. That practice has been universally adopted. The revised law omits the provisions of Section 24 that refer to the use of a permanent identification number as a future practice and the obsolete requirement that only the motor number be listed and substitutes a requirement to list "the manufacturer's permanent vehicle identification number of the vehicle or the vehicle's motor number if the vehicle was manufactured before the date that stamping a permanent identification number on a motor vehicle was universally adopted."

(4) Section 24(j), V.A.C.S. Article 6687-1, provides that if a rights of survivorship agreement exists between the owners of a motor vehicle, a statement to that effect must be included on the certificate of title. The pertinent part of Section 24(j) describing this agreement is revised as Section 501.031 of this code. The revised law is drafted accordingly.

(5) Section 33(e), V.A.C.S. Article 6687-1, states that "the Department shall determine the location of the statement on the face of the certificate of title." The revised law omits the reference to the location of the statement being determined by the department because that authority is implicit in the requirements that the statement be included on the certificate and that the certificate be an instrument issued by the department.

Revised Law

Sec. 501.022. CERTIFICATE OF TITLE REQUIRED. (a) The owner
of a motor vehicle registered in this state may not operate or permit the operation of the vehicle on a public highway until the owner obtains a certificate of title for the vehicle.

(b) A person may not operate a motor vehicle registered in this state on a public highway if the person knows or has reason to believe that the owner has not obtained a certificate of title for the vehicle.

(c) The owner of a motor vehicle that is required to be registered in this state must apply for a certificate of title of the vehicle before selling or disposing of the vehicle.

(d) Subsection (c) does not apply to a motor vehicle operated on a public highway in this state with a metal dealer's license plate or a dealer's or buyer's temporary cardboard tag attached to the vehicle as provided by Chapter 503. (V.A.C.S. Art. 6687-1, Secs. 27 (part), 63(c).

Source Law

Sec. 27. Before selling or disposing of any motor vehicle required to be registered or licensed in this State on any highway or public place within this State, except with dealer's metal or cardboard license number thereto attached as now provided by law, the owner shall make application . . . for a certificate of title for such motor vehicle.

Sec. 63

(c) The owner of a motor vehicle registered in this State shall not after January 1, 1942, operate or permit the operation of any such motor vehicle upon any highways without first obtaining a certificate of title therefor from the Department, nor shall any person operate any such motor vehicle upon the public highways knowing or having reason to believe that the owner has failed to obtain a certificate of title therefor.

Revisor's Note

(1) Section 27, V.A.C.S. Article 6687-1, refers to a motor vehicle required to be "registered or licensed" in this state. The revised law omits "licensed" for the reason stated in Revisor's Note (2) under Section 501.002 of this code.

(2) Section 27, V.A.C.S. Article 6687-1, refers
to a motor vehicle required to be registered on a "highway or public place." The revised law substitutes "public highway" because a motor vehicle is only required to be registered for use on a public highway.

(3) Section 27, V.A.C.S. Article 6687-1, refers to a dealer's license plate attached to a motor vehicle "as provided by law." The revised law substitutes "as provided by Chapter 503" for "as provided by law" because the law referred to is revised as Chapter 503 of this code.

(4) Section 63(c), V.A.C.S. Article 6687-1, states that the owner of a motor vehicle may not operate or permit the operation of that vehicle "after January 1, 1942," unless the vehicle has been issued a certificate of title. The revised law omits as executed the reference to that date.

Revised Law

Sec. 501.023. APPLICATION FOR CERTIFICATE OF TITLE. (a)
The owner of a motor vehicle must apply for a certificate of title:

(1) to the county assessor-collector in the county in which:

(A) the owner is domiciled; or

(B) the motor vehicle is purchased or encumbered; and

(2) on a form prescribed by the department.

(b) The assessor-collector shall send the application to the department not later than 24 hours after receiving the application.

(V.A.C.S. Art. 6687-1, Secs. 27 (part), 57(a) (part)).

Source Law

Sec. 27. . . . the owner shall make application to the designated agent in the county of his domicile or the county in which the vehicle is purchased or encumbered upon form to be prescribed by the Department for a certificate of title for such motor vehicle.

Sec. 57. (a) Each applicant for a Certificate of Title or reissuance thereof shall pay to the
designated agent (County Tax Assessor-Collector) [the
sum of Thirteen Dollars ($13), of which the first Five
Dollars ($5) shall be accounted for by the County Tax
Assessor-Collector and disposed of in the method
hereinafter provided; and the remaining Eight Dollars
($8) shall be forwarded to the State Department of
Highways and Public Transportation, together with the
application for a Certificate of Title, within
twenty-four hours after the same has been received by
the County Tax Assessor-Collector. . . .

Reviser's Note
(1) Section 27, V.A.C.S. Article 6687-1, refers
to the "designated agent." The revised law substitutes
"county assessor-collector" for "designated agent" for
the reason stated in Reviser's Note (17) under Section
501.002 of this code.
(2) Section 57(a), V.A.C.S. Article 6687-1,
refers to the State Department of Highways and Public
Transportation. The revised law substitutes
"department" for "State Department of Highways and
Public Transportation" for the reason stated in the
revisor's note to Section 201.003 of this code.

Revised Law
Sec. 501.024. TITLE RECEIPT. (a) A county
assessor-collector who receives an application for a certificate of
title shall, after the requirements of this chapter are met,
including the payment of the fees required under Section 501.138,
issue a title receipt on which is noted information concerning the
motor vehicle required for the certificate of title under Section
501.021, including a statement of the existence of each lien as
disclosed on the application or a statement that no lien is
disclosed.
(b) If a lien is not disclosed on the application for a
certificate of title, the assessor-collector shall mark the title
receipt "original" and deliver it to the applicant.
(c) If a lien is disclosed on the application for a
certificate of title, the assessor-collector shall issue duplicate
title receipts. The assessor-collector shall:

(1) mark one receipt "original" and mail or deliver it to the first lienholder disclosed on the application; and

(2) mark the second receipt "duplicate original" and mail or deliver it to the address of the applicant provided on the application.

(d) A title receipt authorizes the operation of the motor vehicle on a public highway in this state for 10 days or until the certificate of title is issued, whichever period is shorter. After that period, the receipt is not effective for any purpose, unless the receipt is renewed as provided by department rules. (V.A.C.S. Art. 6687-1, Secs. 13 (part), 31.)

Source Law

Sec. 13. [The term "Receipt" means the written acknowledgment by a designated agent of the Department of having received an application for a certificate of title and the required fee . . . .

Sec. 31. Every designated agent in this State receiving an application for certificate of title shall, when the provisions hereof have been complied with, issue a receipt marked "Original" to the applicant and shall note thereon the required information concerning the motor vehicle and the existence or nonexistence of liens as disclosed in the application and deliver such receipt upon payment of the required fees to the applicant; provided however, that in the event there is a lien disclosed in the application, the said receipt shall be issued in duplicate, one of which shall be marked "Original" and shall be mailed or delivered by every such designated agent to the first lien holder as disclosed in said application; the other said copy shall be marked "Duplicate Original" and shall be mailed or delivered to the address of the applicant as disclosed in the said application, and such receipt pending the issuance of the certificate of title shall authorize the operation of such motor vehicle on the highways and public places within this State for a period of not to exceed ten (10) days and upon the expiration of such period of time shall cease to be effective for any purpose, but may be renewed under such reasonable rules and regulations as may be promulgated by the Department.

Revisor's Note

(1) Section 31, V.A.C.S. Article 6687-1, refers to the "designated agent." The revised law substitutes "county assessor-collector" for "designated agent" for
the reason stated in Reviser's Note (17) under Section 501.002 of this code.

(2) Section 31, V.A.C.S. Article 6687-1, refers to "rules and regulations." The reference to "regulations" is omitted from the revised law because under Section 311.005(5), Government Code (Code Construction Act), a rule is defined to include a regulation. That definition applies to the revised law.

(3) Section 31, V.A.C.S. Article 6687-1, refers to the operation of a motor vehicle "on the highways and public places" in the state. The revised law substitutes "public highways" for the reason stated in Reviser's Note (2) under Section 501.022 of this code.

Revised Law
Sec. 501.025. TITLE RECEIPT REQUIRED ON FIRST SALE; MANUFACTURER'S CERTIFICATE. A county assessor-collector may not issue a title receipt on the first sale of a motor vehicle unless the applicant for the certificate of title provides to the assessor-collector the application for a certificate of title and a manufacturer's certificate, on a form prescribed by the department, that:

(1) is assigned to the applicant by the manufacturer, distributor, or dealer shown on the manufacturer's certificate as the last transferee; and

(2) shows the transfer of the vehicle from its manufacturer to the purchaser, whether a distributor, dealer, or owner, and each subsequent transfer from distributor to dealer, dealer to dealer, and dealer to applicant. (V.A.C.S. Art. 6687-1, Secs. 22 (part), 28.)

Source Law
Sec. 22. The term "Manufacturer's Certificate" means a certificate . . . showing original transfer of a new motor vehicle from the manufacturer to the original purchaser, whether importer, distributor,
dealer, or owner and when presented with an application
for certificate of title must show thereon, on
appropriate forms to be prescribed by the Department,
each subsequent transfer between distributor and
dealer, dealer and dealer, and dealer to owner.

Sec. 28. No designated agent shall issue a
receipt for an application for certificate of title to
any new motor vehicle the subject matter of the first
sale unless the applicant shall deliver to such agent a
manufacturer's certificate properly assigned by the
manufacturer, distributor, or dealer shown thereon to
be the last transferee to the applicant, upon form to
be prescribed by the Department.

Reviser's Note
(1) Section 22, V.A.C.S. Article 6687-1, refers
to an "original transfer of a new motor vehicle from
the manufacturer to the original purchaser, whether
importer, distributor, dealer, or owner." The
reference to an "importer" is omitted from the revised
law because as defined by Section 501.002 of this code,
an importer deals only with used motor vehicles.
(2) Section 28, V.A.C.S. Article 6687-1, refers
to the "designated agent." The revised law substitutes
"county assessor-collector" for "designated agent" for
the reason stated in Reviser's Note (17) under Section
501.002 of this code.

Revised Law
Sec. 501.026. IMPORTER'S CERTIFICATE. (a) A county
assessor-collector may not issue a title receipt for a used motor
vehicle imported into this state for the purpose of sale in this
state unless the applicant for the certificate of title provides
the assessor-collector with an importer's certificate properly
assigned by the importer.
(b) An importer's certificate must be accompanied by
evidence required by the department showing good title to the motor
vehicle and the name and address of any lienholder on the vehicle.
(V.A.C.S. Art. 6687-1, Secs. 23 (part), 29.)
Sec. 23. . . such importer's certificate must be accompanied by such evidence of title to the motor vehicle as the Department may, from time to time, require in order to show a good title and the names and addresses of all mortgagees.

Sec. 29. No such designated agent shall issue a receipt for a certificate of title to any used motor vehicle imported into this State for the purpose of sale within this State without delivery to him by the applicant of an importer's certificate properly assigned by the importer upon form to be prescribed by the Department.

Reviser's Note

(1) Section 29, V.A.C.S. Article 6687-1, refers to the "designated agent." The revised law substitutes "county assessor-collector" for "designated agent" for the reason stated in Reviser's Note (17) under Section 501.002 of this code.

(2) Section 23, V.A.C.S. Article 6687-1, refers to evidence of title to a motor vehicle that the department may "from time to time" require. The revised law omits the reference to "from time to time" for the reason stated in Reviser's Note (2) under Section 501.021 of this code.

Revised Law

Sec. 501.027. ISSUANCE OF CERTIFICATE OF TITLE. (a) On the day that a county assessor-collector issues a title receipt, the assessor-collector shall mail to the department:

(1) a copy of the receipt; and

(2) the evidence of title delivered to the assessor-collector by the applicant.

(b) Not later than the fifth day after the date the department receives an application for a certificate of title and the department determines the requirements of this chapter are met, the department shall issue the certificate of title. If a lien is not disclosed on the application, the department shall mark the certificate "original" and send it by first class mail to the
applicant at the address provided on the application. If a lien is disclosed on the application, the department shall:

(1) issue the certificate of title in duplicate;

(2) mark one certificate of title "original" and send it by first class mail to the first lienholder as disclosed on the application; and

(3) mark the second certificate of title "duplicate original" and send it by first class mail to the applicant at the address provided on the application. (V.A.C.S. Art. 6687-1, Sec. 32.)

Source Law

Sec. 32. Every designated agent within this State shall, on the same day issued by him, forward to the Department, by mail prepaid postage, copies of all receipts issued by him together with such evidences of title as may have been delivered to him by the several applicants, and the Department within five (5) days after receiving such application, if upon inspection thereof it is satisfactorily shown that the certificate of title should issue, shall issue certificate of title marked "Original" on the face thereof and send the same to the address of the applicant as given in his application by first class mail; provided however, that in the event there is a lien disclosed in the application the said certificate of title shall be issued in duplicate, one of which shall be marked "Original" and shall be mailed to the address of the first lien holder as disclosed in said certificate of title by first class mail; the copy of said certificate of title shall be marked "Duplicate Original" and shall be sent by first class mail to the address of the applicant as given in his application.

Revisor's Note

(1) Section 32, V.A.C.S. Article 6687-1, refers to the "designated agent." The revised law substitutes "county assessor-collector" for "designated agent" for the reason stated in Revisor's Note (17) under Section 501.002 of this code.

(2) Section 32, V.A.C.S. Article 6687-1, requires that a county assessor-collector forward copies of receipts to the department "by mail prepaid postage." The revised law substitutes a requirement that the assessor-collector mail copies of receipts to
the department and omits the requirement that the mail
be accomplished by "prepaid postage" because postage is
implicitly required before an item may be mailed.

Revised Law
Sec. 501.028. OWNER'S SIGNATURE. On receipt of a
certificate of title, the owner of a motor vehicle shall write the
owner's name in ink in the space provided on the certificate.
(V.A.C.S. Art. 6687-1, Sec. 24 (part).)

Source Law
(i) . . . the owner shall write his name with
pen and ink in such space upon receipt of the
certificate.

Revisor's Note
Section 24(i), V.A.C.S. Article 6687-1, provides
that the owner of a motor vehicle shall write the
owner's name "with pen and ink." The revised law
substitutes a requirement that the owner write the
owner's name "in ink" because the phrase has the same
meaning and is more commonly used.

Revised Law
Sec. 501.029. USE OF DUPLICATE TITLE RECEIPT OR CERTIFICATE.
A person may use a title receipt or certificate of title marked
"Duplicate Original" only to evidence title to a motor vehicle and
not to transfer an interest in or establish a lien on the vehicle.
(V.A.C.S. Art. 6687-1, Sec. 32a.)

Source Law
Sec. 32a. The receipt or certificate of title
marked "Duplicate Original" shall be used only as
evidence of title of said motor vehicle and shall not
be used by any person in transferring any interest in
said motor vehicle or to establish any lien thereon.

Revised Law
Sec. 501.030. MOTOR VEHICLES BROUGHT INTO STATE. (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 with a verification form
under Section 548.256.

(b) Before a motor vehicle that was not manufactured for
sale or distribution in the United States may be titled in this
state, the applicant must:

(1) provide to the assessor-collector:

(A) a bond release letter, with all attachments,
issued by the United States Department of Transportation
acknowledging:

(i) receipt of a statement of compliance
submitted by the importer of the vehicle; and

(ii) that the statement meets the safety
requirements of 19 C.F.R. 12.80(e);

(B) a bond release letter, with all attachments,
issued by the United States Environmental Protection Agency stating
that the vehicle has been tested and shown to conform to federal
emission requirements; and

(C) a receipt or certificate issued by the
United States Department of the Treasury showing that all gas
guzzler taxes due on the vehicle under 26 U.S.C. Section 4064(a)
have been paid; or

(2) provide to the assessor-collector proof
satisfactory to the assessor-collector that the vehicle was not
brought into the United States from outside of the country.

(c) Subsections (a) and (b) do not apply to a motor vehicle
lawfully imported into the United States by a distributor or dealer
from the vehicle's manufacturer.

(d) If a motor vehicle has not been titled or registered in
the United States, the application for certificate of title must be
accompanied by:

(1) a manufacturer's certificate of origin written in
English issued by the vehicle manufacturer;

(2) the original documents that constitute valid proof
of ownership in the country where the vehicle was originally purchased, with an English translation of the documents verified as to the accuracy of the translation by an affidavit of the translator; or

(3) if the vehicle was imported from a country that cancels the vehicle registration and title for export, the documents assigned to the vehicle after the registration and title were canceled, with an English translation of the documents verified as to the accuracy of the translation by an affidavit of the translator.

(e) Before a motor vehicle that is required to be registered in this state and that is brought into this state by a person other than a manufacturer or importer may be bargained, sold, transferred, or delivered with an intent to pass an interest in the vehicle or encumbered by a lien, the owner must apply for a certificate of title on a form prescribed by the department to the county assessor-collector for the county in which the transaction is to take place. The assessor-collector may not issue a title receipt unless the applicant delivers to the assessor-collector satisfactory evidence of title showing that the applicant is the owner of the vehicle and that the vehicle is free of any undisclosed liens.

(f) A county assessor-collector may not be held liable for civil damages arising out of the assessor-collector's failure to reflect on the title receipt a lien or encumbrance on a motor vehicle to which Subsection (e) applies unless the assessor-collector's failure constitutes willful or wanton negligence.

(g) Until an applicant has complied with this section:

(1) a county assessor-collector may not accept an application for certificate of title; and

(2) the applicant is not entitled to an appeal as provided by Sections 501.052 and 501.053. (V.A.C.S. Art. 6687-1, Sec. 30.)
Sec. 30.  (a) Before any motor vehicle that was last registered and titled, or registered in some other state or country may be registered and titled in Texas, the applicant shall furnish to the designated agent a certificate as required under Section 142A, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes). Before a motor vehicle not manufactured for sale or distribution in the United States may be registered and titled in Texas, the applicant shall furnish to the designated agent: (1) a bond release letter, with all attachments, issued by the United States Department of Transportation acknowledging receipt of a statement of compliance submitted by the importer of the vehicle and that the statement meets the safety requirements of 19 C.F.R. 12.80(e); and (2) a bond release letter, with all attachments, issued by the United States Environmental Protection Agency stating that the vehicle has been tested and shown to be in conformity with federal emission requirements; and (3) a receipt or certificate issued by the United States Department of the Treasury showing that any and all gas guzzler taxes due on the vehicle under the provisions of Pub.L. No. 95-618, Title II, Section 201(a) (26 U.S.C.A. 4064), have been fully paid; or (4) proof satisfactory to the agent that the vehicle was not brought into the United States from outside the country. This subsection does not apply to a motor vehicle lawfully imported into the United States by a distributor or dealer from the manufacturer of the motor vehicle. No designated agent shall accept any application for registration and a certificate of title until the applicant has complied with the provisions of this Section. The provisions of Section 39 of this Act are not available until the applicant has complied with the provisions of this Section.

(b) Before any motor vehicle brought into this State by any person, other than a manufacturer or importer, and which is required to be registered or licensed within this State, can be bargained, sold, transferred, or delivered with intent to pass any interest therein or encumber by any lien, application on form to be prescribed by the Department must be made to the designated agent of the county wherein the transaction is to take place for a certificate of title, and no such designated agent shall issue a receipt until and unless the applicant shall deliver to him evidence of title as shall satisfy the designated agent that the applicant is the owner of such motor vehicle, and that the same is free of liens except such as may be disclosed.

Before a motor vehicle which has not previously been titled or registered in the United States may be titled or registered in this State, the application for certificate of title presented to the designated agent must be accompanied by (a) a manufacturer's certificate of origin in the English language issued by the actual vehicle manufacturer, (b) the original documents constituting proof of ownership in the country in which the vehicle was originally purchased, together with a translation of the documents into the English language verified as to accuracy of the translation by affidavit of the translator, or (c) with regard to a vehicle imported from a country that cancels the vehicle registration and title for export, the documents assigned to the vehicle after the registration and title have been cancelled, together

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with a translation of the documents into the English language, verified as to accuracy of translation by affidavit of the translator.

No designated agent of the department shall be liable for civil damages arising out of his failure to reflect liens or encumbrances on such motor vehicle unless such failure constitutes willful or wanton negligence.

Revisor's Note

(1) Section 30, V.A.C.S. Article 6687-1, refers to the "designated agent." The revised law substitutes "county assessor-collector" for "designated agent" for the reason stated in Revisor's Note (17) under Section 501.002 of this code.

(2) Section 30(a), V.A.C.S. Article 6687-1, refers to Section 142A, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes). That statute is codified in this code as Section 548.256, and the revised law is drafted accordingly.

(3) Section 30(a), V.A.C.S. Article 6687-1, refers to Section 39 of this act. That section is codified in this chapter as Sections 501.052 and 501.053, and the revised law is drafted accordingly.

(4) Section 30(b), V.A.C.S. Article 6687-1, refers to a motor vehicle required to be "registered or licensed" in this state. The revised law omits "licensed" for the reason stated in Revisor's Note (2) under Section 501.002 of this code.

(5) Section 30, V.A.C.S. Article 6687-1, refers to conditions that must be met before a motor vehicle may be "registered and titled" in this state. The revised law omits the reference to "registered" because a certificate of title is required to register a motor vehicle under Section 63(b), V.A.C.S. Article 6687-1 (revised as Section 502.152 of this code), and a condition for issuance of a certificate of title is
automatically a condition for registration.

Revised Law

Sec. 501.031. RIGHTS OF SURVIVORSHIP AGREEMENT. (a) An agreement providing that a motor vehicle is to be held by a husband and wife jointly with the interest of either spouse who dies passing to the surviving spouse is valid only if the agreement is:

(1) signed by both spouses; and

(2) submitted with the application for certificate of title.

(b) If a valid rights of survivorship agreement is made and submitted, the department shall issue the certificate of title for the motor vehicle in the name of both spouses. (V.A.C.S. Art. 6687-1, Sec. 24 (part).)

Source Law

(j) . . . when an agreement providing that the motor vehicle is to be held between a husband and his wife jointly with the interest of either spouse who dies to survive to the surviving spouse is surrendered with the application for certificate of title. This agreement is valid only if signed by both husband and wife and, if signed, the certificate shall be issued in the name of both.

Revised Law

Sec. 501.032. ASSIGNMENT OF SERIAL NUMBER BY DEPARTMENT.

(a) On proper application, the department shall assign a serial number to a house trailer, a trailer or semitrailer that has a gross vehicle weight that exceeds 4,000 pounds, or an item of equipment, including a tractor, farm implement, unit of special mobile equipment, or unit of off-road construction equipment on which:

(1) a serial number was not die-stamped by the manufacturer; or

(2) the serial number die-stamped by the manufacturer has been lost, removed, or obliterated.

(b) The applicant shall die-stamp the assigned serial number at the place designated by the department on the house trailer,
trailer, semitrailer, or equipment.

(c) The manufacturer's serial number or the serial number assigned by the department shall be affixed on the carriage or axle part of the house trailer, trailer, or semitrailer. The department shall use the number as the major identification of the vehicle in the issuance of a certificate of title. (V.A.C.S. Art. 6687-1, Sec. 49(f).)

Revisor's Note

Section 49(f), V.A.C.S. Article 6687-1, refers to a serial number "assigned and die stamped by the manufacturer." The revised law omits the reference to "assigned" as unnecessary because a serial number that is die-stamped by the manufacturer is implicitly assigned by the manufacturer.

Revised Law

Sec. 501.033. ASSIGNMENT OF IDENTIFICATION NUMBER BY DEPARTMENT. (a) A person determined by the department or a court to be the owner of a motor vehicle, a part of a motor vehicle, or an item of equipment including a tractor, farm implement, unit of special mobile equipment, or unit of off-road construction equipment that has had the serial number removed, altered, or obliterated may apply to the department for an assigned vehicle...
identification number.

(b) An application under this section must be on a form prescribed and furnished by the department and accompanied by the certificate of title for the vehicle or other valid evidence of ownership as required by the department if there is no certificate of title.

(c) A fee of $2 must accompany each application under this section to be deposited in the state highway fund.

(d) The assigned number shall be die-stamped or otherwise affixed to the motor vehicle, part, or item of equipment at the location and in the manner designated by the department. (V.A.C.S. Art. 6687-1, Sec. 49(g).)

Source Law

(g) Any person who has been determined by the Department or by a court in a judicial proceeding to be the rightful owner of any motor vehicle or part of a motor vehicle or an item of equipment, including a tractor, farm implement, unit of special mobile equipment, or unit of off-road construction equipment that has had the serial number, the motor number, or the manufacturer's permanent vehicle identification number or derivative number removed, altered, or obliterated may make application to the Department for an assigned vehicle identification number. The number assigned by the Department shall be die-stamped or otherwise affixed to the motor vehicle, part, or item of equipment at the location and in the manner designated by the Department. Each application for an assigned vehicle identification number shall be submitted on a form prescribed and furnished by the Department and shall be accompanied by the outstanding negotiable certificate of title covering the vehicle. In the event no certificate of title is outstanding on the vehicle, the application shall be accompanied by such other valid evidence of ownership as may be required by the Department. A fee of $2 shall accompany each such application for assigned vehicle identification number and shall be deposited in the State Highway Fund.

Revisor's Note

(1) Section 49(g), V.A.C.S. Article 6687-1, refers to a determination made by "a court in a judicial proceeding." The revised law omits as unnecessary the reference to "in a judicial proceeding" because any determination that a court makes is made in
a judicial proceeding.

(2) Section 49(g), V.A.C.S. Article 6687-1, refers to "the serial number, the motor number, or the manufacturer's permanent vehicle identification number or derivative number" of a motor vehicle. The revised law omits the reference to a "motor number," "manufacturer's permanent vehicle identification number," and the "derivative number" as unnecessary because these terms are included in the meaning of "serial number."

Revised Law

Sec. 501.034. ISSUANCE OF TITLE TO GOVERNMENT AGENCY. The department may issue a certificate of title to a government agency if a vehicle or part of a vehicle is:

(1) forfeited to the government agency;
(2) delivered by court order under the Code of Criminal Procedure to a government agency for official purposes; or
(3) sold as abandoned or unclaimed property under the Code of Criminal Procedure. (V.A.C.S. Art. 6687-1, Sec. 49(e).)

Source Law

(e) The Department may issue a title to a government agency if a vehicle or part of a vehicle is:

(1) forfeited to the government agency;
(2) delivered by court order under the Code of Criminal Procedure to a government agency for official purposes; or
(3) sold as abandoned or unclaimed property under the Code of Criminal Procedure.

[Sections 501.035-501.050 reserved for expansion]

SUBCHAPTER C. REFUSAL TO ISSUE AND REVOCATION OR SUSPENSION OF CERTIFICATE

Revised Law

Sec. 501.051. GROUNDS FOR REFUSAL TO ISSUE OR FOR REVOCATION OR SUSPENSION OF CERTIFICATE. The department shall refuse to issue a certificate of title or shall suspend or revoke a certificate of...
title if:

(1) the application for the certificate contains a false or fraudulent statement;
(2) the applicant failed to furnish required information requested by the department;
(3) the applicant is not entitled to a certificate of title;
(4) the department has reason to believe that the motor vehicle is stolen;
(5) the department has reason to believe that the issuance of a certificate of title would defraud the owner or a lienholder of the motor vehicle;
(6) the registration for the motor vehicle is suspended or revoked; or
(7) the required fee has not been paid. (V.A.C.S. Art. 6687-1, Sec. 38.)

Source Law
Sec. 38. The Department shall refuse issuance of a certificate of title, or having issued a certificate of title, suspend or revoke the same, upon any of the following grounds:
(a) That the application contains any false or fraudulent statement, or that the applicant has failed to furnish required information requested by the Department, or that the applicant is not entitled to the issuance of a certificate of title under this Act.
(b) That the Department has reasonable ground to believe that the vehicle is a stolen or converted vehicle as herein defined, or that the issuance of a certificate of title would constitute a fraud against the rightful owner or a mortgagee.
(c) That the registration of the vehicle stands suspended or revoked.
(d) That the required fee has not been paid.

Revisor's Note
(1) Section 38, V.A.C.S. Article 6687-1, refers to "a stolen or converted vehicle." The revised law omits the reference to "converted" as unnecessary because that term is included in the meaning of "stolen."
(2) Section 38, V.A.C.S. Article 6687-1, refers to a "stolen or converted vehicle as herein defined." The revised law omits the reference to "as herein defined" as unnecessary because "stolen" is a form of "steal," a term defined in Section 501.002 of this code.

Revised Law

Sec. 501.052. HEARING ON REFUSAL TO ISSUE OR REVOCATION OR SUSPENSION OF CERTIFICATE OF TITLE; APPEAL. (a) An interested person aggrieved by a refusal, suspension, or revocation under Section 501.051 may apply for a hearing to the county assessor-collector for the county in which the person is domiciled. On the day an assessor-collector receives the application, the assessor-collector shall notify the department of the date of the hearing.

(b) The assessor-collector shall hold the hearing not earlier than the 11th day and not later than the 15th day after the date the assessor-collector receives the application for a hearing.

(c) At the hearing, the applicant and the department may submit evidence.

(d) A determination of the assessor-collector is binding on the applicant and the department as to whether the department correctly refused to issue or correctly revoked or suspended the certificate of title.

(e) An applicant aggrieved by the determination under Subsection (d) may appeal to the county court of the county of the applicant's residence. An applicant must file an appeal not later than the fifth day after the date of the assessor-collector's determination. The county court judge shall try the appeal in the manner of other civil cases. All rights and immunities granted in the trial of a civil case are available to the interested parties. If the department's action is not sustained, the department shall promptly issue a certificate of title for the vehicle. (V.A.C.S. 74C263 JD-D 2142
Art. 6687-1, Sec. 39(a) (part.)

Source Law

Sec. 39. (a) Any person interested in a motor vehicle to which the Department has refused to issue a certificate of title or has suspended or revoked the certificate of title, feeling aggrieved, may apply to the designated agent of the county of such interested person's domicile for a hearing, whereupon such designated agent shall, on the same day such application for hearing is received by him, notify the Department of the date of the hearing, which shall not be less than ten (10) days nor more than fifteen (15) days, and at such hearing such applicant and the Department may submit evidence, and a ruling of the designated agent shall bind both parties as to whether or not the Department has acted justly in the premises. Such applicant feeling aggrieved with the ruling of the designated agent, may, within five (5) days and not thereafter, appeal to the County Court of the county of the applicant's residence, who shall proceed to try the issues as in other civil cases, and all rights and immunities granted in the trial of civil cases shall be available to the interested parties. Should the final decision be against the ruling of the Department, the certificate of title shall issue forthwith.

Revisor's Note

(1) Section 39(a), V.A.C.S. Article 6687-1, refers to the "designated agent." The revised law substitutes "county assessor-collector" for "designated agent" for the reason stated in Revisor's Note (17) under Section 501.002 of this code.

(2) Section 39(a), V.A.C.S. Article 6687-1, states that the ruling of the assessor-collector is binding "as to whether or not the Department has acted justly in the premises." The revised law omits this language and substitutes that the ruling is binding "as to whether the department correctly refused to issue or correctly revoked or suspended the certificate of title" because this language has the same meaning, is more clear, and is more commonly used.

(3) Section 39(a), V.A.C.S. Article 6687-1, refers to "rules and regulations." The revised law omits the reference to "regulations" for the reason stated in Revisor's Note (2) under Section 501.024.
Section 39(a), V.A.C.S. Article 6687-1, addresses an appeal from a decision to deny or suspend or revoke a certificate of title and contains provisions relating to whether the department's decision is sustained or not sustained. The revised law omits the provision relating to the department's decision being sustained because it is not necessary to state that if the department refuses to issue or suspends or revokes a certificate of title, a certificate of title may be subsequently issued only as provided by department rules. The significance of Section 39(a) is the requirement that a certificate of title be promptly issued if the department's decision is not sustained. The omitted provision reads:

If the action of the Department complained of is sustained, a certificate of title for the particular motor vehicle involved shall only be issued upon such reasonable rules and regulations as the Department may prescribe.

Revised Law

Sec. 501.053. FILING OF BOND AS ALTERNATIVE TO HEARING. (a) As an alternative to the procedure provided by Section 501.052, the person may file a bond with the department. On the filing of the bond the department may issue the certificate of title.

(b) The bond must be:

(1) in the form prescribed by the department;
(2) executed by the applicant;
(3) issued by a person authorized to conduct a surety business in this state;
(4) in an amount equal to one and one-half times the value of the vehicle as determined by the department; and
(5) conditioned to indemnify all prior owners and lienholders and all subsequent purchasers of the vehicle or persons who acquire a security interest in the vehicle, and their successors in interest, against any expense, loss, or damage,
including reasonable attorney's fees, occurring because of the issuance of the certificate of title for the vehicle or for a defect in or undisclosed security interest on the right, title, or interest of the applicant to the vehicle.

(c) An interested person has a right of action to recover on the bond for a breach of the bond's condition. The aggregate liability of the surety to all persons may not exceed the amount of the bond.

(d) A bond under this section expires on the third anniversary of the date the bond became effective. The department shall return an expired bond to the person who filed the bond unless the department has been notified of a pending action to recover on the bond. (V.A.C.S. Art. 6687-1, Sec. 39(b).)

Source Law

(b) As an alternative, any person interested in a motor vehicle to which the Department has refused to issue a certificate of title or has suspended or revoked the certificate of title may file with the Department a bond in the form prescribed by the Department and executed by the applicant and by a person authorized to conduct a surety business in this state. The bonds shall be in an amount equal to one and one-half (1-1/2) times the value of the vehicle as determined by the Department and conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its condition, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond shall expire three (3) years after the date it became effective and shall be returned to the person posting the bond, upon expiration, unless the Department has been notified of the pendency of an action to recover on the bond. Upon the filing of such a bond as provided above, the Department may issue the certificate of title.

[Sections 501.054-501.070 reserved for expansion]
Sec. 501.071. SALE OF VEHICLE; TRANSFER OF TITLE. (a) A motor vehicle may not be the subject of a subsequent sale unless the owner designated in the certificate of title transfers the certificate of title at the time of the sale.

(b) The transfer of the certificate of title must be on a form prescribed by the department that includes a statement that:

(1) the signer is the owner of the vehicle; and

(2) there are no liens on the vehicle except as shown on the certificate of title or as fully described in the statement.

(V.A.C.S. Art. 6687-1, Sec. 33(a) (part).)

Sec. 33. (a) No motor vehicle may be disposed of at a subsequent sale unless the owner designated in the certificate of title transfers the certificate of title, at the time the motor vehicle is transferred, on a form prescribed by the Department. This form shall include, among such other matters as the Department may determine, a statement to the effect that the signer is the owner of the motor vehicle, and that there are no liens on the motor vehicle, except as are shown on the certificate of title or are fully described in the statement.

(1) Section 33(a), V.A.C.S. Article 6687-1, states that the form prescribed by the department shall include a specific statement "among such other matters as the Department may determine." The revised law omits the reference to the form including "such other matters" because under Section 311.005, Government Code (Code Construction Act), applicable to this section, "includes" is defined as a term of enlargement and not of limitation. Therefore, the statement that the form shall include certain information does not mean that the department may not provide other requirements to be included in the form.
Section 33(a), V.A.C.S. Article 6687-1, provides that title to a motor vehicle may not pass until the certificate of title is transferred as provided by that subsection. The revised law omits this provision as unnecessary because it substantially duplicates Section 53, V.A.C.S. Article 6687-1, revised as Section 501.073. The omitted provision reads:

... No title to any motor vehicle shall pass or vest until the transfer is so executed.

Revised Law

Sec. 501.072. ODOMETER DISCLOSURE STATEMENT. (a) Except as provided by Subsection (c), the seller of a motor vehicle sold in this state shall provide to the buyer, on a form prescribed by the department, a written disclosure of the vehicle's odometer reading at the time of the sale. The form must include space for the signature and printed name of both the seller and buyer.

(b) When application for a certificate of title is made, the owner shall record the current odometer reading on the application. The written disclosure required by Subsection (a) must accompany the application.

(c) An odometer disclosure statement is not required for the sale of a motor vehicle that:

(1) has a manufacturer's rated carrying capacity of more than two tons;

(2) is not self-propelled;

(3) is 10 or more years old;

(4) is sold directly by the manufacturer to an agency of the United States government in conformity with contractual specifications; or

(5) is a new motor vehicle. (V.A.C.S. Art. 6687-1, Secs. 33(b), (c), (d).)

Source Law

(b) Except as provided by Subsection (d) of this section, when a motor vehicle is sold in this state the
transferor shall provide to the transferee a written disclosure of the odometer reading at the time of transfer. The written disclosure shall be on a form prescribed by the Department and, in addition to other information prescribed by the Department, must provide for the transferor's signature and printed name and the transferee's signature and printed name.

(c) When an application for certificate of title is made to a designated agent as provided by this Act, the owner shall record the current odometer reading on the application. The written disclosure required by Subsection (b) of this section must accompany the application.

(d) A transferor of any of the following vehicles is not required to execute an odometer disclosure statement:

(1) a vehicle having a manufacturer's rated carrying capacity in excess of two tons;
(2) a vehicle that is not self-propelled;
(3) a vehicle that is 10 years old or older;
(4) a vehicle sold directly by the manufacturer to any agency of the United States government in conformity with contractual specifications; and
(5) a new motor vehicle before its transfer to the first retail purchaser.

Revised Law

Sec. 501.073. SALES IN VIOLATION OF CHAPTER. A sale made in violation of this chapter is void and title may not pass until the requirements of this chapter are satisfied. (V.A.C.S. Art. 6687-1, Sec. 53.)

Source Law

Sec. 53. All sales made in violation of this Act shall be void and no title shall pass until the provisions of this Act have been complied with.

Revised Law

Sec. 501.074. TRANSFER OF VEHICLE BY OPERATION OF LAW. (a) The department shall issue a new certificate of title for a motor vehicle registered in this state for which the ownership is transferred by operation of law, including by inheritance, devise or bequest, bankruptcy, receivership, judicial sale, or other involuntary divestiture of ownership after receiving:

(1) a certified copy of the order appointing a temporary administrator or of the probate proceedings;
(2) letters testamentary or letters of administration;
(3) if administration of an estate is not necessary, an affidavit showing that administration is not necessary, identifying all heirs, and including a statement by the heirs of the name in which the certificate shall be issued;

(4) a court order; or

(5) the bill of sale from an officer making a judicial sale.

(b) If a lien is foreclosed by nonjudicial means, the department may issue a new certificate of title in the name of the purchaser at the foreclosure sale on receiving the affidavit of the lienholder of the fact of the nonjudicial foreclosure.

(c) If a constitutional or statutory lien is foreclosed, the department may issue a new certificate of title in the name of the purchaser at the foreclosure sale on receiving:

(1) the affidavit of the lienholder of the fact of the creation of the lien and of the divestiture of title according to law; and

(2) proof of notice as required by Sections 70.004 and 70.006, Property Code.

(d) If an agreement providing for rights of survivorship is signed by the husband and wife, on the death of either spouse the department shall issue a new certificate of title to the surviving spouse on receiving a copy of the death certificate of the deceased spouse. (V.A.C.S. Art. 6687-1, Sec. 35.)

Sec. 35. When the ownership of a motor vehicle registered or licensed within this State is transferred by operation of law, as upon inheritance, devise or bequest, bankruptcy, receivership, judicial sale, or any other involuntary divestiture of ownership, the Department shall issue a new certificate of title upon being provided with a certified copy of the order appointing a temporary administrator or of the probate proceedings, or letters testamentary or of administration, if any (if no administration is necessary, then upon affidavit showing such fact and all of the heirs at law and specification by the heirs as to in whose name the certificate shall issue), or order, or bill of sale from the officer making the judicial sale. If the security interest or other lien is foreclosed in accordance with law by nonjudicial means, the affidavit of the secured party or other
mortgagee of the fact of the nonjudicial foreclosure in accordance with law is sufficient to authorize the Department to issue a new certificate of title in the name of the purchaser at the foreclosure sale. If the foreclosure is of a constitutional or statutory lien, the affidavit of the mortgagee of the fact of the creation of the lien and of the divestiture of title by reason thereof in accordance with law and proof of notice as required by Article 5504a, Revised Civil Statutes of Texas, 1925, are sufficient to authorize the Department to issue a new certificate of title in the name of the purchaser. If an agreement providing for right of survivorship is signed by the husband and wife, upon the death of either spouse the Department shall issue a new certificate of title to the surviving spouse upon being provided with a copy of the death certificate of the deceased spouse.

Revisor's Note

(1) Section 35, V.A.C.S. Article 6687-1, refers to a motor vehicle required to be "registered or licensed" in this state. The revised law omits "licensed" for the reason stated in Revisor's Note (2) under Section 501.002 of this code.

(2) Section 35, V.A.C.S. Article 6687-1, refers to a "security interest or other lien." The revised law omits as unnecessary the reference to "security interest" because that term is included in the definition of "lien."

(3) Section 35, V.A.C.S. Article 6687-1, refers to a "secured party or other mortgagee." The revised law omits as unnecessary the reference to "secured party" because that term is included in the meaning of "lienholder."

(4) Section 35, V.A.C.S. Article 6687-1, refers to Article 5504a, Revised Statutes. That statute was codified in 1983 as Sections 70.004 and 70.006, Property Code. The revised law is drafted accordingly.

Revised Law

Sec. 501.075. VALIDITY OF DOCUMENTS NOT NOTARIZED. A document necessary to transfer ownership of a motor vehicle is valid without regard to whether the document is executed before a
notary public. (Sec. 7(a), Ch. 482, 71st Leg., R.S., 1989.)

Source Law

Sec. 7. (a) A document or affidavit necessary to the transfer of ownership of a motor vehicle is valid, effective, and legally binding on all parties to the transaction whether or not the execution of the document or affidavit is witnessed by a notary public.

Revisor's Note

(1) Section 7(a), Chapter 482, Acts of the 71st Legislature, Regular Session, 1989, refers to a "document or affidavit." The revised law omits the reference to "affidavit" because "affidavit" is included within the meaning of "document."

(2) Section 7(a), Chapter 482, Acts of the 71st Legislature, Regular Session, 1989, refers to a document as "valid, effective, and legally binding on all parties to the transaction." The revised law omits the reference to "effective" and "legally binding on all parties to the transaction" as unnecessary because both terms are included in the meaning of "valid."

[Sections 501.076-501.090 reserved for expansion]

SUBCHAPTER E. JUNKED, REBUILT, AND FLOOD-DAMAGED MOTOR VEHICLES

Revised Law

Sec. 501.091. JUNKED MOTOR VEHICLES. (a) The person named in a certificate of title as the present owner of a motor vehicle registered in this state shall surrender the certificate of title to the department together with the written consent of the holder of each unreleased lien noted on the certificate of title if:

(1) the vehicle is junked, dismantled, or destroyed;
(2) the vehicle's motor number is changed; or
(3) the vehicle is changed in a manner such that the vehicle:

(A) loses its character as a motor vehicle; or
(B) is not the vehicle described in the certificate of title.

(b) The department shall cancel in its records a certificate of title surrendered under Subsection (a).

(c) This section does not affect the sale of used parts for an automobile when sold as used parts. (V.A.C.S. Art. 6687-1, Sec. 37(a).)

Source Law

Sec. 37. (a) When any motor vehicle registered or licensed in Texas to which a certificate of title has been issued is junked, dismantled, destroyed, or its motor number changed or the motor vehicle changed in such manner that it loses its character as a motor vehicle, or in such manner that it is not the motor vehicle described in such certificate of title, the owner named last in the certificate of title shall surrender the certificate of title to the Department together with the written consent of the holders of all unreleased liens noted thereon, and the certificate shall be cancelled on the records of the Department. Provided that nothing herein shall affect the sale of used parts for automobiles when sold as such.

Reviser's Note

Section 37(a), V.A.C.S. Article 6687-1, refers to a motor vehicle "registered or licensed" in this state. The revised law omits "licensed" for the reason stated in Revisor's Note (2) under Section 501.002 of this code.

Revised Law

Sec. 501.092. REBUILT OR ASSEMBLED MOTOR VEHICLE. (a) A person who rebuilds or assembles a motor vehicle must obtain a certificate of title for the vehicle before the person:

(1) transfers the vehicle; or

(2) operates or permits the operation of the vehicle.

(b) To obtain the certificate of title, the person must provide to the department an affidavit stating where, when, how, and from whom the parts used in rebuilding or assembling the vehicle were obtained.

(c) The department may issue a certificate of title under
this section only if it is satisfied that:

(1) the affidavit is true; and

(2) the affiant is the person described in the affidavit as its maker. (V.A.C.S. Art. 6687-1, Sec. 37(b).)

Source Law

(b) Any person rebuilding or assembling a motor vehicle, shall, before using same or operating same, or permitting the operation of same, or disposing of same, procure a certificate of title for same from the Department. For the purpose of obtaining any such certificate of title said person shall furnish an affidavit setting forth where, when, and how, and from whom he procured the various respective parts used in the rebuilding or assembling of such motor vehicle for which certificate of title is sought; provided, however, that the Department shall not issue such certificate of title unless and until it has satisfied itself that the facts set forth are true and correct, and that the person making the affidavit is in fact the person purported in such affidavit to be the maker thereof.

Reviser's Note

(1) Section 37(b), V.A.C.S. Article 6687-1, refers to a person "using" or "operating" a motor vehicle. The revised law omits as unnecessary the reference to "using" as unnecessary because, as used in the source law, "using" is included in the meaning of "operating."

(2) Section 37(b), V.A.C.S. Article 6687-1, states that a person must "procure" a certificate of title before using a rebuilt or assembled motor vehicle. The revised law substitutes "obtain" for "procure," because as used in the source law "procure" and "obtain" have the same meaning, and the latter is more commonly used.

(3) Section 37(b), V.A.C.S. Article 6687-1, refers to certain information as being "true and correct." The revised law omits the reference to "correct," because as used in the source law "correct" has the same meaning as "true" and the latter is more
commonly used.

Revised Law

Sec. 501.093. FLOOD-DAMAGED MOTOR VEHICLE. (a) The owner of a motor vehicle that has been rendered a total loss because of flood damage to the vehicle must surrender to the department the certificate of title or the manufacturer's statement of origin and the written consent of the holders of an unreleased lien noted on the certificate of title or manufacturer's statement of origin.

(b) On receipt of the certificate of title, the department shall cancel the certificate.

(c) Before a motor vehicle that has been rendered a total loss because of flood damage to the vehicle may be operated in this state, the owner of the vehicle must:

(1) disclose to the department that the vehicle has been rendered a total loss because of flood damage, whether the vehicle was last titled in this state or elsewhere; and

(2) obtain a new certificate of title from the department. (V.A.C.S. Art. 6687-1, Secs. 37(c), (d).)

Source Law

(c) The owner of a motor vehicle that has been rendered a total loss due to flood shall surrender to the department the certificate of title or the manufacturer's statement of origin together with the written consent of the holders of all unreleased liens noted thereon. The department shall thereupon cancel the certificate of title and the vehicle may not be operated in Texas.

(d) Before operating in Texas a vehicle that has been rendered a total loss due to flood in Texas or elsewhere, the owner of the vehicle shall obtain a new certificate of title from the department. Whether the vehicle for which a certificate of title is sought under this subsection was last titled in Texas or by authority of a jurisdiction other than Texas, the applicant shall disclose to the department that the vehicle has been rendered a total loss due to flood.

Revisor's Note

(1) Section 37(c), V.A.C.S. Article 6687-1, provides that on receipt of a certificate of title under that section, the department "shall thereupon
cancel the certificate of title and the vehicle may not be operated in Texas." The revised law omits the provision stating that the vehicle for which a certificate of title is cancelled may not be operated in this state because this provision duplicates the substance of Section 501.022 of this code.

(2) Section 37(d), V.A.C.S. Article 6687-1, refers to a motor vehicle that has been rendered a total loss due to flood "in Texas or elsewhere." The quoted language is omitted from the revised law as unnecessary because it is irrelevant where the flood occurred.

(3) Section 37(d), V.A.C.S. Article 6687-1, refers to a motor vehicle last titled in Texas or "by authority of a jurisdiction other than Texas." The revised law substitutes "elsewhere" for the reference to the authority of a jurisdiction other than Texas because that phrase refers to all other places that may issue a certificate of title.

Revised Law
Sec. 501.094. CERTIFICATE OF TITLE DESIGNATION FOR JUNKED, REBUILT, OR FLOOD-DAMAGED MOTOR VEHICLE. The department shall make an appropriate designation on the face of a certificate of title:

(1) issued under Section 501.092 for a vehicle as to which the certificate of title or other evidence of ownership is surrendered to the department under Section 501.091 or Chapter 506, Acts of the 57th Legislature, Regular Session, 1961 (Article 6687-2, Vernon's Texas Civil Statutes); or

(2) issued under Section 501.093. (V.A.C.S. Art. 6687-1, Sec. 37(e).)

Source Law
(e) The department shall make an appropriate designation on all certificates of title issued pursuant to Subsection (d) of this section and on all certificates of title issued pursuant to Subsection (b)
of this section for vehicles, the certificate of title or other evidence of ownership to which has been surrendered to the department pursuant to Subsection (a) of this section or Chapter 506, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 6687-2, Vernon's Texas Civil Statutes). The department shall ensure that the designation required by this subsection appear on the face of all certificates of title issued or reissued pursuant to this section.

[Sections 501.095-501.110 reserved for expansion]

SUBCHAPTER F. SECURITY INTERESTS

Revised Law

Sec. 501.111. PERFECTION OF SECURITY INTEREST. (a) Except as provided by Subsection (b), a person may perfect a security interest in a motor vehicle that is the subject of a first or subsequent sale only by recording the security interest on the certificate of title as provided by this chapter.

(b) A person may perfect a security interest in a motor vehicle held as inventory by a person in the business of selling motor vehicles only by complying with Chapter 9, Business & Commerce Code. (V.A.C.S. Art. 6687-1, Secs. 41(a), (b).)

Source Law

Sec. 41. (a) Except for a security interest in motor vehicles held as inventory by a person who is in the business of selling motor vehicles, a security interest in a motor vehicle that is the subject of a first or subsequent sale may be perfected only by notation of the lien on the certificate of title in accordance with this Act.

(b) A security interest in a motor vehicle held as inventory by a person who is in the business of selling motor vehicles may be perfected only by complying with Chapter 9 of the Business and Commerce Code.

Revisor's Note

(1) Section 41(a), V.A.C.S. Article 6687-1, states that, "except for a security interest in motor vehicles held as inventory by a person who is in the business of selling motor vehicles," a security interest is perfected as provided by that subsection. The revised law omits the reference to the exception.
for vehicles held by a person in the business of
selling motor vehicles and substitutes "except as
provided by Subsection (b)" because that subsection of
the revised law provides the exception for security
interests in those motor vehicles.

(2) Section 41(a), V.A.C.S. Article 6687-1,
refers to the "notation" of a lien. The revised law
substitutes "recording" for "notation" because, as used
in this context, "recording" has the same meaning as
"notation," and the former is more commonly used.

Revised Law

Sec. 501.112. SALE OR SECURITY INTEREST NOT CREATED BY
CERTAIN VEHICLE LEASES. Notwithstanding any other law, an
agreement for the lease of a motor vehicle does not create a sale
or security interest by merely providing that the rental price is
permitted or required to be adjusted under the agreement as
determined by the amount realized on the sale or other disposition
of the vehicle. (V.A.C.S. Art. 6687-1, Sec. 41(c).)

Source Law

(c) Notwithstanding any other law, a sale or
security interest is not created merely by providing in
the agreement for the lease of a motor vehicle or
trailer that the rental price is permitted or required
to be adjusted under the lease agreement upward or
downward as determined by the amount realized on the
sale or other disposition of the motor vehicle or
trailer.

Revisor's Note

(1) Section 41(c), V.A.C.S. Article 6687-1,
refers to "motor vehicle or trailer." The revised law
omits the reference to "trailer" because the definition
of "motor vehicle" under Section 501.002 of this code
includes a trailer.

(2) Section 41(c), V.A.C.S. Article 6687-1,
refers to the adjustment of a rental price "upward or
downward." The revised law omits the reference to
"upward or downward" as unnecessary because a price that is adjusted may only be adjusted upward or downward.

Revised Law

Sec. 501.113. RECORDATION OF SECURITY INTEREST. (a) Recordin of a lien under this chapter is considered to occur when the county assessor-collector:

(1) is presented with an application for a certificate of title that discloses the lien with tender of the filing fee; or

(2) accepts the application.

(b) For purposes of Chapter 9, Business & Commerce Code, the time of recording a lien under this chapter is considered to be the time of filing the security interest. (V.A.C.S. Art. 6687-1, Sec. 42(a).)

Source Law

Sec. 42. (a) Presentation of an application for a certificate of title with the lien disclosed therein and tender of the filing fee to the designated agent of the Department or acceptance of the application by the designated agent of the Department constitutes notation of the lien under this Act. The time of the notation of a lien under this Act is deemed to be the time of filing of the security interest for purposes of Chapter 9 of the Business and Commerce Code.

Revisor's Note

Section 42(a), V.A.C.S. Article 6687-1, refers to the "designated agent of the Department." The revised law substitutes "county assessor-collector" for "designated agent of the Department" for the reason stated in Revisor's Note (17) under Section 501.002 of this code.

Revised Law

Sec. 501.114. ASSIGNMENT OF LIEN. (a) A lienholder may assign a lien recorded under Section 501.113 by:

(1) applying to the county assessor-collector for the assignment of the lien; and
(2) notifying the debtor of the assignment.

(b) A lienholder's failure to notify a debtor of an assignment does not create a cause of action against the lienholder.

(c) An application under Subsection (a) must be:

(1) signed by the person to whom the lien is assigned; and

(2) accompanied by:

(A) the applicable fee;

(B) a copy of the assignment agreement executed by the parties; and

(C) the certificate of title on which the lien to be assigned is recorded.

(d) On receipt of the completed application and fee, the department:

(1) may amend the department's records to substitute the subsequent lienholder for the previous lienholder; and

(2) shall issue a new certificate of title as provided by Section 501.027.

(e) The issuance of a certificate of title under Subsection (d) is recordation of the assignment. The time of the recordation of a lien assigned under this section is considered to be the time the lien was recorded under Section 501.113. (V.A.C.S. Art. 6687-1, Sec. 42(b).)

Source Law

(b) A lien, recorded pursuant to Subsection (a) of this section, may be assigned from one lienholder to another by completing an application to the designated agent of the Department requesting the assignment of the lien and notifying the debtor of the assignment. A lienholder's failure to notify a debtor of an assignment does not create a cause of action against the lienholder. The application must be signed by the assignee of the lien assigned. Accompanying the application shall be the applicable fee as well as a copy of the assignment agreement executed by the assignor and the assignee and the title reflecting the lien to be assigned or transferred. Upon receipt of the completed application and fee, the Department may alter its records to note the subsequent lienholder in place of the previous lienholder, and the Department shall issue a Certificate of Title reflecting the
assignment in accordance with Section 32 of this Act. The issuance of such title shall constitute notation of the subsequent lien under this Act. The time of the notation of a lien under this subsection is deemed to be the time of the notation of the previous lien assigned to the subsequent lienholder applying under this section.

Revisor's Note

(1) Section 42(b), V.A.C.S. Article 6687-1, refers to "Subsection (a) of this section." That subsection is codified as Section 501.113, and the revised law is drafted accordingly.

(2) Section 42(b), V.A.C.S. Article 6687-1, refers to the "designated agent of the Department." The revised law substitutes "county assessor-collector" for "designated agent of the Department" for the reason stated in Revisor's Note (17) under Section 501.002.

(3) Section 42(b), V.A.C.S. Article 6687-1, refers to Section 32 of this act. That statute is codified in this code as Section 501.027, and the revised law is drafted accordingly.

(4) Section 42(b), V.A.C.S. Article 6687-1, provides that "[t]he time of the notation of a lien under this subsection is deemed to be the time of the notation of the previous lien assigned to the subsequent lienholder applying under this section." The revised law provides that the time of recording the lien is "the time the previous lien was recorded under Section 501.113" because that section of the revised law provides when the recordation of a lien under this chapter is considered to occur.

Revised Law

Sec. 501.115. DISCHARGE OF LIEN. (a) If the debt or claim secured by a lien has been satisfied, the lienholder, on the demand of the owner, shall execute and deliver to the owner a discharge of the lien on a form prescribed by the department.
(b) The owner may present the discharge and certificate of title to the county assessor-collector with an application for a new certificate of title and the department shall issue a new certificate of title. (V.A.C.S. Art. 6687-1, Sec. 47.)

Source Law
Sec. 47. When a lien is discharged, the holder thereof shall, on demand of the owner, execute the discharge of the lien upon such form as may be prescribed by the Department, and upon presentation of such evidence, the owner may present the certificate of title to the designated agent in the county together with application for title as prescribed in this Act and shall receive from the Department a new title.

Revised Law
Sec. 501.116. CANCELLATION OF DISCHARGED LIEN. The department may cancel a discharged lien that has been recorded on a certificate of title for six years or more if the recorded lienholder:

(1) does not exist; or
(2) cannot be located for the owner to obtain a release of the lien. (V.A.C.S. Art. 6687-1, Sec. 47a.)

Source Law
Sec. 47a. The Department is hereby authorized to cancel any discharged lien which has been properly recorded on a Certificate of Title provided the record mortgages, whether such mortgages be an individual, firm, corporation, bank, estate, or any Governmental loaning agency, is nonexistent, or cannot be located to enable the registered owner to obtain a release of such discharged lien, provided such properly recorded lien may not be cancelled unless and until such recorded lien has been of record for six (6) years or more.

Revisor's Note
(1) Section 47a, V.A.C.S. Article 6687-1, refers to "mortgages" who hold liens recorded on a certificate of title. It is clear from the context of that section that "mortgages" should read "mortgagees." The revised law substitutes "lienholder" for "mortgagee" for the reason stated in Revisor's Note (6) under Section 501.002 of this code.
(2) Section 47a, V.A.C.S. Article 6687-1, refers to a mortgagee "whether such mortgages be an individual, firm, corporation, bank, estate, or any Governmental loaning agency." The revised law omits as unnecessary the references to an individual, firm, corporation, bank, estate, or governmental loan agency because each of these entities is included within the meaning of a mortgagee or, as used in the revised law, lienholder.

[Sections 501.117-501.130 reserved for expansion]

SUBCHAPTER G. ADMINISTRATIVE PROVISIONS

Revised Law

Sec. 501.131. RULES; FORMS. (a) The department may adopt rules to administer this chapter.

(b) The department shall:

(1) in addition to the forms required by this chapter, prescribe forms for a title receipt, manufacturer's certificate, and importer's certificate, and other forms the department determines necessary; and

(2) provide each county assessor-collector with a sufficient supply of the forms. (V.A.C.S. Art. 6687-1, Secs. 13 (part), 22 (part), 23 (part), 55.)

Source Law

Sec. 13. [The term "Receipt" means the written acknowledgment . . . of having received an application for a certificate of title and the required fee,] on such form as may be prescribed by the Department from time to time.

Sec. 22. [The term "Manufacturer's Certificate" means a certificate] on form to be prescribed by the Department [showing original transfer of a new motor vehicle] . . . .

Sec. 23. [The term "Importer's Certificate" means the certificate] on form to be prescribed by the Department [for each used motor vehicle brought into this State for the purpose of sale within this State] . . . .

Sec. 55. The Department may, from time to time, promulgate such reasonable rules and regulations as it
may deem necessary to carry out the orderly operation of this Act and to prescribe such forms as are herein provided for, as well as such others as it may deem proper, and shall provide the several designated agents within this State with sufficient supply thereof.

Revisor's Note

(1) Section 13, V.A.C.S. Article 6687-1, refers to forms prescribed by the department "from time to time." Section 55, V.A.C.S. Article 6687-1, provides that the department may, "from time to time," adopt rules. The revised law omits the references to "from time to time" for the reason stated in Revisor's Note (2) under Section 501.021 of this code.

(2) Section 55, V.A.C.S. Article 6687-1, requires the Texas Department of Transportation to adopt "rules and regulations." The reference to "regulations" is omitted from the revised law for the reason stated in Revisor's Note (2) under Section 501.024 of this code.

(3) Section 55, V.A.C.S. Article 6687-1, refers to the "designated agents." The revised law substitutes "county tax assessor-collectors" for "designated agents" for the reason stated in Revisor's Note (17) under Section 501.002 of this code.

Revised Law

Sec. 501.132. DUPLICATE TITLE RECEIPT OR CERTIFICATE.

Except as otherwise provided by department rule, the department may not issue a duplicate title receipt or duplicate certificate of title unless the original title receipt or certificate of title is surrendered. (V.A.C.S. Art. 6687-1, Sec. 48.)

Source Law

Sec. 48. No duplicate receipt or certificate of title shall be issued without the surrender of the original, except upon such reasonable rules and regulations as may be promulgated by the Department.
Section 48, V.A.C.S. Article 6687-1, refers to "rules and regulations." The revised law omits the reference to "regulations" for the reason stated in Reviser's Note (2) under Section 501.024 of this code.

Revised Law
Sec. 501.133. ISSUANCE OF NEW CERTIFICATE OF TITLE BECAUSE OF SUBSEQUENT SALES. (a) If all of the forms of transfer on a certificate of title have been used because of subsequent sales, the certificate may be delivered to a county assessor-collector, who shall:

(1) provide a title receipt in the manner required for a first sale; and

(2) send the certificate of title to the department on the same day the certificate is received.

(b) On receipt of the certificate of title, the department shall issue a new certificate of title. (V.A.C.S. Art. 6687-1, Sec. 34.)

Source Law
Sec. 34. When all of the forms of transfer on any certificate of title have been used by reason of subsequent sales, such certificate of title may be delivered to any designated agent within this State, and a receipt taken therefor as provided in the case of first sale, and such agent shall forward the same to the Department on the same day received by him, and new certificate of title shall be issued by the Department.

Reviser's Note
Section 34, V.A.C.S. Article 6687-1, refers to the "designated agent." The revised law substitutes "county assessor-collector" for "designated agent" for the reason stated in Reviser's Note (17) under Section 501.002 of this code.

Revised Law
Sec. 501.134. LOST OR DESTROYED CERTIFICATE OF TITLE. (a)
If an original or duplicate original certificate of title is lost or destroyed, the owner or lienholder disclosed on the certificate may obtain a certified copy of the lost or destroyed certificate of title directly from the department by applying on a form prescribed by the department and paying a fee of $2. A fee collected under this subsection shall be deposited to the credit of the state highway fund and may be spent only as provided by Section 501.138.

(b) If a lien is disclosed on a certificate of title, the department may issue a certified copy of the original certificate of title only to the first lienholder.

(c) The department must plainly mark "certified copy" on the face of a certified copy issued under this section, and each subsequent certificate issued for the motor vehicle until the vehicle is transferred. A subsequent purchaser or lienholder of the vehicle only acquires the rights, title, or interest in the vehicle held by the holder of the certified copy.

(d) A purchaser or lienholder of a motor vehicle having a certified copy issued under this section may at the time of the purchase or establishment of the lien require that the seller or owner indemnify the purchaser or lienholder and all subsequent purchasers of the vehicle against any loss the person may suffer because of a claim presented on the original certificate of title.

(e) If the original or duplicate original certificate of title is recovered, the owner of the vehicle shall promptly surrender the original or duplicate original certificate of title to the department for cancellation, and the department shall eliminate the words "certified copy" from any certificate of title issued for that vehicle after that date. (V.A.C.S. Art. 6687-1, Sec. 36.)

Source Law

Sec. 36. Should a certificate of title, "Duplicate Original" or "Original," be lost or destroyed, the owner or lienholder thereof may procure a certified copy of same directly from the Department by making application upon such form as may be prescribed by the Department from time to time, accompanied by a fee of $2, which shall be deposited in
the State Highway Fund and be expended as provided by
Section 57 of this Act, provided however, that the
 certified copy of the certificate of title marked
 "Original" shall issue only to the first lien holder
 where a lien is disclosed thereon. Said certified copy
 and all subsequent certificates of title issued, until
 transfer of ownership of said motor vehicle, shall be
 plainly marked across their faces "Certified Copy," and
 all subsequent purchasers or lien holders of said motor
 vehicle shall acquire only such rights, title, or
 interest in such motor vehicles as the holder of the
 said certified copy had, provided however, "that upon
 the transfer of title to said motor vehicle, the words
 "Certified Copy" shall be eliminated from the new
 certificate of title. Any purchasers or lien holders
 of such motor vehicle may at the time of such purchase
 or at the time lien is established require the seller
 or owner to indemnify him and all subsequent purchasers
 of said motor vehicle against any loss which he or they
 may suffer by reason of any claim or claims presented
 upon the said original certificate of title. In the
 event of recovery of the said certificate of title, "Duplicate Original" or "Original" thereof, the said
 owner shall forthwith surrender the same to the
 Department for cancellation and the words "Certified
 Copy" shall be eliminated from said certificates
 thereafter issued by the Department.

Revisor's Note

(1) Section 36, V.A.C.S. Article 6687-1, refers
to forms prescribed by the department "from time to
time." The revised law omits the reference to "from
time to time" for the reason stated in Revisor's Note
(2) under Section 501.021 of this code.

(2) Section 36, V.A.C.S. Article 6687-1, refers
to Section 57 of this act. That statute is codified in
this code as Section 501.138, and the revised law is
drafted accordingly.

(3) Section 36, V.A.C.S. Article 6687-1, states
that the words "certified copy" shall be eliminated
from a certificate of title under that section on the
transfer of title to the motor vehicle. The revised
law omits this provision because it substantially
duplicates another provision of the same section that
provides that certified copies of a certificate of
title shall be marked on their faces as a certified
copy "until transfer of ownership of said motor
Revised Law
Sec. 501.135. RECORD OF STOLEN OR CONCEALED MOTOR VEHICLE.

(a) The department shall:

(1) make a record of each report to the department that a motor vehicle registered in this state has been stolen or concealed in violation of Section 32.33, Penal Code; and

(2) note the fact of the report in the department's records of the vehicle's certificate of title.

(b) A person who reports a motor vehicle as stolen or concealed under Subsection (a) shall notify the department promptly if the vehicle is recovered, and the department shall change its records accordingly. (V.A.C.S. Art. 6687-1, Secs. 15, 50.)

Source Law
Sec. 15. The term "Concealed Motor Vehicle" means a motor vehicle that is concealed, as defined in Article 1557 of the Penal Code as amended by Acts of 1929, Forty-first Legislature, Page 237, Chapter 102, Section 1.

Sec. 50. Whenever any motor vehicle registered or licensed in this State is reported to the Department as having been stolen, converted, or concealed, it shall be the duty of the Department, to make a distinctive record thereof and to note the fact on its records of the certificate of title and when any such motor vehicle so reported as stolen, converted, or concealed, has been recovered or found, it shall be the duty of the party making the report to the Department to likewise forthwith notify the Department of the fact so that the Department's records may be changed accordingly.

Revisor's Note
(1) Section 15, V.A.C.S. Article 6687-1, provides that a concealed motor vehicle means a motor vehicle that is concealed as defined in Article 1557, Penal Code, as amended by Chapter 102, Acts of the 41st Legislature, 1929. That article, as amended in 1929, provided an offense for a person that concealed mortgaged property. Since 1929, that article was amended and revised on a number of occasions. Most
significantly, Article 1557 was repealed by Chapter 785, Acts of the 60th Legislature, Regular Session, 1967, and revised as Chapter 25, Business & Commerce Code. Chapter 25, Business & Commerce Code, was subsequently repealed and revised as Section 32.33, Penal Code, by Chapter 399, Acts of the 63rd Legislature, Regular Session, 1973. That section is similar to the original Article 1557 in that it provides an offense for a person who conceals property that is the subject of a security agreement creating a security interest in the property or a mortgage or deed of trust creating a lien on the property. The revised law is drafted accordingly.

(2) Section 50, V.A.C.S. Article 6687-1, refers to a motor vehicle "registered or licensed" in this state. The revised law omits "licensed" for the reason stated in Reviser's Note (2) under Section 501.002 of this code.

(3) Section 50, V.A.C.S. Article 6687-1, refers to a motor vehicle reported as having been "stolen, converted, or concealed." The revised law omits the reference to "converted" for the reason stated in Reviser's Note (1) under Section 501.051 of this code.

(4) Section 50, V.A.C.S. Article 6687-1, refers to a motor vehicle that is "recovered or found." The revised law omits the reference to "found" as unnecessary because "found" is included in the meaning of "recovered."

Revised Law
Sec. 501.136. ACTS BY DEPUTY COUNTY ASSESSOR-COLLECTOR. A deputy county assessor-collector, other than a limited service deputy appointed under Section 502.112, may perform the duties of an assessor-collector under this chapter. (V.A.C.S. Art. 6687-1,
Sec. 26 (part.)

Source Law

Sec. 26. . . . ["Designated Agent" means each County Tax Collector in this State] who may perform his duties under this Act through any regular deputy.

Revisor's Note

Section 26, V.A.C.S. Article 6687-1, provides that a "regular deputy" of a county assessor-collector may perform the duties of the assessor-collector under this chapter. The revised law provides that a deputy assessor-collector, other than a limited service deputy, may perform those duties because under Section 4.202(f), V.A.C.S. Article 6702-1 (revised as Sections 502.112 and 502.113 of this code), a limited service deputy may not perform certain duties with regard to a certificate of title.

Revised Law

Sec. 501.137. DUTY OF COUNTY ASSESSOR-COLLECTOR. (a) Each county assessor-collector shall comply with this chapter. (b) An assessor-collector who fails or refuses to comply with this chapter is liable on the assessor-collector's official bond for resulting damages suffered by any person. (V.A.C.S. Art. 6687-1, Sec. 56.)

Source Law

Sec. 56. It is hereby expressly made the duty of the several designated agents in this State to comply with the provisions hereof, and any such designated agent failing or refusing so to do shall be liable on his official bond for any damages suffered by any person.

Revisor's Note

Section 56, V.A.C.S. Article 6687-1, refers to the "designated agents." The revised law substitutes "county assessor-collector" for "designated agent" for the reason stated in Revisor's Note (17) under Section
Sec. 501.138. COLLECTION AND DISPOSITION OF FEES. (a) An applicant for a certificate of title, other than the state or a political subdivision of the state, must pay the county assessor-collector a fee of $13.

(b) The county assessor-collector shall send:

(1) $5 of the fee to the county treasurer for deposit in the officers' salary fund; and

(2) $8 of the fee to the department:

(A) together with, the application within the time prescribed by Section 501.023; or

(B) if the fee is deposited in an interest-bearing account or certificate in the county depository or invested in an investment authorized by Subchapter A, Chapter 2256, Government Code, not later than the 35th day after the date on which the fee is received.

(c) Of the amount received under Subsection (b)(2), the department shall deposit:

(1) $5 in the general revenue fund; and

(2) $3 to the credit of the state highway fund to recover the expenses necessary to administer this chapter.

(d) The county owns all interest earned on fees deposited or invested under Subsection (b)(2)(B). The county treasurer shall credit that interest to the county general fund. (V.A.C.S. Art. 6687-1, Secs. 57(a) (part), (b), (c); 60 (part).)

Sec. 57. (a) Each applicant for a Certificate of Title or reissuance thereof shall pay to the designated agent (County Tax Assessor-Collector) the sum of Thirteen Dollars ($13), of which the first Five Dollars ($5) shall be accounted for by the County Tax Assessor-Collector and disposed of in the method hereinafter provided; and the remaining Eight Dollars ($8) shall be forwarded to the State Department of Highways and Public Transportation, [together with the application for a Certificate of Title, within twenty-four hours after the same has been received by the County Tax Assessor-Collector]. Of the Eight
Dollars ($8) forwarded to the Department, Five Dollars ($5) shall be deposited in the General Revenue Fund and Three Dollars ($3) shall be deposited in the State Highway Fund to recover the expenses necessary to efficiently administer and perform the duties set forth herein.

(b) The County Tax Assessor-Collector may defer remittance to the Department of fees collected under Subsection (a) of this section if the fees are deposited in an interest-bearing account or certificate in the County Depository or any investment authorized under the Public Funds Investment Act of 1987 (Article 842a-2, Vernon's Texas Civil Statutes). The County Tax Assessor-Collector shall remit to the Department fees so deposited no later than the thirty-fourth (34th) day after the due date set forth in Subsection (a) of this section. The County owns all interest earned on fees deposited under this subsection. The County Treasurer shall credit the interest earned on fees so deposited to the County General Fund.

(c) The County Tax Assessor-Collector shall turn Five Dollars ($5) from each fee over to the County Treasurer for deposit in the Officers' Salary Fund.

Sec. 60. ... provided however, that the provisions of Section 57 of this Act requiring the payment of fees, shall not apply to vehicles owned or acquired by the State of Texas, any County, City, School District, or any other subdivision of State Government. ...

Revisor's Note

(1) Section 57(a), V.A.C.S. Article 6687-1, refers to the State Department of Highways and Public Transportation. The revised law substitutes "department" for "State Department of Highways and Public Transportation" for the reason stated in the reviser's note to Section 201.003 of this code.

(2) Section 57(b), V.A.C.S. Article 6687-1, refers to the Public Funds Investment Act of 1987 (Article 842a-2, Vernon's Texas Civil Statutes). That statute was codified in 1993 as Subchapter A, Chapter 2256, Government Code. The revised law is drafted accordingly.

(3) Section 57(b), V.A.C.S. Article 6687b-1, provides that a county assessor-collector must send to the Texas Department of Transportation fees that have been deposited in an interest-bearing account or an authorized investment "no later than the thirty-fourth
(34th) day after the due date set forth in Subsection (a) of this section." The due date in Subsection (a) (revised as Section 501.023(b) of this code) is 24 hours after an application for certificate of title and fee are received. The revised law substitutes "not later than the 35th day after the date on which the fee is received" for "no later than the thirty-fourth (34th) day after the due date set forth in Subsection (a)."

(4) Section 60, V.A.C.S. Article 6687-1, refers to "any County, City, School District, or any other subdivision of State Government." The revised law omits the references to "county," "city," and "school district" for the reason stated in Revisor's Note (4) under Section 501.004.

Revisor's Note
(End of Subchapter)

(1) Section 24a, V.A.C.S. Article 6687-1, provides for the transfer of the certificate of title section from the Department of Public Safety to the State Highway Department (now the Texas Department of Transportation). The revised law omits as executed the language referring to the transfer of the section and the reference to the section's personnel, property, equipment, and records. The omitted provision reads:

Sec. 24a. The certificate of title section, and its personnel, property, equipment, and records, now a part of the Department of Public Safety of the State of Texas, are hereby transferred to and placed under the jurisdiction of the Highway Department of the State of Texas.

(2) Section 57a, V.A.C.S. Article 6687-1, provides that it is the intention of the legislature that the compensation provided for a county assessor-collector under this chapter be in addition to the assessor-collector's regular compensation. The
revised law omits this section as unnecessary because this chapter no longer provides for compensation to be paid to a county assessor-collector. Section 57, V.A.C.S. Article 6687-1, revised as Section 501.138, provides for the disposition of the fees paid for a certificate of title between the county (whose share is deposited in the officers' salary fund) and the state (whose share is divided between the general revenue fund and the state highway fund). The omitted provision reads:

Sec. 57a. It is the intention of the Legislature that the compensation provided for Tax Assessors-Collectors by this Act shall be in addition to their regular compensation regardless of whether they are compensated on a fee or salary basis.

[Sections 501.139-501.150 reserved for expansion]

SUBCHAPTER H. PENALTIES AND OTHER ENFORCEMENT PROVISIONS

Revised Law

Sec. 501.151. PLACEMENT OF SERIAL NUMBER WITH INTENT TO CHANGE IDENTITY. (a) A person commits an offense if the person stamps or places a serial number on a vehicle or part of a vehicle with the intent of changing the identity of the vehicle.

(b) It is an affirmative defense to prosecution of an offense under this section that the person acted with respect to a number assigned by:

(1) a vehicle manufacturer and the person was an employee of the manufacturer acting within the course and scope of employment; or

(2) the department, and the person was:

(A) discharging official duties as an agent of the department; or

(B) complying with department rule as an applicant for a serial number assigned by the department.

(c) An offense under this section is a felony of the third
1 degree. (V.A.C.S. Art. 6687-1, Secs. 49(a), (b).)

Source Law

Sec. 49. (a)(1) A person commits an offense if the person stamps or places a motor number, serial number, manufacturer's vehicle identification number, or derivative number on any vehicle or part of a vehicle with the intent to change the identity of the vehicle.

(2) An offense under this section is a felony of the third degree.

(b) It is an affirmative defense to prosecution under Subsection (a)(1) of this section that the person was acting with respect to a number assigned by:

(1) a vehicle manufacturer and the person was an employee of the manufacturer and within the course and scope of employment; or

(2) the Department and the person was:

(A) in the actual discharge of official duties as an employee or agent of the Department; or

(B) in compliance with the rules of the Department as an applicant for an assigned number approved by the Department.

Revisor's Note

(1) Section 49(a)(1), V.A.C.S. Article 6687-1, refers to a "motor number, serial number, manufacturer's vehicle identification number, or derivative number." The revised law omits the reference to a "motor number," "manufacturer's vehicle identification number," and "derivative number" because these types of numbers are included within the meaning of "serial number."

(2) Section 49(b)(2)(A), V.A.C.S. Article 6687-1, refers to an "employee or agent" of the department. The revised law omits the reference to "employee" because in this context "employee" is included within the meaning of "agent."

Revised Law

Sec. 501.152. SALE OR OFFER WITHOUT TITLE RECEIPT OR TITLE. A person commits an offense if the person:

(1) sells, offers to sell, or offers as security for an obligation a motor vehicle registered in this state; and
(2) does not possess the title receipt or certificate of title for the vehicle. (V.A.C.S. Art. 6687-1, Sec. 51.)

Source Law

Sec. 51. It shall hereafter be unlawful for any person, either by himself or through any agent, to offer for sale or to sell or to offer as security for any obligation any motor vehicle registered or licensed in this State without then and there having in his possession the proper receipt or certificate of title covering the motor vehicle so offered.

Revisor's Note

(1) Section 51, V.A.C.S. Article 6687-1, makes certain conduct a criminal offense if committed by "any person, either by himself or through any agent." Section 7.02(a), Penal Code, provides in part that a person is criminally responsible for an offense committed by the conduct of another if, acting with the degree of culpability required for the offense, the person "causes or aids an innocent or nonresponsible person to engage in conduct prohibited by the definition of the offense," or if, acting with intent to promote or assist the commission of the offense, the person "solicits, encourages, directs, aids, or attempts to aid the other person to commit the offense." Accordingly, the revised law omits the phrase "either by himself or through any agent" as unnecessary because a person selling a motor vehicle in violation of this section through an agent may be prosecuted as provided by Section 7.02(a), Penal Code.

(2) Section 51, V.A.C.S. Article 6687-1, refers to a motor vehicle "registered or licensed" in this state. The revised law omits "licensed" for the reason stated in Revisor's Note (2) under Section 501.002 of this code.
Sec. 501.153. APPLICATION FOR TITLE FOR STOLEN OR CONCEALED VEHICLE. A person commits an offense if the person applies for a certificate of title for a motor vehicle that the person knows is stolen or concealed in violation of Section 32.33, Penal Code.

(V.A.C.S. Art. 6687-1, Sec. 54.)

Sec. 54. It shall be unlawful for any person to make application for a certificate of title on any motor vehicle within this State known by such person to have been stolen, converted, or concealed.

(1) Section 54, V.A.C.S. Article 6687-1, refers to a motor vehicle that is known to have been "stolen, converted, or concealed." The revised law omits the reference to "converted" for the reason stated in Reviser's Note (1) under Section 501.051 of this code.

(2) Section 54, V.A.C.S. Article 6687-1, refers to a motor vehicle that is "stolen, converted, or concealed." The revised law substitutes a reference to Section 32.33, Penal Code, for the reason stated in Reviser's Note (1) under Section 501.135 of this code.

Sec. 501.154. ALTERATION OF CERTIFICATE OR RECEIPT. A person commits an offense if the person alters a manufacturer's or importer's certificate, a title receipt, or a certificate of title.

(V.A.C.S. Art. 6687-1, Sec. 58.)

Sec. 58. It shall be unlawful for any person to, in any manner, alter any manufacturer's or importer's certificate or any receipt or certificate of title after the same has been issued.

Sec. 501.155. FALSE NAME, FALSE INFORMATION, AND FORGERY.
(a) Except as provided by Subsection (b), a person commits an offense if the person knowingly provides false or incorrect information or without legal authority signs the name of another person on:

1. an application for a certificate of title;
2. an application for a certified copy of an original certificate of title;
3. an assignment of title for a motor vehicle;
4. a discharge of a lien on a title for a motor vehicle; or
5. any other document required by the department or necessary to the transfer of ownership of a motor vehicle.

(b) An offense under this section is a felony of the third degree. (V.A.C.S. Art. 6687-1, Secs. 40, 59(a), 61; Sec. 7(b), Ch. 482, 71st Leg., R.S., 1989.)

Source Law

Sec. 40. No person shall, without lawful authority, execute any application or transfer any certificate of title or receipt for any person other than himself, except that firms, associations, and corporations may act through authorized agents.

Sec. 59. (a) Except as provided by Subsection (b) of this section, a person commits an offense if the person uses a false or fictitious name or gives a false or fictitious address or makes a false statement in an application for certificate of title.

Sec. 61. (a) A person commits an offense if the person knowingly gives, inscribes, registers, inserts, enters, or writes false or incorrect information, or signs the name of another person without legal authority to do so, on any application for title of a motor vehicle, application for certified copy of original title, assignment of title of a motor vehicle, release of any lien on a title of a motor vehicle, or any other document required by the Department.

(b) An offense under this section is a felony of the third degree.

[Sec. 7, Ch. 482, 71st Leg., R.S., 1989]
Revisor's Note

(1) Section 40, V.A.C.S. Article 6687-1, provides that "firms, associations, and corporations may act through authorized agents" in the execution of an application or the transfer of a certificate of title or title receipt. The revised law omits this language as unnecessary because a firm, association, or corporation may only act through an agent and an agent who has legal authority to perform the act is not subject to the prohibition of Section 40.

(2) Section 59(a), V.A.C.S. Article 6687-1, refers to a "false or fictitious" name or address. The reference to "fictitious" is omitted from the revised law because "fictitious" is included within the meaning of "false."

(3) Section 61(a), V.A.C.S. Article 6687-1, refers to a person who knowingly "gives, inscribes, registers, inserts, enters, or writes" certain false or incorrect information. The revised law substitutes "provides" for those words because "provides" has the same meaning as "gives, inscribes, registers, inserts, enters, or writes," and the former is more commonly used.

Revised Law

Sec. 501.156. DUTY OF TRANSPORTERS TO DETERMINE RIGHT OF POSSESSION; OFFENSE. (a) The master or captain of a ship or airplane or a person who owns or controls the operation of a ship or airplane, in whole or part:

(1) may not take on board or allow to be taken on board the ship or airplane in this state for transport a motor vehicle without inquiring of the motor vehicle titles and registration division of the department as to the recorded ownership of the motor vehicle; and
(2) must make a reasonable inquiry as to the right of
possession of a motor vehicle by the person delivering the vehicle
for transport if the recorded owner of the vehicle is a person
other than the person delivering the vehicle for transport.

(b) A person who violates this section commits an offense.

An offense under this section is a misdemeanor punishable by a fine
of not less than $50 or more than $500 for a first offense and, at
the jury's discretion, not less than $100 or more than $1,000 for a
subsequent offense. (V.A.C.S. Art. 6687-1, Sec. 61A.)

Source Law

Sec. 61A. No master or captain of any ship or
plane, and no person or firm who owns any ship or plane
or controls the operation of such ship or plane, in
whole or in part shall take on board or allow to be
taken on board said ship or plane in this state, any
motor vehicle for transportation without having first
made an inquiry from the Highway Department of the
State of Texas, Certificate of Title section, as to
recorded ownership of such motor vehicle. Such master
or captain or other person covered herein also shall
make a reasonable inquiry as to right of possession of
such motor vehicle by the person tendering the vehicle
for transportation where the recorded owner of the
vehicle is a person other than the person tendering
such vehicle for transportation.

Any person who shall violate any provision of
this section shall be guilty of a misdemeanor, and upon
conviction thereof shall be fined in any sum not less
than Fifty Dollars ($50.00) nor more than Five Hundred
($500.00) Dollars for the first offense, and may, upon
any subsequent conviction for a violation of the same
provision, within the discretion of the jury, be given
double the amount of punishment provided for a first
violation.

Revisor's Note

(1) Section 61A, V.A.C.S. Article 6687-1, refers
to a "person or firm." The revised law omits the
reference to "firm" because under Section 311.005(2),
Government Code (Code Construction Act), applicable to
the revised law, "firm" is included within the
definition of "person."

(2) Section 61A, V.A.C.S. Article 6687-1, refers
to the "Highway Department of the State of Texas,
Certificate of Title section." The revised law
substitutes "motor vehicle titles and registration division of the department" for "Highway Department of the State of Texas, Certificate of Title section" for the reason stated in the reviser's note to Section 201.003 of this code and because V.A.C.S. Article 6663(g) (revised as Section 201.202(a) of this code) provides that the department shall include a division of motor vehicle titles and registration.

Revised Law
Sec. 501.157. PENALTY. Unless otherwise provided by this chapter, an offense under this chapter is a misdemeanor punishable by a fine of not less than $1 or more than $100 for the first offense. If a person is subsequently convicted of the same offense, at the jury's discretion, a person may be fined not less than $2 or more than $200. (V.A.C.S. Art. 6687-1, Sec. 62.)

Source Law
Sec. 62. Any person who shall violate any provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than One Dollar ($1) nor more than One Hundred Dollars ($100) for the first offense, and may, upon any subsequent conviction for a violation of the same provision, within the discretion of the jury, be given double the amount of punishment provided for a first violation.

Reviser's Note
Section 62, V.A.C.S. Article 6687-1, provides the punishment for an offense under that act. The revised law adds a provision stating that the punishment provided by Section 62 applies "except as otherwise provided by this chapter" because other sections of the statute that create an offense (for example, see Sections 61 and 61A, revised as Sections 501.155 and 501.156 of this code) provide specific punishments that are different from those in Section 62.
Sec. 501.158. SEIZURE OF STOLEN VEHICLE OR VEHICLE WITH ALTERED SERIAL NUMBER. (a) A peace officer may seize a vehicle or part of a vehicle without a warrant if the officer has probable cause to believe that the vehicle or part:
   (1) is stolen; or
   (2) has had the serial number removed, altered, or obliterated.
   (b) A vehicle or part seized under this section may be treated as stolen property for purposes of custody and disposition of the vehicle or part. (V.A.C.S. Art. 6687-1, Secs. 49(c), (d)).

(c) A peace officer may seize any vehicle or part of a vehicle without a warrant if the officer has probable cause to believe the vehicle or part:
   (1) is stolen property; or
   (2) has had the serial number, the motor number, or the manufacturer's permanent vehicle identification number or derivative number removed, altered, or obliterated.
   (d) A vehicle or part seized under this section may be treated as stolen property for purposes of custody and disposition of the vehicle or part.

Section 49(c), V.A.C.S. Article 6687-1, refers to "the serial number, the motor number, or the manufacturer's permanent vehicle identification number or derivative number" of a motor vehicle. The revised law omits the reference to a "motor number," "manufacturer's permanent vehicle identification number," and the "derivative number" for the reason stated in Revisor's Note (2) under Section 501.032 of this code.

Sec. 501.159. ALIAS CERTIFICATE OF TITLE. On receipt of a written request approved by the executive administrator of a law enforcement agency, the department may issue a certificate of title
for a vehicle in an alias for the law enforcement agency's use in a
covert criminal investigation. (V.A.C.S. Art. 6687-1, Sec. 59(b).)

Source Law

(b) On receipt of a written request approved by
the executive administrator of a law enforcement
agency, the Department may issue a certificate of title
for a vehicle in an alias for the law enforcement
agency's use in covert criminal investigations.

Revisor's Note
(End of Chapter)

(1) Section 63(a), Article 6687-1, provides the
effective date for the act and provides deadlines for
the department to adopt rules and provide forms to
designated agents. The revised law omits this section
as executed. The omitted provision reads:

Sec. 63. (a) This Act shall become
effective October 1, 1939, and the
Department shall provide each designated
agent within this State with a supply of
receipt forms for issuing on or before the
effective date hereof and shall promulgate
such reasonable rules and regulations as
are herein provided for on or before August
1, 1939, and provide each designated agent
within the State with at least five (5)
copies thereof.

(2) The revision omits Section 64, V.A.C.S.
Article 6687-1, providing that the article is
severable, because that provision duplicates Section
311.032, Government Code (Code Construction Act),
applicable to the revised law, and Section 312.013,
Government Code. These provisions state that a
provision of a statute is severable from each other
provision of the statute that can be given effect.
Section 64 reads:

Sec. 64. If any section, subsection,
or clause of this Act is, for any reason,
held to be unconstitutional, such decision
shall not affect the validity of any of the
remaining portions of this Act, and it is
hereby declared that this Act would
nevertheless have been passed without such
section, subsection, or clause so declared
unconstitutional.
CHAPTER 502. REGISTRATION OF VEHICLES

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CHAPTER 502. REGISTRATION OF VEHICLES
SUBCHAPTER A. GENERAL PROVISIONS

Revised Law
Sec. 502.001. DEFINITIONS. In this chapter:
(1) "All-terrain vehicle" means a motor vehicle that is:
(A) equipped with a saddle for the use of the rider;
(B) designed to propel itself with three or four tires in contact with the ground;
(C) designed by the manufacturer for off-highway use by the operator only; and
(D) not designed by the manufacturer for farming or lawn care.

(2) "Commercial motor vehicle" means a motor vehicle, other than a motorcycle, designed or used primarily to transport property. The term includes a passenger car reconstructed and used primarily for delivery purposes. The term does not include a passenger car used to deliver the United States mail.

(3) "Department" means the Texas Department of Transportation.

(4) "Farm semitrailer" means a semitrailer designed and used primarily as a farm vehicle.

(5) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing other implements of husbandry.

(6) "Farm trailer" means a trailer designed and used primarily as a farm vehicle.

(7) "Golf cart" means a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.

(8) " Implements of husbandry" means farm implements, machinery, and tools as used in tilling the soil, including self-propelled machinery specifically designed or adapted for applying plant food materials or agricultural chemicals but not specifically designed or adapted for the sole purpose of transporting the materials or chemicals. The term does not include a passenger car or truck.

(9) "Light truck" means a commercial motor vehicle that has a manufacturer's rated carrying capacity of one ton or less.

(10) "Moped" has the meaning assigned by Section 541.201.
(11) "Motor bus" includes every vehicle used to transport persons on the public highways for compensation, other than:

    (A) a vehicle operated by muscular power; or
    (B) a municipal bus.

(12) "Motorcycle" means a motor vehicle designed to propel itself with not more than three wheels in contact with the ground. The term does not include a tractor.

(13) "Motor vehicle" means a vehicle that is self-propelled.

(14) "Municipal bus" includes every vehicle, other than a passenger car, used to transport persons for compensation exclusively within the limits of a municipality or a suburban addition to the municipality.

(15) "Operate temporarily on the highways" means to travel between:

    (A) different farms;
    (B) a place of supply or storage and a farm; or
    (C) an owner's farm and the place at which the owner's farm produce is prepared for market or is marketed.

(16) "Owner" means a person who:

    (A) holds the legal title of a vehicle;
    (B) has the legal right of possession of a vehicle; or
    (C) has the legal right of control of a vehicle.

(17) "Passenger car" means a motor vehicle, other than a motorcycle, golf cart, light truck, or bus, designed or used primarily for the transportation of persons.

(18) "Public highway" includes a road, street, way, thoroughfare, or bridge:

    (A) that is in this state;
    (B) that is for the use of vehicles;
    (C) that is not privately owned or controlled; and
(D) over which the state has legislative
jurisdiction under its police power.

(19) "Public property" means property owned or leased
by this state or a political subdivision of this state.

(20) "Road tractor" means a motor vehicle designed or
used for drawing another vehicle or a load and not constructed to
carry:

(A) an independent load; or
(B) a part of the weight of the vehicle and load
to be drawn.

(21) "Semitrailer" means a vehicle designed or used
with a motor vehicle so that part of the weight of the vehicle and
its load rests on or is carried by another vehicle.

(22) "Trailer" means a vehicle that:

(A) is designed or used to carry a load wholly
on its own structure; and
(B) is drawn or designed to be drawn by a motor
vehicle.

(23) "Truck-tractor" means a motor vehicle:

(A) designed and used primarily for drawing
another vehicle; and
(B) not constructed to carry a load other than a
part of the weight of the vehicle and load to be drawn.

(24) "Vehicle" means a device in or by which a person
or property is or may be transported or drawn on a public highway,
other than a device used exclusively on stationary rails or tracks.

(V.A.C.S. Art. 6675a-1, Subsecs. (a), (b), (c), (d), (e), (f), (g),
(h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (u) (as
added Ch. 410, Acts 68th Leg., R.S., 1983) (part), (w) (as added
Ch. 260, Acts 70th Leg., R.S., 1987), (x); Art. 6675a-2, Subsec.
(k)(1); Art. 6675a-6e, Sec. 1 (part); New.)

Source Law

Art. 6675a-1. The following words and terms, as
used herein, have the meaning respectively ascribed to
them in this Section, as follows:

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(a) "Vehicle" means every device in, or by which any person or property is or may be transported or drawn upon a public highway, except devices used exclusively on stationary rails or tracks.

(b) "Motor Vehicle" means every vehicle, as herein defined, that is self-propelled.

(c) "Motorcycle" means every motor vehicle designed to propel itself with not more than three wheels in contact with the ground but excluding a tractor.

(d) "Truck-tractor" means every motor vehicle designed or used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(e) "Farm-tractor" means every motor vehicle designed and used primarily as a farm implement for drawing other implements of husbandry.

(f) "Road-tractor" means every motor vehicle designed or used for drawing other vehicles or loads, and not so constructed as to carry a load independently or any part of the weight of the drawn load or vehicle.

(g) "Trailer" means every vehicle designed or used to carry its load wholly on its own structure and to be drawn by a motor vehicle.

(h) "Semi-trailer" means vehicles of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by another vehicle.

(i) "Commercial Motor Vehicles" means any motor vehicle (other than a motorcycle or passenger car) designed or used primarily for the transportation of property, including any passenger car which has been reconstructed so as to be used, and which is being used, primarily for delivery purposes, with the exception of passenger cars used in the delivery of the United States mails.

(j) "Passenger Car" means any motor vehicle other than a motor cycle, golf cart, or a bus, as defined in this Act, designed or used primarily for the transportation of persons.

(k) "Department" means the State Highway Department or its duly authorized officers or agents.

(l) "Owner" means any person who holds the legal title of a vehicle or who has the legal right of possession thereof, or the legal right of control of said vehicle.

(m) "Public Highway" shall include any road, street, way, thoroughfare or bridge in this State not privately owned or controlled for the use of vehicles over which the State has legislative jurisdiction under its police power.

(n) "Motor Bus" shall include every vehicle, except those operated by muscular power or exclusively on stationary rails or tracks, which is used in transporting persons upon the public highways of this State for compensation (or hire) whether operated over fixed routes or otherwise; except such of said vehicles as are operated exclusively within the limits of incorporated cities and/or towns or suburban additions to such cities and/or towns.

(o) "Farm-trailer" means every "trailer" as defined in Subsection (g) herein, designed and used primarily as a farm vehicle.

(p) "Farm-semi-trailer" means every semi-trailer as defined in Subsection (h) herein,
designed and used primarily as a farm vehicle.

(q) By "operated or moved temporarily upon the highways" is meant the operation or conveying between different farms, between a place of supply or storage to farms and return, or from an owner's farm to the place where his farm produce is prepared for market or where same is actually marketed and return.

(r) "Implement of husbandry" shall mean farm implements, machinery and tools as used in tilling the soil, including self-propelled machinery specifically designed or especially adapted for applying plant food materials or agricultural chemicals and not designed or adapted for the sole purpose of transporting the materials or chemicals, but shall not include any passenger car or truck.

(s) "Street or suburban bus" shall include every vehicle, except a motor bus or passenger car as defined in this Act, which is used in transporting persons for compensation (or hire) exclusively within the limits of cities and towns or suburban additions to such cities or towns.

(u) "Moped" has the meaning assigned by Section 2(n), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes).

(w) "All-terrain vehicle" means any motor vehicle having a saddle for the use of the rider, designed to propel itself with three or four tires in contact with the ground, designed by the manufacturer for off-highway use by the operator only, and not designed by the manufacturer for farming or lawn care.

(x) "Public property" means property owned or leased by the state or a political subdivision of the state.

[Art. 6675a-2]

(k)(1) In this section, "golf cart" means a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.

Art. 6675a-6e

Sec. 1. The following words and phrases when used in this Act shall for the purpose of this Act have the meanings respectively ascribed to them in this Section as follows:

"Vehicle" means every device in, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved only by human power or used exclusively upon stationary rails or tracks.

"Motor Vehicle" means every vehicle as herein defined which is self-propelled.

"Passenger Car" means any motor vehicle other than a motorcycle or a bus as defined in this Act designed or used primarily for the transportation of persons.

"Commercial Motor Vehicle" means any motor vehicle other than a motorcycle designed or used for the transportation of property including every vehicle used for delivery purposes.

"Trailer" means every vehicle without motive power designed or used for carrying property or passengers wholly on its own structure and to be drawn by a motor vehicle.

"Semitrailer" means every vehicle of the trailer type so designed or used in conjunction with a
motor vehicle that some part of its own weight and that of its own load rests upon or is carried by a motor vehicle. "Owner" means any person who holds a legal title to a vehicle or who has the legal right of possession thereof or the legal right of control of said vehicle.

"Department" means the State Highway Department of this State, acting directly or through its duly authorized officers and agents.

Revisor's Note

(1) Subsection (k), V.A.C.S. Article 6675a-1, defines "department" to mean the "State Highway Department or its duly authorized officers or agents."

Section 1, V.A.C.S. Article 6675a-6e, defines "department" to mean the "State Highway Department of this State, acting directly or through its duly authorized officers and agents." The revised law substitutes "Texas Department of Transportation" for "State Highway Department" for the reason stated in the reviser's note under Section 201.003 of this code. The reference to the department's "duly authorized officers and agents" is omitted from the revised law as unnecessary because a department may act only through its officers and agents.

(2) Subsection (n), V.A.C.S. Article 6675a-1, defines "motor bus" in part as a vehicle used on the public highways "of this State" to transport persons, except a vehicle "operated . . . exclusively on stationary rails or tracks." The reference to "of this state" is omitted from the revised law as unnecessary because the concept is included in the definition of "public highway." The reference to "stationary rails or tracks" is omitted from the revised law as unnecessary because the concept is included in the definition of "vehicle."

(3) Subsections (n) and (s), V.A.C.S. Article
6675a-1, refer to "compensation" or "hire." The references to "hire" are omitted from the revised law because "hire" is included within the meaning of "compensation."

(4) Subsection (n), V.A.C.S. Article 6675a-1, defines "motor bus" in part as a vehicle used to transport persons "whether [the vehicle is] operated over fixed routes or otherwise." The quoted language is omitted from the revised law as unnecessary. A vehicle may be operated only over a fixed route or otherwise.

(5) Subsection (s), V.A.C.S. Article 6675a-1, refers to a "street or suburban bus." The revised law substitutes "municipal bus" for "street or suburban bus" because that term more accurately describes the vehicle.

(6) Subsection (s), V.A.C.S. Article 6675a-1, refers to "cities and towns." The revised law substitutes "municipality" for "city and town" because that is the term used in the Local Government Code.

(7) The definition of "moped" in Subsection (u), V.A.C.S. Article 6675a-1, as added by Chapter 410, Acts of the 68th Legislature, Regular Session, 1983, refers to Section 2(n), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes). That statute is codified in this code as Section 541.201, and the revised law is drafted accordingly.

(8) The definition of "light truck" is added to the revised law for drafting convenience and to eliminate frequent, unnecessary repetition of the substance of the definition.
Revised Law

Sec. 502.002. REGISTRATION REQUIRED; GENERAL RULE. (a) The owner of a motor vehicle, trailer, or semitrailer shall apply for the registration of the vehicle for:

(1) each registration year in which the vehicle is used or to be used on a public highway; and

(2) if the vehicle is unregistered for a registration year that has begun and that applies to the vehicle and if the vehicle is used or to be used on a public highway, the remaining portion of that registration year.

(b) The application must be made to the department through the county assessor-collector of the county in which the owner resides.

(c) A provision of this chapter that conflicts with this section prevails over this section to the extent of the conflict.

(V.A.C.S. Art. 6675a-2, Subsec. (a) (part).)

Source Law

Art. 6675a-2. (a) Except as provided by this subsection, every owner of a motor vehicle, trailer or semitrailer used or to be used upon the public highways of this State shall apply each year to the Texas Department of Transportation through the County Tax Collector of the county in which he resides for the registration of each such vehicle owned or controlled by him for the ensuing or current calendar year or unexpired portion thereof; provided, that . . . .

Reviser's Note

(1) Subsection (a), V.A.C.S. Article 6675a-2, refers to "public highways of this State." The reference to "of this State" is omitted from the revised law for the reason stated in Reviser's Note (2) under Section 502.001 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-2, requires an owner to apply "each year ... for the registration of each such vehicle owned or controlled by him." The requirement that an owner apply only once each year for each vehicle owned is omitted as
impliedly repealed by the 1975 amendment to V.A.C.S. Article 6675a-4 (revised in relevant part as Section 502.158 of this code), which established a year-round registration system. The reference to a registration year that has begun is added to conform this revised section to the requirements of the year-round registration system.

(3) Subsection (a), V.A.C.S. Article 6675a-2, refers to the "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector," because "county assessor-collector" is the title for that official. See Sections 14, 16, and 16a, Article VIII, Texas Constitution, and Section 6.21, Tax Code.

(4) Subsection (a), V.A.C.S. Article 6675a-2, refers to registration for the "calendar year." The revised law substitutes "registration year" for "calendar year" because under Subsection (f), V.A.C.S. Article 6675a-3 (revised in Section 502.158 of this code), a vehicle is registered for a 12-month period designated by the Texas Department of Transportation.

Revised Law

Sec. 502.003. REGISTRATION BY POLITICAL SUBDIVISION PROHIBITED. (a) Except as provided by Subsection (b), a political subdivision of this state may not require an owner of a motor vehicle to:

(1) register the vehicle;
(2) pay a motor vehicle registration fee; or
(3) pay an occupation tax or license fee in connection with a motor vehicle.

(b) This section does not affect the authority of a municipality to:

(1) license and regulate the use of motor vehicles for
compensation within the municipal limits; and

(2) impose a permit fee or street rental charge for
the operation of each motor vehicle used to transport passengers
for compensation, other than a motor vehicle operating under a
permit or certificate from the Railroad Commission of Texas or the
Interstate Commerce Commission.

(c) A fee or charge under Subsection (b) may not exceed two
percent of the annual gross receipts from the vehicle.

(d) This section does not impair the payment provisions of
an agreement or franchise between a municipality and the owners or
operators of motor vehicles used to transport passengers for
compensation. (V.A.C.S. Art. 6698 (part).)

Source Law

Art. 6698. [The certificate of registration and
numbering for purposes of identification, and the fees
herein provided for shall be in lieu of all other
similar registrations heretofore required by any
county, municipality or other political subdivision of
this state, and] no such registration fees or other
like burdens shall be required of any owner of any
motor vehicle or motorcycle by any county, municipality
or other subdivision of the state. This provision
shall not affect the right of incorporated cities and
towns to license and regulate the use of motor vehicles
for hire in such corporation. Nothing herein shall in
anywise authorize or empower any county or incorporated
city or town in this state to levy and collect any
occupation tax or license fees on motorcycles, motor
vehicles or motor trucks; provided that such cities or
towns are hereby authorized and empowered to levy and
collect a city permit fee, not to exceed two (2%) per
cent of the gross receipts per annum, for the operation
of each motor vehicle transporting passengers for hire
or a street rental charge based upon gross receipts,
not to exceed two (2%) per cent per annum, for the
operation of motor vehicles transporting passengers for
hire, other than motor vehicles operating under a
permit or certificate of the Railroad Commission of the
State of Texas or the Interstate Commerce Commission;
and provided further that nothing in this Article shall
be construed as impairing or altering in any way the
provisions relating to payments in any contracts,
agreements, or franchises now in existence, or
hereafter made between an incorporated city or town and
the owners or operators of motor vehicles transporting
passengers for hire.

Reviser's Note

(1) V.A.C.S. Article 6698 provides, in part,
that the "certificate of registration and numbering for
purposes of identification, and the fees herein
[meaning in Title 116, Revised Statutes] provided for
shall be in lieu of all other similar registrations
heretofore required by any county, municipality, or
other political subdivision of this state." Article
6698 was originally enacted in 1917. The quoted
language is omitted from the revised law as obsolete
because any county or municipal motor vehicle
registration that existed before 1917 has long been
abandoned. The omitted law reads:

The certificate of registration and
numbering for purposes of identification,
and the fees herein provided for shall be
in lieu of all other similar registrations
heretofore required by any county,
municipality or other political subdivision
of this state, and . . . .

(2) V.A.C.S. Article 6698 refers to a "county,
municipality or other subdivision of the state." The
references to "county" and "municipality" are omitted
from the revised law because each is a subdivision of
the state.

(3) V.A.C.S. Article 6698 refers to
"incorporated cities and towns." The revised law
substitutes "municipality" for "city or town" for the
reason stated in Revisor's Note (6) under Section
502.001 of this code. In addition, under the Local
Government Code, all municipalities are incorporated.

(4) V.A.C.S. Article 6698 refers to
"motorcycles, motor vehicles or motor trucks." The
references to "motorcycles" and "motor trucks" are
omitted from the revised law because "motorcycle" and
"motor truck" are within the definition of "motor
vehicle" under Section 502.001 of this code.

Revised Law
Sec. 502.004. COLLECTION OF FEES. A person may not collect
a registration fee under this chapter unless the person is:

(1) an officer or employee of the department; or

(2) a county assessor-collector or a deputy county assessor-collector. (V.A.C.S. Art. 6675a-10a (part).)

Source Law

Art. 6675a-10a. . . provided, however, that no person shall be authorized or permitted to collect any license fees under the provisions of this Act except the Tax Collector or a duly authorized and appointed deputy.

Reviser's Note

(1) V.A.C.S. Article 6675a-10a refers to a "Tax Collector." The revised law substitutes "county assessor-collector" for "Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) V.A.C.S. Article 6675a-10a refers to a "duly authorized and appointed" deputy county assessor-collector. The revised law omits "duly authorized and appointed" as unnecessary. A person who is not properly authorized and appointed is not a deputy assessor-collector.

(3) Certain vehicles are registered directly with the Texas Department of Transportation (for example, forestry vehicles registered under Article 6675a-5p, as added by Chapter 534, Acts of the 73rd Legislature, Regular Session, 1993 (revised in part as Section 502.280 of this code)). The revised law clarifies that the Texas Department of Transportation, acting through its officers and employees, may collect a registration fee.

Revised Law

Sec. 502.005. REFUSAL TO REGISTER UNSAFE VEHICLE. (a) The department may refuse to register a motor vehicle and may revoke a
registration if the department determines that a motor vehicle is
unsafe, improperly equipped, or otherwise unfit to be operated on a
public highway.

(b) The department may refuse to register a motorcycle and
may suspend or revoke the registration of a motorcycle if the
department determines that the motorcycle's braking system does not
comply with Section 547.408. (V.A.C.S. Arts. 6696; 6701d,
Sec. 139F(j), Subdiv. 2.)

Source Law

Art. 6696. If the Department shall determine at
any time that a motor vehicle is unsafe or improperly
equipped, or otherwise unfit to be operated upon the
public highways, it may refuse to register such
vehicle, and may for a like reason revoke any
registration already issued.

[Art. 6701d, Sec. 139F(j)]

2. The State Highway Department may refuse
to register or may suspend or revoke the registration
of any vehicle referred to in this section when it
determines that the braking system thereof does not
comply with the provisions of this section.

Revisor's Note

(1) Subdivision 2, Section 139F(j), V.A.C.S.
Article 6701d, refers to "any vehicle referred to in
this section." Section 139F (revised as Chapter 547 of
this code) deals with equipment on motorcycles. The
revised law substitutes "motorcycle" for "vehicle
referred to in this section."

(2) Subdivision 2, Section 139F(j), V.A.C.S.
Article 6701d, refers to "this section," meaning
Section 139F, V.A.C.S. Article 6701d. The relevant
portion of that statute is codified in this code as
Chapter 547, and the revised law is drafted
accordingly.

Revised Law

Sec. 502.006. ALL-TERRAIN VEHICLES. (a) Except as provided
by Subsection (b), a person may not register an all-terrain
An all-terrain vehicle, with or without design alterations, may not be registered for operation on public highways, except that the State, a county, or a municipality may register an all-terrain vehicle for operation on public beaches and highways to maintain public safety and welfare. In lieu of highway motor vehicle registration, the owner of an all-terrain vehicle that is not authorized to operate on public beaches or highways and that is used or to be used on public property in this State shall apply each year to the Texas Department of Transportation through the County Tax Collector of the county in which he resides for off-highway registration of each vehicle owned or controlled by him for the ensuing or current calendar year or unexpired portion of the calendar year.

On off-highway registration of an all-terrain vehicle, the State Department of Highways and Public Transportation shall issue a registration certificate and, in lieu of license number plates, a number decal or sticker of appropriate size and design as determined by the Department.
Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-2, refers to "public property in this State." The reference to "in this State" is omitted from the revised law because the concept is included in the definition of "public property" under Section 502.001 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-2, refers to the "County Tax Collector." The revised law substitutes county "assessor-collector" for "County Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(3) Subsection (a), V.A.C.S. Article 6675a-2, refers to registration for the "calendar year." The revised law substitutes "registration year" for "calendar year" for the reason stated in Reviser's Note (4) under Section 502.002 of this code.

Revised Law

Sec. 502.007. MOPEDS. (a) For the registration purposes of this chapter, a moped is treated as if it were a motorcycle.

(b) A license plate issued for a moped must have a distinctive lettering designation and include the word "moped."

Source Law

[Art. 6675a-1] (u) ... For motor vehicle registration, a moped is treated as if it were a motorcycle.

[Art. 6675a-13] (h) [The Department shall issue to each person registering a moped under this Act a license plate for the moped.] The license plate shall bear a distinctive lettering designation and the word "moped."

Revised Law

Sec. 502.008. RELEASE OF INFORMATION IN VEHICLE REGISTRATION RECORDS. (a) The department or a county may not release to any
person information contained in vehicle registration records in response to a telephone inquiry by license number. The department or a county may release information only if the person:

(1) submits in writing a request that:

(A) provides the person's name and address; and

(B) states that the use of the information is for a lawful and legitimate purpose; or

(2) enters into a written service agreement with the department or county to receive the information.

(b) This section does not apply to the release of information to:

(1) a peace officer, as defined in Article 2.12, Code of Criminal Procedure, acting in an official capacity; or

(2) an official of this state or a political subdivision of this state if the official is requesting the information for tax purposes. (V.A.C.S. Art. 6675a-17A.)

Source Law

Art. 6675a-17A. (a) The State Department of Highways and Public Transportation or a county may not release to any person information contained in vehicle registration records in response to a telephone inquiry by license number. The department or a county may release information only if: (1) the person first submits the request in writing, including the person's name and address and stating that the use of the information is for a lawful and legitimate purpose; or (2) the person enters into a written service agreement with the department or the county to receive the information.

(b) This section does not apply to the release of information to:

(1) a peace officer, as that term is defined in Article 2.12, Code of Criminal Procedure, if the officer is acting in an official capacity; or

(2) an official of the state, a city, town, county, special district, or other political subdivision of the state if the official is requesting the information for tax purposes.

Revisor's Note

V.A.C.S. Article 6675a-17A refers to a "city, town, county, special district, or other political subdivision of the state." The references to "city," "town," "county," and "special district" are omitted.
from the revised law because each is a political subdivision of the state.

[Sections 502.009-502.050 reserved for expansion]

SUBCHAPTER B. STATE ADMINISTRATION

Revised Law

Sec. 502.051. DEPOSIT OF REGISTRATION FEES IN STATE HIGHWAY FUND. Except as otherwise provided by this chapter, the Texas Transportation Commission and the department shall deposit all money received from registration fees in the state treasury to the credit of the state highway fund. (V.A.C.S. Arts. 6675a-5e, Subsec. (h); 6675a-5e.3, Subsec. (c) (part); 6675a-5e.4, Subsec. (c) (part); 6675a-5h, Subsec. (b) (part); 6675a-5i, Subsec. (f) (part); 6675a-5j, Subsec. (i) (part); 6675a-5k, Subsec. (j); 6675a-5l, Subsec. (g) (part); 6675a-5m, Subsec. (g) (part); 6675a-5n, Subsec. (f) (part); 6675a-5o, Subsec. (d) (part); 6675a-5p (as added Ch. 534, Acts 73rd Leg., R.S., 1993), Subsec. (d) (part); 6675a-5p (as added Ch. 567, Acts 73rd Leg., R.S., 1993), Subsec. (h); 6675a-6c, Sec. 4 (part); 6675a-6d, Sec. 5 (part); 6694 (part).)

Source Law

[Art. 6675a-5e] (h) The fees provided for in this Section shall be deposited in the State Treasury to the credit of the State Highway Fund.

[Art. 6675a-5e.3] (c) . . . The department shall submit all fees for registrations under this section to the State Treasurer for deposit in the State Highway Fund.

[Art. 6675a-5e.4] (c) . . . The department shall submit all fees for registrations under this section to the state treasurer for deposit in the state highway fund.

[Art. 6675a-5h] (b) . . . [The County Tax Collector shall forward the additional $4 fee to the Department] for deposit in the State Highway Fund . . . .

[Art. 6675a-5i] (f) [On Monday of each week, each county tax collector shall submit all fees imposed by this section that were collected during the preceding week to the department] for deposit in the State Highway Fund.
(i) The department shall deposit the remainder of each fee collected under this section, [after deposit as provided by Subsections (g) and (h) of this section,] in the state treasury to the credit of the state highway fund.

(j) The department shall deposit in the state treasury to the credit of the state highway fund any fees collected under this section that are not forwarded to a county under Subsection (h) of this section or that are not deposited as provided by Subsection (i) of this section.

(g) The department shall deposit the remainder of each fee collected under this section, [after deposit as provided by Subsection (f) of this section,] in the state treasury to the credit of the state highway fund.

(g) The department shall deposit the remainder of each fee collected under this section [after deposit as provided by Subsection (f) of this section] in the state treasury to the credit of the State Highway Fund.

(f) The department shall deposit each fee collected under this section in the state treasury to the credit of the state highway fund.

(d) The department shall deposit fees imposed under this section in the state treasury to the credit of the state highway fund.

All registration permit fees collected by the Texas Highway Department shall be deposited in the State Treasury to the credit of the State Highway Fund.

All temporary permit fees collected by the Texas Highway Department shall be deposited in the State Treasury to the credit of the State Highway Fund.

Art. 6694. All funds coming into the hands of the Commission derived from the registration fees or other sources provided for in this subdivision, as
collected, shall be deposited with the State Treasurer to the credit of a special fund designated as "The State Highway Fund." . . . .

Revisor's Note

(1) Subsection (j), V.A.C.S. Article 6675a-5k, provides in part that the Texas Department of Transportation shall deposit in the state treasury to the credit of the state highway fund fees collected under Article 6675a-5k "that are not forwarded to a county under Subsection (h) of this section or that are not deposited as provided by Subsection (i) of this section." The revised law omits the quoted language as unnecessary. Subsection (h), V.A.C.S. Article 6675a-5k (revised in Sections 502.258-502.265 and 502.269 of this code) requires the Texas Department of Transportation to send 50 cents of a fee collected under that article to the county treasurer of the county in which the person registering the vehicle resides; Subsection (i), V.A.C.S. Article 6675a-5k, (revised in Section 502.269 of this code) requires the Texas Department of Transportation to deposit $25 of certain fees collected under that article in the state treasury for use by the State Preservation Board. These requirements are sufficient to permit the department to not deposit that money to the credit of the state highway fund.

(2) V.A.C.S. Article 6694 refers to registration fees "or other sources provided for in this subdivision," meaning in Subdivision 2, Chapter 1, Title 116, Revised Statutes (Articles 6675a-1 through 6701c-5). Article 6694 was enacted in 1917. The quoted language is omitted from the revised language because it has been impliedly repealed by later amendments to Subdivision 2, Chapter 1, Title 116,
Revised Statutes. For example, under Section 57, Certificate of Title Act (Article 6687-1, Vernon's Texas Civil Statutes) (revised as Chapter 501 of this code), as amended in 1991, a portion of certificate of title fees received by the Texas Department of Transportation goes into the state highway fund, and another portion goes into the general revenue fund; under V.A.C.S. Article 6701a-2 (revised as Subchapter F, Chapter 623, of this code), enacted in 1981, fees received by the department for issuing a permit to transport a portable building unit go into the general revenue fund.

(3) The revised law deletes the designation in V.A.C.S. Article 6694 of the fund as being special because that designation is unnecessary. The designation of a fund as a special fund has no legal effect.

(4) V.A.C.S. Article 6694, enacted in 1917, provides in part that funds received by the commission may be paid only on warrants issued by the comptroller on vouchers drawn by the chairman of the Texas Transportation Commission, approved by another commission member, and accompanied by itemized sworn statements of the expenditures. The revised law omits this provision as repealed by Sections 35 and 39, Chapter 641, Acts of the 72nd Legislature, Regular Session, 1991. Section 35 of that act added Article 6252-31, Revised Statutes (codified in 1993 in Chapters 2056 and 2103, Government Code), which in part provided an exclusive method by which a state agency administered by a governing body may approve a voucher. See Section 2103.061, Government Code. Section 39 of that act specifically repealed, to the extent of conflict, "all laws that conflict with Section 35 of
this Act." The omitted law reads:

... and shall be paid only on warrants issued by the Comptroller upon vouchers drawn by the chairman of the Commission and approved by one other member thereof, such vouchers to be accompanied by itemized sworn statements of the expenditures.

Revised Law

Sec. 502.052. DESIGN OF LICENSE PLATES AND REGISTRATION INSIGNIA; REFLECTORIZED MATERIAL. (a) The department shall prepare the designs and specifications of license plates and devices selected by the Texas Transportation Commission to be used as the registration insignia.

(b) The department shall design each license plate to include a design at least one-half inch wide that represents in silhouette the shape of Texas and that appears between letters and numerals. The department may omit the silhouette of Texas from specially designed license plates.

(c) To promote highway safety, each license plate shall be made with a reflectorized material that provides effective and dependable brightness for the period for which the plate is issued. The purchase of reflectorized material shall be submitted to the General Services Commission for approval. (V.A.C.S. Art. 6675a-13-1/2, Subsecs. (a), (b) (part).)

Source Law

Art. 6675a-13-1/2. (a) The State Department of Highways and Public Transportation shall prepare the designs and specifications for the single plate or plates of metal or other material, symbols, tabs, or other devices selected by the State Highway and Public Transportation Commission to be used as the legal registration insignia with the requirement, however, that all license plates shall be made with a reflective material so as to be a reflectorized safety license plate. The reflectorized material shall be of such a nature as to provide effective and dependable brightness in the promotion of highway safety during the service period of the license plate issued. The Department shall design the license plates to include a design at least one-half inch wide that represents in silhouette the shape of the State of Texas and that appears, in lieu of a star, between letters and numerals. The Department is not required to include the silhouette of the State of Texas on specially designed license plates.

(b) ... The purchase of such reflective
material shall be submitted to the State Board of Control for approval.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-13-1/2, refers to the "State Highway and Public Transportation Commission." The revised law substitutes "Texas Transportation Commission" for "State Highway and Public Transportation Commission" for the reason stated in the revisor's note under Section 201.003 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-13-1/2, provides in part that the Texas Department of Transportation shall design license plates of "metal or other material." The reference to "metal or other material" is omitted from the revised law as unnecessary because the department is free to specify whatever material it determines is appropriate.

(3) Subsection (a), V.A.C.S. Article 6675a-13-1/2, provides in part that license plate designs are to include a silhouette of the shape of the State of Texas "in lieu of a star." The quoted language is omitted from the revised law as unnecessary because there is no legal requirement that license plate designs include a star.

(4) Subsection (b), V.A.C.S. Article 6675a-13-1/2, refers to the "State Board of Control." In 1979, the name of that agency was changed by enactment of the State Purchasing and General Services Act (Article 601b, Vernon's Texas Civil Statutes) (Chapter 773, Acts of the 66th Legislature, Regular Session, 1979) to the State Purchasing and General Services Commission. In 1991, the name of the agency was again changed by amendment to Article 601b (Chapter 8, Acts of the 72nd Legislature, 2nd Called Session,
1991) to the General Services Commission. The revised law is drafted accordingly.

(5) Subsection (c), V.A.C.S. Article 6675a-13-1/2, provides that the requirement that license plates be made of a reflectorized material takes effect beginning with the issuance of license plates for calendar year 1969. This provision is omitted from the revised law as executed. Subsection (c) reads:

(c) The provisions of Subsection (a) of this Act requiring the reflectorizing of license plates shall be effective starting with the issuance of license plates for the calendar year 1969.

Revised Law

Sec. 502.053. COST OF MANUFACTURING LICENSE PLATES OR REGISTRATION INSIGNIA. (a) The Texas Department of Transportation shall reimburse the institutional division of the Texas Department of Criminal Justice for the cost of manufacturing license plates or registration insignia as the license plates or insignia and the invoice for the license plates or insignia are delivered to the Texas Department of Transportation.

(b) When manufacturing is started, the General Services Commission shall set the price to be paid for each license plate or insignia. The price must be determined from:

(1) the cost of metal, paint, and other materials purchased;

(2) the inmate maintenance cost per day;

(3) overhead expenses;

(4) miscellaneous charges; and

(5) a previously approved amount of profit for the work.

(c) The annual profit received by the institutional division of the Texas Department of Criminal Justice from all contracts for the manufacturing of license plates or related manufacturing may
1 not be less than the profit received by the Texas Department of
3 (V.A.C.S. Art. 6675a-13-1/4.)

Source Law

Art. 6675a-13-1/4. It is further provided that
the Texas Highway Department shall reimburse the Texas
Department of Corrections for the cost of manufacturing
motor vehicle license plates, symbols, tabs, or other
deVICES to be attached to motor vehicle license plates
as provided herein and said Department of Corrections
shall be reimbursed as license plates, symbols, tabs,
or other devices are delivered and invoices are
rendered to the Highway Department. At the time
manufacture is started, the State Board of Control or
its successor shall fix a price to be paid per license
plate, symbol, tab, or other device, and shall use as
the basis for such price the costs of metal, paint,
other materials purchased, the inmate maintenance cost
per day, overhead expense, miscellaneous charges, and
the amount of profit previously approved for such work,
provided however that the annual profit to the Texas
Department of Corrections from all contracts entered
into for the manufacture of license plates or related
manufacturing as previously stated, shall not be less
than the amount of said profit received by the Texas
Department of Corrections for the manufacture of 1974
State of Texas license plates.

Revisor's Note

(1) V.A.C.S. Article 6675a-13-1/4 refers to the
"Texas Department of Corrections." In 1989, the name
of the agency was changed by the enactment of Article
1, Chapter 785, Acts of the 71st Legislature, Regular
Session, 1989, to the institutional division of the
Texas Department of Criminal Justice. The revised law
is drafted accordingly.

(2) V.A.C.S. Article 6675a-13-1/4 refers to
"symbols, tabs, or other devices to be attached to
motor vehicle license plates as provided herein." The
revised law substitutes "registration insignia" for
"symbols, tabs, or other devices" because "symbol" and
"tab" are included within the meaning of "device," and
under Subsection (a), V.A.C.S. Article 6675a-13-1/2
(revised as Section 502.052 of this code), a device
selected by the Texas Transportation Commission is the
registration insignia. The revised law omits "to be attached to motor vehicle license plates as provided herein" as impliedly repealed by the 1991 amendment to Section 5(c), V.A.C.S. Article 6675a-3e (revised in part in Section 502.180 of this code), which provides that the symbol, tab, or device used to validate a license plate for the current year is to be attached to the vehicle's windshield.

(3) V.A.C.S. Article 6675a-13-1/4 refers to the "State Board of Control or its successor." The revised law substitutes "General Services Commission" for "State Board of Control" for the reason stated in Reviser's Note (4) under Section 502.052 of this code.

Revised Law

Sec. 502.054. AGREEMENTS WITH OTHER JURISDICTIONS; OFFENSE.

(a) The department, through its director, may enter into an agreement with an authorized officer of another jurisdiction, including another state of the United States or a state, province, territory, or possession of a foreign country, to provide for:

(1) the registration of vehicles by residents of this state and nonresidents on an allocation or mileage apportionment plan, as under the International Registration Plan; and

(2) the exemption from payment of registration fees by nonresidents if residents of this state are granted reciprocal exemptions.

(b) The department may adopt and enforce rules to carry out the International Registration Plan or other agreement under this section.

(c) To carry out the International Registration Plan or other agreement under this section, the department shall direct that fees collected for other jurisdictions under the agreement be deposited to the credit of the proportional registration distributive fund in the state treasury and distributed to the
appropriate jurisdiction through that fund.

(d) This section prevails to the extent of conflict with another law relating to the subject of this section.

(e) A person commits an offense if the person owns or operates a vehicle not registered in this state in violation of:

(1) an agreement under this section; or

(2) the applicable registration laws of this state, in the absence of an agreement under this section.

(f) An offense under Subsection (e) is a misdemeanor punishable by a fine not to exceed $200. (V.A.C.S. Art. 6675a-16.)

Source Law

Art. 6675a-16. (a) In addition to and regardless of the provisions of this Act, or any other Act relating to the operation of motor vehicles over the public highways of this State, the State Department of Highways and Public Transportation acting by and through the State Engineer-Director is hereby authorized to enter into agreements with duly authorized officials of other jurisdictions, including any State of the United States, the District of Columbia, a State or Province of a foreign country, or a territory or possession of either the United States or of a foreign country to provide for the registration of vehicles by Texas residents and non-residents on an allocation or mileage apportionment basis (such as is provided in the International Registration Plan) or to grant exemptions from payment of registration fees by non-residents provided such grants are reciprocal to Texas residents.

(b) The Department is further authorized and empowered to promulgate and to enforce such rules and regulations as may be necessary to carry out the provisions of the International Registration Plan or any other agreement entered into under the authority herein set forth.

(c) All fees collected for other jurisdictions under the provisions of the International Registration Plan or other agreements entered into under the provisions of this Act shall be distributed to the appropriate jurisdiction at the direction of the Department to carry out the provisions of such agreement. There is hereby created a special fund account in the State Treasury, to be known as the Proportional Registration Distributive Fund, and all such fees collected shall be deposited and disbursed through such account.

(d) This section shall be cumulative of all other laws on this subject, but in the event of a conflict between the provisions of this section and any other Act on this subject, the provisions of this section shall prevail.

(e) Any person owning or operating a vehicle not registered in this State, in violation of the terms of any agreement made under this section, or in the absence of any agreement, in violation of the applicable registration laws of this State, shall be
guilty of a misdemeanor and upon conviction shall be fined any sum not exceeding Two Hundred ($200.00) Dollars.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-16, refers to the "State Engineer-Director" of the State Department of Highways and Public Transportation. The revised law substitutes "director" for "State Engineer-Director" for the reason stated in the revisor's note under Section 201.003 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-16, refers to "any State of the United States, the District of Columbia . . . or a territory or possession of . . . the United States." The references to the District of Columbia and territories and possessions of the United States are omitted from the revised law because under Section 311.005, Government Code (Code Construction Act), "state," when referring to a part of the United States, includes a district, commonwealth, territory, or insular possession of the United States. The definition applies to the revised law.

(3) Subsection (a), V.A.C.S. Article 6675a-16, refers to a "duly authorized" official. The revised law omits "duly" as unnecessary.

(4) Subsection (b), V.A.C.S. Article 6675a-16, refers to "rules and regulations." The reference to "regulations" is omitted from the revised law because under Section 311.005(5), Government Code (Code Construction Act), a rule is defined to include a regulation. That definition applies to the revised law.

(5) Subsection (c), V.A.C.S. Article 6675a-16, in part creates a special fund to be known as the proportional registration distributive fund. The
revised law omits the reference to the creation of the fund as executed. The revised law deletes the designation of the fund as being special for the reason stated in Revisor's Note (3) under Section 502.051 of this code.

(6) Subsection (a), V.A.C.S. Article 6675a-16, provides in part that the authority of the Texas Department of Transportation to enter agreements with other jurisdictions relating to proportional registration or exemption from registration is "[i]n addition to and regardless of the provisions of this Act [meaning V.A.C.S. Article 6675a-1 et seq.], or any other Act relating to the operation of motor vehicles over the public highways of this State." Subsection (d), V.A.C.S. Article 6675a-16, provides that Article 6675a-16 has a cumulative effect. The revised law omits these provisions as unnecessary because an accepted general principle of statutory construction requires a statute to be given cumulative effect with other statutes unless it provides otherwise or unless the statutes are in conflict. The general principle applies to this revision.

Revised Law

Sec. 502.055. DETERMINATION OF WEIGHT. The weight, net weight, or gross weight of a vehicle, as determined by the department, is the correct weight for registration purposes, regardless of any other purported weight of the vehicle. (V.A.C.S. Art. 6675a-9 (part).)

Source Law

Art. 6675a-9. ... and the weight, net weight, or gross weight of any vehicle required to be registered, as determined by the Department, shall be accepted as correct for registration purposes to the exclusion of any and all other purported weights of said vehicle.
Sec. 502.056. DISPUTED CLASSIFICATION OF VEHICLE. In a disputed case, the department may determine:

(1) the classification to which a vehicle belongs; and

(2) the amount of the registration fee for the vehicle. (V.A.C.S. Art. 6684.)

Art. 6684. The Department shall have authority in disputed cases to determine the classification in which any vehicle belongs and the amount of fee which shall be paid therefor.

[Sections 502.057-502.100 reserved for expansion]

Sec. 502.101. REGISTRATION BY MAIL OR ELECTRONIC MEANS; SERVICE CHARGE. (a) A county assessor-collector may collect a service charge of $1 from each applicant registering a vehicle by mail. The service charge shall be used to pay the costs of handling and postage to mail the registration receipt and insignia to the applicant.

(b) With the approval of the commissioners court of a county, a county assessor-collector may contract with a private entity to enable an applicant for registration to use an electronic off-premises location. A private entity may charge an applicant not more than $1 for the service provided.

(c) The department may adopt rules to cover the timely application for and issuance of registration receipts and insignia by mail or through an electronic off-premises location. (V.A.C.S. Art. 6702-1, Secs. 4.202(b) (part), (c), (d).)

(b) . . . The county tax assessors-collectors may collect an additional service charge of $1 from each applicant desiring to register or reregister by mail. This service charge shall be used to cover the cost of handling and postage to mail the registration receipt and insignia to the applicant.

(c) The county tax assessors-collectors may,
with the approval of the commissioners court, contract
with a private entity to enable applicants desiring to
register or reregister their vehicles to use an
electronic off-premises location. The private entity
with whom the county contracts may charge the applicant
a fee not to exceed $1 for the service provided.
(d) The State Department of Highways and Public
Transportation may adopt rules to cover the timely
application for and issuance of registration receipts
and insignia either by mail or through an electronic
off-premises location.

Revised Law
Sec. 502.102. DISPOSITION OF FEES GENERALLY. (a) Except as
provided by Sections 502.103 and 502.104, this section applies to
all fees collected by a county assessor-collector under this
chapter.
(b) Each Monday, a county assessor-collector shall credit to
the county road and bridge fund an amount equal to the net
collections made during the preceding week until the amount so
credited for the calendar year equals the total of:
   (1) $60,000;
   (2) $350 for each mile of county road maintained by
the county, according to the most recent information available from
the department, not to exceed 500 miles;
   (3) an amount equal to five percent of the tax and
penalties collected by the assessor-collector under Chapter 152,
Tax Code, in the preceding calendar year; and
   (4) an amount equal to five percent of the tax and
penalties collected by the comptroller under Section 152.047, Tax
Code, in the preceding calendar year.
(c) After the credits to the county road and bridge fund
equal the total computed under Subsection (b), each Monday the
county assessor-collector shall:
   (1) credit to the county road and bridge fund an
amount equal to 50 percent of the net collections made during the
preceding week, until the amount so credited for the calendar year
equals $125,000; and
   (2) send to the department an amount equal to 50
percent of those collections.

(d) After the credits to the county road and bridge fund equal the total amounts computed under Subsections (b) and (c)(1), each Monday the county assessor-collector shall send to the department all collections made during the preceding week.

(e) Each Monday the county assessor-collector shall send to the department a copy of each receipt issued the previous week for a registration fee under this chapter. (V.A.C.S. Arts. 6675a-5i, Subsec. (f) (part); 6675a-10, Subsecs. (a) (part), (b), (c) (part), (c-1), (c-3) (part), (c-4) (part).)

Source Law

[Art. 6675a-5i]
(f) On Monday of each week, each county tax collector shall submit all fees imposed by this section that were collected during the preceding week to the department . . . .

Art. 6675a-10. (a) Except as provided by Subsections (c-1), (c-2), (c-3), and (c-4) of this section, on Monday of each week each County Tax Collector shall deposit in the County Depository of his County to the credit of the County Road and Bridge Fund an amount equal to one hundred per cent (100%) of the net collections made hereunder during the preceding week until the amount so deposited for the current calendar year shall have reached a total sum of Sixty Thousand Dollars ($60,000), plus Three Hundred and Fifty Dollars ($350) for each mile of county road, not to exceed five hundred (500) miles, maintained by the County according to the latest data available from the State Department of Highways and Public Transportation, plus an amount equal to five per cent (5%) of the tax and penalties collected by the County Tax Collector under Chapter 152, Tax Code, in the preceding calendar year, plus an amount equal to five per cent (5%) of the tax and penalties collected by the Comptroller of Public Accounts under Section 152.047, Tax Code, in the preceding calendar year . . . .

(b) After depositing the amount provided by Subsection (a) of this section, the County Tax Collector shall deposit to the credit of the Fund on Monday of each week fifty per cent (50%) of the collections made during the preceding week until the additional amount deposited equals the sum of One Hundred Twenty-five Thousand Dollars ($125,000).

(c) After depositing the amounts provided by Subsections (a) and (b) of this section, he shall make no further deposits to the credit of said Fund during that calendar year. All collections made during any week under the provisions of this Act in excess of the amounts required to be deposited to the credit of the Road and Bridge Fund of his County shall be remitted by each County Tax Collector on each Monday of the succeeding week to the State Department of Highways and Public Transportation together with carbon copies of each license receipt issued hereunder during the
preceding week. He shall also on Monday of each week remit to the Department, as now provided by law, [all transfer fees and chauffeurs' license fees collected by him during the preceding week,] together with carbon copies of all receipts issued for said fees during the week.

(c-1) On Monday of each week each County Tax Collector shall submit to the State Department of Highways and Public Transportation a carbon copy of the receipt issued for payment of each license fee received in the preceding week for registration of a motorcycle or moped.

(c-3) On Monday of each week each County Tax Collector shall remit to the State Department of Highways and Public Transportation an amount equal to one hundred per cent (100%) of the all-terrain vehicle safety fees collected under Subsection (c) of Section 5 of this Act] with a carbon copy of the receipt issued for payment of the fees.

(c-4) On Monday of each week each County Tax Collector shall submit to the State Department of Highways and Public Transportation a carbon copy of the receipt issued for payment of each fee received in the preceding week for registration of a log loader vehicle under Section 2(1) of this Act . . .

Revisor's Note

(1) V.A.C.S. Articles 6675a-5i and 6675a-10 refer to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-10, refers to Subsections (c-1), (c-2), (c-3), and (c-4) of "this section," meaning V.A.C.S. Article 6675a-10. The reference to Subsection (c-1) is omitted from the revised law because that subsection does not refer to the deposit of fees. Subsection (c-2) is codified in this chapter as Section 502.103. The portions of Subsections (c-3) and (c-4) that refer to the deposit of fees are codified in this chapter as Section 502.104. The revised law is drafted accordingly.

(3) Subsection (a), V.A.C.S. Article 6675a-10, provides in part that a county tax collector "shall deposit in the County Depository of his County to the credit of the County Road and Bridge Fund" fees
collected under the vehicle registration laws. The revised law substitutes "shall credit to the county road and bridge fund" for the quoted language because under Section 116.113, Local Government Code, all money received by a county must be deposited in the county depository, and it is unnecessary to repeat that requirement in this chapter.

(4) Subsection (a), V.A.C.S. Article 6675a-10, refers to the "Comptroller of Public Accounts." The revised law substitutes "comptroller" for "Comptroller of Public Accounts" because Section 403.001, Government Code, defines "comptroller" in any state statute to mean the comptroller of public accounts.

(5) Subsection (c), V.A.C.S. Article 6675a-10, provides in part that after depositing the prescribed amounts to the county road and bridge fund, the county assessor-collector "shall make no further deposits to the credit of said Fund during that calendar year." The revised law omits the quoted language as unnecessary because another provision of Subsection (c), revised as Subsection (d) of the revised law, requires the county assessor-collector to send to the department all collections in excess of the amounts prescribed for deposit in the county road and bridge fund.

Revised Law

Sec. 502.103. DISPOSITION OF OPTIONAL COUNTY ROAD AND BRIDGE FEE. Each Monday a county assessor-collector shall apportion the collections for the preceding week for a fee imposed under Section 502.172 by:

(1) crediting an amount equal to 97 percent of the collections to the county road and bridge fund; and

(2) sending to the department an amount equal to three
percent of the collections to defray the department's costs of administering Section 502.172. (V.A.C.S. Art. 6675a-10, Subsec. (c-2).)

Source Law

(c-2) On Monday of each week each County Tax Collector in a County imposing a fee under Section 9a of this Act shall deposit in the County Depository of the County to the credit of the County Road and Bridge Fund, an amount equal to ninety-seven per cent (97%) of the extra fees collected under Section 9a of this Act. The County Tax Collector shall remit to the Department the remaining three per cent (3%) to defray costs incurred by the Department in administering its duties under Section 9a of this Act.

Reviser's Note

(1) Subsection (c-2), V.A.C.S. Article 6675a-10, refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) Subsection (c-2), V.A.C.S. Article 6675a-10, provides in part that a county tax collector "shall deposit in the County Depository of the County to the credit of the County Road and Bridge Fund" fees collected under V.A.C.S. Article 6675a-9a. The revised law substitutes "[shall credit] to the county road and bridge fund" for the quoted language for the reason stated in Reviser's Note (3) under Section 502.102 of this code.

(3) Subsection (c-2), V.A.C.S. Article 6675a-10, refers to "Section 9a of this Act," meaning V.A.C.S. Article 6675a-9a. That statute is codified in this chapter as Section 502.172, and the revised law is drafted accordingly.

Revised Law

Sec. 502.104. DISPOSITION OF CERTAIN SPECIAL FEES. Each Monday a county assessor-collector shall send to the department an
amount equal to collections for the preceding week for:

(1) each transfer fee collected under Section 502.175;

and

(2) each fee collected under Section 502.169(b) or 502.279. (V.A.C.S. Art. 6675a-10, Subsecs. (c) (part), (c-3) (part), (c-4) (part).)

Source Law

(c) ... He shall also on Monday of each week remit to the Department, as now provided by law, all transfer fees and chauffeurs' license fees collected by him during the preceding week . . . .

(c-3) On Monday of each week each County Tax Collector shall remit to the State Department of Highways and Public Transportation for deposit in the all-terrain vehicle safety fund in the State Treasury an amount equal to one hundred per cent (100%) of the all-terrain vehicle safety fees collected under Subsection (c) of Section 5 of this Act . . . .

(c-4) On Monday of each week each County Tax Collector shall submit to the State Department of Highways and Public Transportation . . . all of the registration fees collected under Section 2(1) of this Act.

Reviser's Note

(1) V.A.C.S. Article 6675a-10 refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) Subsection (c), V.A.C.S. Article 6675a-10, refers to "transfer fees." The revised law clarifies that this is the fee for transferring a vehicle registration under V.A.C.S. Article 6685 (revised as Section 502.175 of this code).

(3) Subsection (c), V.A.C.S. Article 6675a-10, refers to "chauffeurs' license fees." The reference is omitted from the revised law as obsolete because there is no longer a chauffeur's license.

(4) Subsection (c-3), V.A.C.S. Article 6675a-10, refers to the "all-terrain vehicle safety fund."
Reference to that fund is omitted from the revised law.
Acting under authority of Section 403.094(a), Government Code, the comptroller abolished the all-terrain vehicle safety fund effective August 31, 1993. The revised law is drafted accordingly.

(5) Subsection (c-3), V.A.C.S. Article 6675a-10, refers to "all-terrain vehicle safety fees collected under Subsection (c) of Section 5 of this Act."
Subsection (c), Section 5, Article 6675a-10, is revised as Section 502.169(b) of this code, and the revised law is drafted accordingly. The revised law omits the specific reference in Subsection (c-3) to the all-terrain vehicle safety fee as unnecessary. The only fee in Section 502.169(b) of this code is that fee.

(6) Subsection (c-3), V.A.C.S. Article 6675a-10, refers to "Subsection (c) of Section 5 of this Act," meaning Subsection (c), V.A.C.S. Article 6675a-5. That statute is codified in this chapter as Section 502.169, and the revised law is drafted accordingly.

(7) Subsection (c-4), V.A.C.S. Article 6675a-10, refers to "Section 2(1) of this Act," meaning Subsection (1), V.A.C.S. Article 6675a-2. That statute is codified in this chapter as Section 502.279, and the revised law is drafted accordingly.

Revised Law
Sec. 502.105. REPORT OF FEES COLLECTED. Together with each remittance of fees under Sections 502.102, 502.103, and 502.104, a county assessor-collector shall send to the department a complete report of the fees collected and the disposition of those fees. The department shall prescribe the form and the content requirements of the report. (V.A.C.S. Art. 6675a-10, Subsec. (e) (part).)
Source Law

(e) He shall also accompany all remittances to the Department with a complete report of such collections made and disposition made thereof, the form and contents of said report to be prescribed by the Department.

Revised Law

Sec. 502.106. DEPOSIT OF FEES IN INTEREST-BEARING ACCOUNT.

(a) Except as provided by Sections 502.103 and 502.104, a county assessor-collector may:

(1) deposit the fees in an interest-bearing account or certificate in the county depository; and

(2) send the fees to the department not later than the 34th day after the date the fees are due under Section 502.104.

(b) The county owns all interest earned on fees deposited under this section. The county treasurer shall credit the interest to the county general fund. (V.A.C.S. Art. 6675a-10, Subsecs. (d), (f).)

Source Law

(d) Except as provided by Subsections (c-1), (c-2), (c-3), and (c-4) of this section, the County Tax Collector may defer remittance to the Department of fees collected under this Act if the fees are deposited in an interest-bearing account or certificate in the County Depository. The County Tax Collector shall remit to the Department fees so deposited no later than the thirty-fourth (34th) day after the due dates set forth in Subsections (b) and (c) of this section.

(f) The County owns all interest earned on fees deposited in an interest-bearing account or certificate under Subsection (d) of this section. The County Treasurer shall credit the interest earned on fees so deposited to the County General Fund.

Revisor's Note

(1) Subsection (d), V.A.C.S. Article 6675a-10, refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) Subsection (d), V.A.C.S. Article 6675a-10,
refers to Subsections (c-1), (c-2), (c-3), and (c-4) of "this section," meaning V.A.C.S. Article 6675a-10. The reference to Subsection (c-1) is omitted from the revised law because that subsection does not refer to the deposit of fees. Subsection (c-2) is codified in this chapter as Section 502.103. The portions of Subsections (c-3) and (c-4) that refer to deposit of fees are codified in this chapter as Section 502.104. The revised law is drafted accordingly.

Revised Law

Sec. 502.107. INTEREST ON FEES. (a) A fee required to be sent to the department under this chapter bears interest for the benefit of the state highway fund at an annual rate of 10 percent beginning on the 60th day after the date the county assessor-collector collects the fee.

(b) The department shall audit the registration and transfer fees collected and disbursed by each county assessor-collector and shall determine the exact amount of interest due on any fee not sent to the department.

(c) The state has a claim against a county assessor-collector and the sureties on the assessor-collector's official bond for the amount of interest due on a fee. (V.A.C.S. Art. 6675a-10a (part).)

Source Law

Art. 6675a-10a. All funds required by this Act to be remitted to the State Highway Department, which are not so remitted within sixty days after being collected, shall thereafter bear interest for the benefit of the State Highway Fund at the rate of ten (10%) per cent per annum, which interest shall be charged to each County Tax Collector failing or refusing to remit said funds within said period of sixty days. The exact amount of said interest charge shall be determined by the State Highway Department by a careful audit of the license fees received and disbursed by said Tax Collector pursuant to the laws relating to the registration and transfer of vehicles; and the State of Texas shall have a valid claim against the County Tax Collector and his official bondsmen for the amount of such interest as determined by said audit . . . .
Revisor's Note

V.A.C.S. Article 6675a-10a refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.108. USE OF REGISTRATION FEES RETAINED BY COUNTY.

(a) Money credited to the county road and bridge fund under Section 502.102 or 502.103 may not be used to pay the compensation of the county judge or a county commissioner. The money may be used only for the construction and maintenance of lateral roads in the county, under the supervision of the county engineer.

(b) If there is not a county engineer, the commissioners court of the county may require the services of the department's district engineer or resident engineer to supervise the construction and surveying of lateral roads in the county.

(c) A county may use money allocated to it under this chapter to:

(1) pay obligations issued in the construction or improvement of any roads, including state highways in the county;

(2) improve the roads in the county road system; or

(3) construct new roads.

(d) To the maximum extent possible, contracts for roads constructed by a county using funds provided under this chapter should be awarded by competitive bids.

(e) Registration fees that represent amounts of tax and penalties collected under Chapter 152, Tax Code, during the preceding year that are retained by a county may be used only for:

(1) county road construction, maintenance, and repair;

(2) bridge construction, maintenance, and repair;

(3) the purchase of right-of-way for road or highway purposes; or
(4) the relocation of utilities for road or highway purposes.

(f) Before January 31 of each year, each county shall file a report with the director of the department that states the amount and purpose of each expenditure of registration fees that represent amounts of tax and penalties collected under Chapter 152, Tax Code, that are retained by the county. The department shall prescribe the form of the report. (V.A.C.S. Art. 6675a-10, Subsecs. (a) (part), (e) (part).)

Source Law

(a) ... All of the amount of the tax and penalties collected under Chapter 152, Tax Code, in the preceding calendar year that is retained by a county under this subsection shall be used for county road construction, maintenance, and rehabilitation, for bridge construction, maintenance, and rehabilitation, for purchase of right-of-way for road or highway purposes, or for relocation of utilities for road or highway purposes. On or before January 30 of each year, each county shall file a report, in a form promulgated by the State Department of Highways and Public Transportation, with the State Engineer-Director for the State Department of Highways and Public Transportation that accurately sets forth the amounts and purposes of all expenditures of the tax and penalties collected under Chapter 152, Tax Code, and retained by the county under this subsection.

(e) ... None of the moneys so placed to the credit of the Road and Bridge Fund of a county shall be used to pay the salary or compensation of any County Judge or County Commissioner, but all said moneys shall be used for the construction and maintenance of lateral roads in such county under the supervision of the County Engineer, if there be one, and if there is no such engineer, then the County Commissioners Court shall have authority to command the services of the District Engineer or Resident Engineer of the Department for the purposes of supervising the construction and surveying the lateral roads in their respective counties. All funds allocated to the counties by the provisions of this Act may be used by the counties in the payment of obligations, if any, issued and incurred in the construction or the improvement of all roads, including State Highways of such counties and districts therein; or the improvement of the roads comprising the county road system; or for the purpose of constructing new roads, or in aid thereof. Roads to be constructed under contract by counties utilizing funds provided under this Act should be accomplished to the maximum extent possible by contracts awarded on the basis of competitive bids.
Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-10, refers to the "State Engineer-Director" of the State Department of Highways and Public Transportation. The revised law substitutes "director" for "State Engineer-Director" for the reason stated in the revisor's note under Section 201.003 of this code.

(2) Subsection (e), V.A.C.S. Article 6675a-10, refers to the "salary or compensation" of a county judge or county commissioner. The reference to "salary" is omitted from the revised law because "salary" is included within the meaning of "compensation."

Revised Law

Sec. 502.109. COMPENSATION OF ASSESSOR-COLLECTOR. (a) A county assessor-collector shall receive a fee of $1.90 for each receipt issued under this chapter. If the assessor-collector may be compensated by fees, a fee received is compensation for services under this chapter. The assessor-collector shall deduct the fee weekly from the gross collections made under this chapter.

(b) A county assessor-collector required by Section 502.154 to collect a vehicle emissions inspection certificate, another verification of compliance, or a waiver from an applicant for registration shall collect and retain for the county a fee of 50 cents for each document collected.

(c) A county assessor-collector required by Section 502.155 to require an applicant for registration to provide evidence that the applicant is a resident of that county shall collect and retain for the county a fee of 25 cents for each registration.

(d) A county assessor-collector who is compensated under this section shall pay the entire expense of issuing registration receipts and license plates under this chapter from the compensation allowed under this section. (V.A.C.S. Art. 6702-1,
Secs. 4.202(a), (a-1), (a-2), (b) (part.).

Sec. 4.202. (a) As compensation for services under the laws relating to the registration of vehicles, each county tax assessor-collector shall receive a uniform fee of $1.90 for each of the receipts issued each year pursuant to those laws. The compensation shall be deducted weekly by each county tax assessor-collector from the gross collection made pursuant to this Act and other laws relating to registration of vehicles.

(a-1) A county tax assessor-collector who is required by Section 2(j), Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-2, Vernon's Texas Civil Statutes), to collect a vehicle emissions inspection certificate, other verification of compliance, or a valid waiver from an applicant for registration of a vehicle shall collect and retain for the county a fee of 50 cents for each emissions inspection certificate or other verification collected.

(a-2) A county tax assessor-collector, other than a county tax assessor-collector covered by Subsection (a-1) of this section, who is required by Section 2(a), Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-2, Vernon's Texas Civil Statutes), to require an applicant for registration to provide evidence that the applicant is a resident of that county shall collect and retain for the county a fee of 25 cents for each registration.

(b) Out of the compensation allowed the county tax assessors-collectors, they shall pay the entire expense of issuing all license receipts and license plates issued pursuant to this Act. . . .

Revisor's Note

(1) Section 4.202, V.A.C.S. Article 6702-1, provides in part that a county tax assessor-collector shall receive a fee of $1.90 for issuing a vehicle registration receipt "[a]s compensation for services under the laws relating to the registration of vehicles." Section 61, Article XVI, Texas Constitution, provides that a county officer may not be compensated on a fee basis unless the county has a population of less than 20,000 and the commissioners court of the county provides for compensation on that basis. The revised law is drafted accordingly.

(2) Section 4.202(a-1), V.A.C.S. Article 6702-1, refers to Section 2(j), Chapter 88, General Laws, Acts
of the 41st Legislature, 2nd Called Session, 1929
(Article 6675a-2, Vernon's Texas Civil Statutes). The
relevant portion of that statute is codified in this
chapter as Section 502.154, and the revised law is
drafted accordingly.

(3) Section 4.202(a-2), V.A.C.S. Article 6702-1,
refers to a county tax assessor-collector, "other than
a county tax assessor-collector covered by Subsection
(a-1) of this section," who is required to require an
applicant to provide evidence that the applicant is a
resident of the county. Subsection (a-1) refers to a
county tax assessor-collector who is required to
collect a vehicle emissions certificate. The quoted
language is omitted from the revised law as unnecessary
because under Subsections (a) and (j), V.A.C.S. Article
6675a-2 (revised in relevant part in Sections 502.154
and 502.155 of this code), a county tax
assessor-collector is required to collect either a
vehicle emissions certificate or evidence of residency,
but not both.

(4) Section 4.202(a-2), V.A.C.S. Article 6702-1,
refers to Section 2(a), Chapter 88, General Laws, Acts
of the 41st Legislature, 2nd Called Session, 1929
(Article 6675a-2, Vernon's Texas Civil Statutes). The
relevant portion of that statute is codified in this
chapter as Section 502.155, and the revised law is
drafted accordingly.

**Revised Law**

Sec. 502.110. CONTINGENT PROVISION FOR DISTRIBUTION OF FEES
BETWEEN STATE AND COUNTIES. If the method of distributing vehicle
registration fees collected under this chapter between the state
and counties is declared invalid because of inequality of
collection or distribution of those fees, 60 percent of each fee
shall be distributed to the county collecting the fee and 40 percent shall be sent to the state in the manner provided by this chapter. (V.A.C.S. Art. 6675a-14.)

Source Law

Art. 6675a-14. Provided, further, that if the method of distributing between the State and the counties the funds collected under this Act shall be declared invalid because of inequality of collection or distribution of motor vehicle license fees, then said funds shall be distributed sixty (60%) per cent to the counties making the collections and forty (40%) per cent be remitted to the State in the same manner as herein provided.

Revised Law

Sec. 502.111. BRANCH OFFICES. (a) The commissioners court of a county may authorize the county assessor-collector to:

(1) establish a suboffice or branch office for vehicle registration at one or more locations in the county other than the county courthouse; or

(2) appoint a deputy to register vehicles in the same manner and with the same authority as though done in the office of the assessor-collector.

(b) The report of vehicles registered through a suboffice or branch office shall be made through the office of the county assessor-collector. (V.A.C.S. Art. 6675a-13c (part).)

Source Law

Art. 6675a-13c. The commissioners court in any county may authorize the county tax collector to establish a suboffice or branch office at one or more places in the county other than at the county courthouse for the purpose of making sales of motor vehicle license plates. The county tax collector may be authorized to appoint a deputy to make sales in the same manner and with the same authority as though done in the office of the county tax collector. ... The report of all license plate sales shall be made through the office of the county tax collector as though done in his office.
Revisor's Note

(1) V.A.C.S. Article 6675a-13c refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) V.A.C.S. Article 6675a-13c refers to the establishment of a suboffice or branch office and the appointment of a deputy assessor-collector "for the purpose of making sales of motor vehicle license plates." The revised law substitutes "vehicle registration" for "making sales of motor vehicle license plates" to reflect that the county assessor-collector's duties under the vehicle registration laws include more than merely selling license plates.

(3) V.A.C.S. Article 6675a-13c provides in part that a deputy assessor-collector is subject to the bond requirements of Article 7252, Revised Statutes. Article 7252, Revised Statutes, was repealed by Section 6(a)(1), Chapter 841, Acts of the 66th Legislature, Regular Session, 1979. Accordingly, the provision regarding bond requirements is omitted from the revised law. The omitted provision reads:

The deputy shall be subject to the bond requirements of Article 7252, Revised Civil Statutes of Texas, 1925, as amended.

(4) V.A.C.S. Article 6675a-13b, enacted in 1929, provides for the appointment of a deputy assessor-collector in a county having a population between 24,500 and 24,700. Article 6675a-13b is omitted from the revised law as unnecessary because Article 6675a-13c, enacted in 1971 (revised as this section), applies to all counties. Article 6675a-13b reads:
Art. 6675a-13b. In all counties having a population of not less than twenty-four thousand, five hundred (24,500) and not more than twenty-four thousand, seven hundred (24,700) inhabitants, according to the last preceding Federal Census, the County Tax Collector may establish a sub-office or branch office at one or more places in the county other than at his office in the county courthouse for the purpose of making sales of motor vehicle license plates, and the County Tax Collector shall have authority to appoint a Deputy to make such sales in the same manner and with the same authority as though they were made in the office of the County Tax Collector, and the report of all of such sales shall be made through the office of the County Tax Collector just as though such sales were actually made in his office.

Revised Law

Sec. 502.112. DEPUTY ASSESSOR-COLLECTORS. (a) A county assessor-collector, with the approval of the commissioners court of the county, may deputize an individual or business entity to:

(1) issue motor vehicle registration receipts as a limited-service deputy; or

(2) issue motor vehicle registration receipts and prepare or accept applications for title transfers as a full-service deputy.

(b) An individual or business entity is eligible to be deputized as a limited-service deputy if the person:

(1) is trained to issue registration receipts by the county assessor-collector; and

(2) posts a bond payable to the county assessor-collector:

(A) in an amount determined by the assessor-collector; and

(B) conditioned on the person's proper accounting and remittance of all fees the person collects.

(c) An individual or business entity is eligible to be deputized as a full-service deputy if the person:

(1) meets the requirements of Subsection (b); and
(2) has experience in title transfers.

(d) A person deputized under this section shall keep a separate account of the fees collected and a record of daily receipts. (V.A.C.S. Art. 6702-1, Secs. 4.202(e), (f) (part), (g) (part).)

Source Law

(e) A county tax assessor-collector may, with the approval of the commissioners court, deputize an individual or a business entity to issue motor vehicle registration license receipts or prepare or accept applications for title transfers on behalf of the county tax assessor-collector on a limited service or full service basis. An individual or entity deputized by a county tax assessor-collector under this subsection shall keep a separate account of the fees collected and a record of daily receipts.

(f) . . . An individual or business entity is eligible to be deputized on a limited service basis if the individual or an employee of the business entity:

(1) is trained in the issuance process by the county tax assessor-collector; and

(2) posts a bond payable to the county tax assessor-collector in an amount determined by the tax assessor-collector and conditioned on the individual's or business entity's proper accounting and remittance of all fees collected by the individual or business entity.

(g) . . . An individual or business entity is eligible to be deputized on a full service basis if the individual or an employee of the business entity:

(1) has experience in title transfers;

(2) is trained in the issuance process by the county tax assessor-collector; and

(3) posts a bond payable to the county tax assessor-collector in an amount determined by the tax assessor-collector and conditioned on the individual's or business entity's proper accounting and remittance of all fees collected by the individual or business entity.

Revised Law

Sec. 502.113. LIMITED-SERVICE DEPUTIES. (a) A limited-service deputy appointed under Section 502.112 may only accept registration renewal cards provided by the department and may not prepare or accept an application for title transfer.

(b) The county assessor-collector may pay a limited-service deputy an amount not to exceed the fee the assessor-collector could collect under Section 502.109(a) for each registration receipt issued. The commissioners court of the county may permit a limited-service deputy to charge and retain an additional fee not
to exceed $1 for each registration receipt issued. (V.A.C.S. Art. 6702-1, Sec. 4.202(f) (part).)

Source Law

(f) An individual or a business entity that is deputized by a county tax assessor-collector as a limited service deputy under Subsection (e) of this section may only accept registration renewal cards provided by the State Department of Highways and Public Transportation, and the deputy may not prepare or accept an application for title transfer. The commissioners court may permit the limited service deputy to charge and retain an additional fee for issuing a license receipt not to exceed $1 for each license receipt the deputy issues. The tax assessor-collector may pay the limited service deputy an amount not to exceed the fee amount that the tax assessor-collector could collect under Subsection (a) of this section for each receipt issued. . . .

Revisor's Note

(1) Section 4.202(f), V.A.C.S. Article 6702-1, refers to a "license receipt." The revised law substitutes "registration receipt" for "license receipt" for consistency with other provisions of this chapter.

(2) Section 4.202(f), V.A.C.S. Article 6702-1, refers to Subsections (a) and (e) of "this section," meaning Section 4.202, V.A.C.S. Article 6702-1. Those subsections are codified in this chapter as Sections 502.109(a) and 502.112, respectively, and the revised law is drafted accordingly.

Revised Law

Sec. 502.114. FULL-SERVICE DEPUTIES. (a) A full-service deputy appointed under Section 502.112 shall accept any application for registration, registration renewal, or title transfer that the county assessor-collector may accept.

(b) A full-service deputy may charge and retain an additional motor vehicle registration fee not to exceed $5 for each motor vehicle registration issued.

(c) A county assessor-collector may delegate to a
full-service deputy, in the manner selected by the
assessor-collector, the authority to use data processing equipment
and software provided by the department for use in the titling and
registration of motor vehicles. The department may not limit a
county assessor-collector's ability to delegate the
assessor-collector's functions regarding the titling and
registration of motor vehicles to a qualified full-service deputy
in the manner the assessor-collector considers appropriate.

(V.A.C.S. Art. 6702-1, Secs. 4.202(g) (part), (h).)

Source Law

(g) An individual or a business entity that is
deputized by a county tax assessor-collector as a full
service deputy under Subsection (e) of this section is
a regular deputy for the purposes of Section 26,
Certificate of Title Act (Article 6687-1, Vernon's
Texas Civil Statutes). The deputy shall accept any
application for registration, registration renewal, or
title transfer that the county tax assessor-collector
may accept under applicable law. The full service
deputy may charge and retain an additional motor
vehicle registration fee not to exceed $5 for each
motor vehicle registration license the deputy
issues. . . .

(h) A county tax assessor-collector may delegate
to a full service deputy, in the manner chosen by the
county tax assessor-collector, the authority to utilize
data-processing equipment and software provided by the
Texas Department of Transportation for use in the
titling and registration of motor vehicles. The Texas
Department of Transportation may not limit the ability
of a county tax assessor-collector to delegate the
functions of the county tax assessor-collector to a
qualified full service deputy with respect to the
titling and registration of motor vehicles in any
manner the county tax assessor-collector deems
appropriate.

Revisor's Note

(1) Section 4.202(g), V.A.C.S. Article 6702-1,
refers to "Subsection (e) of this section," meaning
Section 4.202(e), V.A.C.S. Article 6702-1. That
provision is codified in this chapter as Section
502.112, and the revised law is drafted accordingly.

(2) Section 4.202(g), V.A.C.S. Article 6702-1,
provides in part that an individual or business entity
deputized as a full-service deputy "is a regular deputy
for the purposes of Section 26, Certificate of Title Act (Article 6687-1, Vernon's Texas Civil Statutes)."
The revised law omits the quoted language as unnecessary. The relevant portion of Section 26, Article 6687-1, is codified in this code as Section 501.136 and, as revised, provides that a deputy county assessor-collector, other than a limited-service deputy appointed under Section 502.112 of this code, may perform the duties of a county assessor-collector under Chapter 501 of this code.

[Sections 502.115-502.150 reserved for expansion]

SUBCHAPTER D. REGISTRATION PROCEDURES AND FEES

Revised Law

Sec. 502.151. APPLICATION FOR REGISTRATION. (a) An application for vehicle registration must:

(1) be made on a form furnished by the department;
(2) contain the full name and address of the owner of the vehicle;
(3) contain a brief description of the vehicle;
(4) contain any other information required by the department; and
(5) be signed by the owner.

(b) For a new motor vehicle, the description of the vehicle must include the vehicle's:

(1) trade name;
(2) year model;
(3) style and type of body;
(4) weight, if the vehicle is a passenger car;
(5) net carrying capacity and gross weight, if the vehicle is a commercial motor vehicle;
(6) vehicle identification number; and
(7) date of sale by the manufacturer or dealer to the applicant.
(c) An applicant for registration of a commercial motor vehicle, truck-tractor, trailer, or semitrailer must deliver to the county assessor-collector an affidavit showing the weight of the vehicle, the maximum load to be carried on the vehicle, and the gross weight for which the vehicle is to be registered. The assessor-collector shall keep the affidavit on file.

(d) In lieu of filing an application during a year as provided by Subsection (a), the owner of a vehicle registered in any state for that year or the preceding year may present the registration receipt and transfer receipt, if any. The county assessor-collector shall accept the receipt as an application for renewal of the registration if the receipt indicates the applicant owns the vehicle.

(e) If an owner or claimed owner has lost or misplaced the registration receipt or transfer receipt for the vehicle, the county assessor-collector shall register the vehicle on the person's furnishing to the assessor-collector satisfactory evidence, by affidavit or otherwise, that the person owns the vehicle.

(f) A county assessor-collector shall date each registration receipt issued for a vehicle with the date on which the application for registration is made. (V.A.C.S. Arts. 6675a-3, Subsecs. (a), (b); 6701d-11, Sec. 5(a) (part).)

Source Law

Art. 6675a-3. (a) Application for the registration of a vehicle required to be registered hereunder shall be made on a form furnished by the Department. Each such application shall be signed by the owner of the vehicle, and shall give his name and address in full, and shall contain a brief description of the vehicle to be registered. The description, in case of a new motor vehicle, shall include: the trade name of the vehicle; the year model; the style, type of body and the weight, if a passenger car, or the net carrying capacity and gross weight if a commercial motor vehicle; the motor number; the date of sale by manufacturer or dealer to the applicant. The application shall contain such other information as may be required by the Department.

(b) It is expressly provided that the owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application as hereinbefore directed, present the
license receipt and transfer receipts, if any, issued for the registration or transfer of the vehicle for the preceding calendar year, and the receipt or receipts shall be accepted by the County Tax Collector as an application for the renewal of the registration of the vehicle, provided the receipts show that the applicant is the rightful owner thereof. Provided, however, that if an owner or a claimed owner offering to register a vehicle has lost or misplaced the registration receipt or transfer, then upon his furnishing satisfactory evidence to the Tax Collector by affidavit or otherwise that he is the real owner of the vehicle, it shall become the duty of the Tax Collector to issue him license therefor. It shall be the duty of the Tax Collector to date each registration receipt issued for the vehicle the same date that application is made for registration of such vehicle.

[Art. 6701d-11]

Sec. 5(a). Upon application for registration of any commercial motor vehicle, truck tractor, trailer or semi-trailer, the applicant shall deliver to the Tax Collector, or one of his duly authorized deputies, an affidavit, duly sworn to before an officer authorized to administer oaths, showing the weight of said vehicle, the maximum load to be transported thereon, and the total gross weight for which said vehicle is to be registered; which affidavit shall be kept on file by the Collector.

Revisor's Note

(1) V.A.C.S. Articles 6675a-3 and 6701d-11 refer to a "County Tax Collector" and a "Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" and "Tax Collector" for the reason stated in Revisor's Note (3) under Section 502.002.

(2) Subsection (a), V.A.C.S. Article 6675a-3, refers to the "motor number" of a new motor vehicle. The revised law substitutes "vehicle identification number" for "motor number" because that is now the primary identification number under the Certificate of Title Act (V.A.C.S. Article 6687-1, revised as Chapter 501 of this code). See Section 501.021 of this code.

(3) Subsection (b), V.A.C.S. Article 6675a-3, refers to a "license receipt." The revised law substitutes "registration receipt" for "license receipt" for the reason stated in Revisor's Note (2)
under Section 502.113 of this code.

(4) Section 5(a), V.A.C.S. Article 6701d-11, refers to the "Tax Collector, or one of his duly authorized deputies." The reference to a county assessor-collector's deputies is omitted from the revised law as unnecessary because V.A.C.S. Article 6675a-10a and Section 4.202, V.A.C.S. Article 6702-1 (revised as Section 502.004 and Subchapter C of this chapter), clearly provide that a deputy county assessor-collector may perform acts relating to the registration of vehicles.

(5) Section 5(a), V.A.C.S. Article 6701d-11, refers to an affidavit "duly sworn to before an officer authorized to administer oaths." The quoted language is omitted from the revised law because a document is not an affidavit unless it is sworn to before a person authorized to administer an oath.

(6) Section 5(a), V.A.C.S. Article 6701d-11, refers to the "total gross weight" of a vehicle. The reference to "total" is omitted from the revised law because "total" is included within the meaning of "gross."

Revised Law

Sec. 502.152. CERTIFICATE OF TITLE REQUIRED FOR REGISTRATION. (a) The department may not register or renew the registration of a motor vehicle for which a certificate of title is required under Chapter 501 unless the owner:

(1) obtains a certificate of title for the vehicle; or

(2) presents satisfactory evidence that a certificate of title was previously issued to the owner by the department.

(b) This section does not apply to an automobile that was purchased new before January 1, 1936. (V.A.C.S. Art. 6687-1, Sec. 63(b).)
(b) The Department or any agent thereof shall not after the 1st of January, 1942, register or renew the registration of any motor vehicle, unless and until the owner thereof shall make application for and be granted an official certificate of title for such vehicle or present satisfactory evidence that a certificate of title for such vehicle has been previously issued to such owner by the Department. Provided, however, this shall not apply to automobiles which were purchased new prior to January 1, 1936.

Reviser's Note

(1) Section 63(b), V.A.C.S. Article 6687-1, requires a certificate of title before "any motor vehicle" may be registered. Because of differences in the definition of "motor vehicle" in the Certificate of Title Act (V.A.C.S. Article 6687-1) (revised as Chapter 501 of this code) and V.A.C.S. Article 6675a-1 et seq. (revised as this chapter), the revised law clarifies that the requirement applies only to vehicles for which a certificate of title is required.

(2) Section 63(b), V.A.C.S. Article 6687-1, refers to "any agent" of the Texas Department of Transportation. The revised law omits the reference for the reason stated in Reviser's Note (1) under Section 502.001 of this code.

(3) Section 63(b), V.A.C.S. Article 6687-1, provides that the department may not register a motor vehicle without a certificate of title "after the 1st of January, 1942." The revised law omits the quoted language as executed.

Revised Law

Sec. 502.153. EVIDENCE OF FINANCIAL RESPONSIBILITY. (a) The owner of a motor vehicle, other than a trailer or semitrailer, for which evidence of financial responsibility is required by Section 601.051 or a person who represents the owner for purposes of registering a motor vehicle shall submit evidence of financial
responsibility with the application for registration under Section 502.151. A county assessor-collector may not register the motor vehicle unless the owner or the owner's representative submits the evidence of financial responsibility.

(b) The county assessor-collector shall examine the evidence of financial responsibility to determine whether it complies with Subsection (c). After examining the evidence, the assessor-collector shall return the evidence unless it is in the form of a photocopy.

(c) In this section, evidence of financial responsibility may be:

(1) a document listed under Section 601.053(a);

(2) a liability self-insurance or pool coverage document issued by a political subdivision or governmental pool under the authority of Chapter 791, Government Code, Chapter 119, Local Government Code, or other applicable law in at least the minimum amounts required by Chapter 601; or

(3) a photocopy of a document described by Subdivision (1) or (2).

(d) A personal automobile policy used as evidence of financial responsibility under this section must comply with Article 5.06, Insurance Code.

(e) At the time of registration, the county assessor-collector shall provide to a person registering a motor vehicle a separate document that contains a statement that the motor vehicle being registered may not be operated in this state unless:

(1) liability insurance coverage for the motor vehicle in at least the minimum amounts required by law remains in effect to insure against potential losses; or

(2) the motor vehicle is exempt from the insurance requirement because the person has established financial responsibility in a manner described by Section 601.051(2)-(5) or is exempt under Section 601.052.
(f) A county assessor-collector is not liable to any person for refusing to register a motor vehicle to which this section applies because of the person's failure to submit evidence of financial responsibility that complies with Subsection (c).

(g) A county, a county assessor-collector, a deputy county assessor-collector, a person acting for or on behalf of a county or a county assessor-collector, or a person acting on behalf of an owner for purposes of registering a motor vehicle is not liable to any person for registering a motor vehicle under this section.

(h) This section does not prevent a person from registering a motor vehicle by mail. (V.A.C.S. Arts. 6675a-2a; 6675a-2b, Subsec. (b).)

Source Law

Art. 6675a-2a. (a) The owner of a vehicle covered by Section 1A, Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes), other than a trailer or a semitrailer, shall submit with the application for registration under Section 3 of this Act evidence of financial responsibility that is valid. A personal automobile insurance policy used as evidence of financial responsibility under this subsection must be written for a term of 30 days or more as required by Article 5.06, Insurance Code.

(b) If the owner of a motor vehicle covered by Subsection (a) of this section fails to submit with the application for registration evidence of financial responsibility that complies with Subsection (d) of this section, the county tax collector may not register the motor vehicle.

(c) The county tax collector shall examine the evidence of financial responsibility submitted to determine whether it complies with Subsection (d) of this section and, after examining the evidence, shall return it unless the evidence is presented to the tax collector in the form of a photocopy.

(d) The following evidence of financial responsibility or a photocopy of the evidence satisfies the requirement of this section:

(1) a liability insurance policy or liability self-insurance or pool coverage document issued by a political subdivision or governmental pool pursuant to the authority contained in The Interlocal Cooperation Act (Article 4413(32c), Vernon's Texas Civil Statutes), Chapter 119, Local Government Code, or other applicable law in at least the minimum amounts required by the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes) to provide proof of financial responsibility covering at least the period required by Subsection (a) of this section;

(2) a standard proof of liability form promulgated by the Texas Department of Insurance and issued by a liability insurer that includes:
(A) the name of the insurer;
(B) the insurance policy or other coverage document number;
(C) the policy or other coverage document coverage period;
(D) the name and address of each insured or covered person;
(E) the policy or other coverage document limits or a statement that the coverage of the policy complies with at least the minimum amounts of liability insurance required by the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes); and
(F) the make and model of each covered vehicle;

(3) an insurance binder that confirms to the satisfaction of the county tax collector that the owner of the motor vehicle to be registered is in compliance with the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes) for at least the period required by Subsection (a) of this section;

(4) a copy of a certificate issued by the Department of Public Safety that shows that the vehicle to be registered is covered by self-insurance;

(5) a certificate issued by the state treasurer that shows that the owner of the vehicle has on deposit with the treasurer money or securities in at least the amount required by Section 25 of the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes);

(6) a certificate issued by the Department of Public Safety that shows that the vehicle is a vehicle for which a bond is on file with the Department as provided by Section 24 of the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes); or

(7) a copy of a certificate issued by the county judge of a county in which the vehicle is registered that shows that the owner of the vehicle has on deposit with the county judge cash or a cashier's check in at least the amount required by Section 1A(b)(6) of the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes).

(e) At the time the county tax collector registers a motor vehicle, the tax collector shall provide to the person registering the motor vehicle a separate document that contains a statement that the motor vehicle being registered may not be operated in this state unless liability insurance coverage for the vehicle in at least the minimum amounts required by law remains in effect to insure against potential losses or unless the motor vehicle is exempt from the insurance requirement by Section 1A(b), Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes).

(f) The county tax collector is not liable to any person for refusing to register a motor vehicle covered by this section because of the person's failure to submit evidence of financial responsibility that complies with Subsection (d) of this section.

(g) The county, the county tax collector, a deputy county tax collector, and any person acting for or on behalf of a county or county tax collector, or a person acting on behalf of the owner for purposes of obtaining registration to the vehicle are not liable to any person for registering a motor vehicle under this
section.

(h) This section does not prevent a person who
is covered by this section from registering a motor
vehicle by mail.

[Art. 6675a-2b]

(b) For purposes of Section 2a(a) of this Act,
the term "owner" includes a person who represents the
owner for purposes of obtaining registration to a
vehicle.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-2a,
refers to Section 1A, Texas Motor Vehicle
Safety-Responsibility Act (Article 6701h, Vernon's
Texas Civil Statutes). That statute is codified in
this code as Section 601.051, and the revised law is
drafted accordingly.

(2) Subsection (a), V.A.C.S. Article 6675a-2a,
refers to "Section 3 of this Act," meaning V.A.C.S.
Article 6675a-3. The relevant portion of that statute
is codified in this chapter as Section 502.151, and the
revised law is drafted accordingly.

(3) Subsection (d), V.A.C.S. Article 6675a-2a,
lists the types of evidence of financial responsibility
that satisfy the requirements of Article 6675a-2a.
With the exception of the liability self-insurance or
pool coverage document issued by a political
subdivision or governmental pool described by
Subsection (d)(1), the listed types are those listed in
Section 1B(a), V.A.C.S. Article 6701h, which is revised
in this code as Section 601.053(a). Accordingly, the
revised law substitutes a reference to Section
601.053(a) for the listed items.

(4) Subsection (d)(1), V.A.C.S. Article
6675a-2a, refers to The Interlocal Cooperation Act
(Article 4413(32c), Vernon's Texas Civil Statutes).
That statute was codified in 1991 as Chapter 791,
Government Code. The revised law is drafted
accordingly.

(5) Subsection (e), V.A.C.S. Article 6675a-2a, refers to Section 1A(b), Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes). That statute is codified in this code as Sections 601.051 and 601.052, and the revised law is drafted accordingly.

Revised Law

Sec. 502.154. EMISSIONS INSPECTION CERTIFICATE REQUIRED IN CERTAIN COUNTIES. (a) The county assessor-collector of a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F, Chapter 548, may not register a motor vehicle unless the applicant for registration submits:

(1) a vehicle emissions inspection certificate for the vehicle issued:

(A) by an inspection station located in a county included in the vehicle emissions inspection and maintenance program; and

(B) within the applicable period prescribed by Section 382.037(h), Health and Safety Code; or

(2) other verification of compliance, as provided by Section 382.037, Health and Safety Code.

(b) A county assessor-collector described by Subsection (a) shall:

(1) collect the original emissions inspection certificates, waivers, or other verifications of compliance and shall submit them to the Texas Natural Resource Conservation Commission on the commission's request; and

(2) submit an annual report to the Texas Natural Resource Conservation Commission and the department that shows:

(A) the number of registrations denied because of the applicant's failure to provide an original emissions inspection certificate or a valid waiver; and
(B) an itemized accounting of the costs to the county of administering this section.

(c) A county assessor-collector, a deputy county assessor-collector, or a person acting on behalf of a county assessor-collector is not liable to any person for:

(1) refusing to register a motor vehicle to which this section applies because of the person's failure to submit a vehicle emissions inspection certificate, waiver, or other verification of compliance; or

(2) registering a motor vehicle under this section.

(d) The department may not register a motor vehicle owned by a resident of a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F, Chapter 548, unless the applicant for registration submits a vehicle emissions inspection certificate for the vehicle or other verification of compliance, as provided by Section 382.037, Health and Safety Code. (V.A.C.S. Arts. 6675a-2, Subsecs. (i), (j)(1), (2) (part); 6675a-3, Subsec. (j).)

Source Law

(i) In implementing each system that requires a valid vehicle emissions inspection certificate as a condition of registering a vehicle in a county that is included in a vehicle emissions inspection and maintenance program under Section 142, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), the Texas Department of Transportation through the county tax collector in the county may not issue a registration for a vehicle unless the vehicle emissions inspection certificate for that vehicle issued by an inspection station located in a county that is included in the vehicle emissions inspection and maintenance program within the applicable period required by Section 382.037(h), Health and Safety Code, or other verification of compliance, as provided by Section 382.037, Health and Safety Code, is submitted with the application for registration or renewal of registration. The county tax collector, a deputy county tax collector, or a person acting on behalf of the county tax collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to submit the vehicle emissions inspection certificate, waiver, or other verification of compliance or for registering a motor vehicle under this section.

(j)(1) A county tax collector covered by Subsection (i) of this section shall collect the original emissions inspection certificates, waivers, and other verifications of compliance and on request of
the Texas Natural Resource Conservation Commission shall submit the certificates, waivers, and the other verifications to the commission.

(2) Each county tax collector shall submit an annual report to the Texas Natural Resource Conservation Commission and the Texas Department of Transportation that shows:

... the number of registrations denied because of the applicant's failure to provide an original emissions inspection certificate or a valid waiver; and

(C) an itemized accounting of the costs to the county of administering this subsection and Subsections [(a) and] (i) of this section.

[Art. 6675a-3]

(j) In implementing each system that requires a valid vehicle emissions inspection certificate as a condition of registering a vehicle in a county that is included in a vehicle emissions inspection and maintenance program under Section 142, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), the State Department of Highways and Public Transportation shall require that the vehicle emissions inspection certificate for that vehicle or other verification of compliance, as provided by Section 382.037(e), Health and Safety Code, be submitted with an application for registration or renewal of registration.

Revisor's Note

(1) Subsection (i), V.A.C.S. Article 6675a-2, and Subsection (j), V.A.C.S. Article 6675a-3, refer to Section 142, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes). The relevant part of that statute is codified in this code as Subchapter F of Chapter 548, and the revised law is drafted accordingly.

(2) Subsection (j), V.A.C.S. Article 6675a-3, provides that "[i]n implementing each system that requires a valid vehicle emissions inspection certificate as a condition of registering a vehicle in a county that is included in a vehicle emissions inspection and maintenance program," the Texas Department of Transportation shall require a vehicle emissions inspection certificate or other evidence of compliance. Because the duty of a county assessor-collector in a county included in a vehicle
emissions inspection and maintenance program to obtain an inspection certificate or other evidence is covered by Subsection (i), V.A.C.S. Article 6675a-2 (revised as Subsection (a) of this section), the revised law clarifies that Subsection (j), V.A.C.S. Article 6675a-3, applies to those vehicles of the Texas Department of Transportation (for example, forestry vehicles registered under Article 6675a-5p, as added by Chapter 534, Acts of the 73rd Legislature, Regular Session, 1993 (revised as Section 502.280 of this code)), and that it is the county of the applicant's residence that determines whether an emissions inspection certificate is required.

Revised Law
Sec. 502.155. PROOF OF RESIDENCY REQUIRED IN CERTAIN COUNTIES. (a) The county assessor-collector of a county that is not included in a vehicle emissions inspection program may not register a motor vehicle unless the applicant for registration submits evidence that the owner is a resident of the county.

(b) The department by rule shall prescribe acceptable forms of evidence, which may include:

(1) voter registration information;
(2) driver's license information;
(3) utility billing information;
(4) property tax payment information;
(5) a school tuition receipt; or
(6) evidence of compliance with Chapter 601.

(c) A county assessor-collector described by Subsection (a) shall submit to the Texas Natural Resource Conservation Commission and the department an annual report that shows:

(1) the number of registrations denied because of the failure to provide proof of residency; and
(2) an itemized accounting of the costs to the county
of administering this section.

(d) A county assessor-collector, a deputy county assessor-collector, or a person acting on behalf of a county assessor-collector is not liable to any person for:

(1) refusing to register a motor vehicle to which this section applies because of the person's failure to submit evidence of residency that complies with the department's rules; or

(2) registering a motor vehicle under this section.

(V.A.C.S. Art. 6675a-2, Subsecs. (a) (part), (j)(2) (part).)

Source Law

(a) . . . The Texas Department of Transportation through the County Tax Collector shall require an applicant for registration of a vehicle in a county that is not covered by a vehicle emissions inspection program to provide evidence that the applicant is a resident of that county. The Department by rule shall prescribe acceptable forms and types of evidence. Acceptable forms and types of evidence may include voter registration information, driver's license information, utility billing information, property tax payment information, a school tuition receipt, or evidence of compliance with the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes). The County Tax Collector, a deputy County Tax Collector, or a person acting on behalf of the County Tax Collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to submit evidence of residency that complies with rules of the Department or for registering a motor vehicle under this section.

[(j)]

(2) Each county tax collector shall submit an annual report to the Texas Natural Resource Conservation Commission and the Texas Department of Transportation that shows:

(A) the number of registrations denied because of the applicant's failure to provide proof of residency in the county;

(C) an itemized accounting of the costs to the county of administering this subsection and Subsections (a) [and (i)] of this section.

Reviser's Note

(1) Subsections (a) and (j), V.A.C.S. Article 6675a-2, refer to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in
Reviser's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-2, refers to the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes). That statute is codified in this code as Chapter 601, and the revised law is drafted accordingly.

(3) Subsection (a), V.A.C.S. Article 6675a-2, refers to the "forms and types" of evidence of residency. The reference to "types" is omitted from the revised law because "types" is included within the meaning of "forms."

Revised Law

Sec. 502.156. STATEMENT REQUIRED FOR REBUILT VEHICLES. A county assessor-collector shall require an applicant for registration of a rebuilt vehicle to provide a statement that the vehicle is rebuilt and that states the name of each person from whom the parts used in assembling the vehicle were obtained. (V.A.C.S. Art. 6675a-12b.)

Source Law

Art. 6675a-12b. It shall be the duty of each Tax Collector before registering a rebuilt vehicle to require from the owner or applicant a statement that such vehicle is rebuilt and giving the names of the persons or firms from whom the parts used in assembling the vehicle were obtained.

Reviser's Note

(1) V.A.C.S. Article 6675a-12b refers to a "Tax Collector." The revised law substitutes "county assessor-collector" for "Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) V.A.C.S. Article 6675a-12b refers to an "owner or applicant." The reference to "owner" is omitted from the revised law because in this context "owner" is included within the meaning of "applicant."
(3) V.A.C.S. Article 6675a-12b refers to "persons or firms." The reference to "firm" is omitted from the revised law because "firm" is included within the meaning of "person" as defined by Section 311.005(2), Government Code (Code Construction Act), applicable to the revised law.

**Revised Law**

Sec. 502.157. INITIAL REGISTRATION. (a) Notwithstanding Section 502.002, when a motor vehicle must be registered before an application for a certificate of title will be accepted, the owner of the vehicle may concurrently apply for a certificate of title and for registration through the county assessor-collector of the county in which:

(1) the owner resides; or

(2) the vehicle is purchased or encumbered.

(b) The first time an owner applies for registration of a vehicle, the owner may demonstrate compliance with Section 502.153(a) as to the vehicle by showing proof of financial responsibility in any manner specified in Section 502.153(c) as to:

(1) any vehicle of the owner; or

(2) any vehicle used as part of the consideration for the purchase of the vehicle the owner applies to register.

(V.A.C.S. Arts. 6675a-2, Subsec. (a-1) (part); 6675a-2b, Subsec. (a).)

**Source Law**

[Art. 6675a-2]

(a-1) Notwithstanding the provisions of Subsection (a) above, when a motor vehicle is required to be registered as a prerequisite to the acceptance of an application for certificate of title, the owner thereof may concurrently file an application for certificate of title and apply for the registration of such motor vehicle through the County Tax Collector in the county of his domicile or the county in which the vehicle is purchased or encumbered, provided, however, that . . . .

Art. 6675a-2b. (a) The first time a person applies for registration of a vehicle, the person may demonstrate compliance with Section 2a(a) of this Act as to that vehicle by showing proof of financial
responsibility under any of the methods set forth in Section 2a(d) of this Act as to any vehicle the person owns, or as to a vehicle, if any, used as part of the consideration for the purchase of the vehicle for which the person seeks registration.

Revisor's Note

(1) Subsection (a-1), V.A.C.S. Article 6675a-2, refers to "Subsection (a) above," meaning Subsection (a), V.A.C.S. Article 6675a-2. The relevant portion of that statute is codified in this chapter as Section 502.002, and the revised law is drafted accordingly.

(2) Subsection (a-1), V.A.C.S. Article 6675a-2, provides in part that after the initial registration of a motor vehicle, each subsequent registration must be in the county in which the owner resides. The revised law omits this provision because Subsection (a), V.A.C.S. Article 6675a-2 (revised in relevant part as Section 502.002 of this code), states the general rule that a vehicle must be registered in the county in which the owner resides, and it is unnecessary to restate it here. The omitted provision reads: 

... all subsequent registrations of the motor vehicle by such owner must be obtained through the County Tax Collector of the county in which the owner resides.

(3) Subsection (a), V.A.C.S. Article 6675a-2b, refers to "Section 2a(a) of this Act," meaning Subsection (a), V.A.C.S. Article 6675a-2a. That provision is codified in this chapter as Section 502.153(a), and the revised law is drafted accordingly.

(4) Subsection (a), V.A.C.S. Article 6675a-2b, refers to "Section 2a(d) of this Act," meaning Subsection (d), V.A.C.S. Article 6675a-2a. That provision is codified in this chapter as Section 502.153(c), and the revised law is drafted accordingly.
Sec. 502.158. REGISTRATION YEAR. (a) The department shall
designate a vehicle registration year of 12 consecutive months to
begin on the first day of a calendar month and end on the last day
of the 12th calendar month.

(b) The department shall designate vehicle registration
years so as to distribute the work of the department and the county
assessor-collectors as uniformly as possible throughout the year.
The department may establish separate registration years for any
vehicle or classification of vehicle and may adopt rules to
administer the year-round registration system.

(c) The department may designate a registration period of
less than 12 months. The registration fee for a registration
period of less than 12 months is computed at a rate of one-twelfth
the annual registration fee multiplied by the number of months in
the registration period. The department may not designate a
registration period of more than 12 months, but an owner may pay
registration fees for a designated period of more than 12 months.

(d) An application for registration shall be made during the
two months preceding the date on which the registration expires.

(e) The fee to be paid for renewing a registration is the
fee that will be in effect on the first day of the vehicle
registration year.

(f) An application for registration filed more than one
month after the expiration of the preceding registration year must
be accompanied by a statement that the vehicle has not been
operated on a public highway at any time after the expiration of
the preceding registration year. (V.A.C.S. Arts. 6675a-3, Subsec.
(f); 6675a-3e, Sec. 5(c) (part); 6675a-4, Subsec. (a).)
and "current year" where used in the statutes relating to payment of registration fees shall mean that Vehicle Registration Year. Application for the renewal of registration of a vehicle shall be made during the two (2) months immediately preceding the motor vehicle registration year for which the registration fee is due; and the fee to be paid for such renewal shall be the fee which will be in effect on the first day of such year.

[Art. 6675a-3e]  
[Sec. 5] (c) . . . License plates may be purchased during the month preceding the date on which the registration expires.

Art. 6675a-4. (a) By January 1, 1978, the Department shall establish a year-round system for registering vehicles. The system shall be designed so as to distribute the work load as uniformly as practicable within the various offices of the county tax assessor-collectors, as well as the Department, on a year-round basis. In implementing a year-round registration system, the Department may establish separate and distinct registration years for any vehicles or classifications of vehicles. Each registration year so designated shall begin on the first day of a calendar month and expire on the last day of the last calendar month in a registration period. Registration periods may be designated to include less than twelve (12) consecutive calendar months and registration fees shall be computed at a rate of one-twelfth of the appropriate annual registration fee per month in each registration period. The Department shall not establish a registration year of more than twelve (12) months except that registration fees for designated periods of more than twelve (12) months may be paid at the option of the owner. Each application for registration filed more than one month subsequent to the expiration date of the previous year's registration shall be accompanied by a statement that the vehicle has not been operated upon the streets or highways of this state at any time subsequent to the expiration of the previous year's registration. The Department may promulgate reasonable rules and regulations to carry out the orderly implementation and administration of the year-round registration system.

Revisor's Note

(1) Subsection (f), V.A.C.S. Article 6675a-3, provides in part that "[a]pplication for the renewal of registration of a vehicle shall be made during the two (2) months immediately preceding the motor vehicle registration year for which the registration fee is due." Section 5(c), V.A.C.S. Article 6675a-3e, provides in part that "[l]icense plates may be purchased during the month preceding the date on which
the registration expires." The quoted language in 
Section 5(c), V.A.C.S. Article 6675a-3e, was added in 
1975. The quoted language in Subsection (f), V.A.C.S. 
Article 6675a-3, was added by Chapter 903, Acts of the 
69th Legislature, Regular Session, 1985; that act 
amended Subsection 5(c), V.A.C.S. Article 6675a-3e, by 
implication. The revised law is drafted accordingly.

(2) Subsection (a), V.A.C.S. Article 6675a-4, 
provides in part that the Texas Department of 
Transportation shall establish a year-round 
registration system "[b]y January 1, 1978" and may 
adopt rules to carry out the "orderly implementation" 
of the year-round registration system. The revised law 
omits these references as executed.

(3) Subsection (a), V.A.C.S. Article 6675a-4, 
refers to "separate and distinct" registration years. 
The reference to "distinct" is omitted from the revised 
law because "distinct" is included within the meaning 
of "separate."

(4) Subsection (a), V.A.C.S. Article 6675a-4, 
refers to "streets or highways of this state." The 
revised law substitutes "public highway" for "street or 
highway of this state" because the concepts are 
included in the definition of "public highway" under 
Section 502.001 of this code.

(5) Subsection (a), V.A.C.S. Article 6675a-4, 
refers to "rules and regulations." The reference to 
"regulations" is omitted from the revised law for the 
reason stated in Revisor's Note (4) under Section 
502.054 of this code.

Revised Law
Sec. 502.159. SCHEDULE OF FEES. The department shall 
compile and furnish to each county assessor-collector a complete
schedule of registration fees to be collected on the various makes, models, and types of vehicles. (V.A.C.S. Art. 6675a-9 (part).)

Source Law

Art. 6675a-9. The Department shall compile and furnish to the County Tax Collectors a complete and detailed schedule of license fees to be collected on the various makes, models and types of vehicles required to be registered hereunder; and . . . .

Revisor's Note

V.A.C.S. Article 6675a-9 refers to "County Tax Collectors." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.160. FEE: MOTORCYCLE. The fee for a registration year for registration of a motorcycle is $30. (V.A.C.S. Art. 6675a-5, Subsec. (a).)

Source Law

Art. 6675a-5. (a) The annual license fee for registration of a motorcycle is Thirty Dollars ($30).

Revised Law

Sec. 502.161. FEE: PASSENGER CAR OR MUNICIPAL BUS. (a) The fee for a registration year for registration of a passenger car or a municipal bus that weighs 6,000 pounds or less is:

(1) $40.50 for a vehicle the model year of which is more than six years before the year in which the registration year begins;

(2) $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

(3) $58.50 for a vehicle the model year of which is three years or less before the year in which the registration year begins.
(b) The fee for a registration year for registration of a passenger car or a municipal bus that weighs more than 6,000 pounds is $25 plus 60 cents for each 100 pounds.

(c) For registration purposes, the weight of a passenger car or a municipal bus is the weight generally accepted as its correct shipping weight plus 100 pounds. (V.A.C.S. Art. 6675a-5, Subsec. (b).)

Source Law

(b) The annual license fee for registration of a passenger car and a street or suburban bus shall be based upon the manufacturer's model year or weight in pounds, as the case might be, of a vehicle as follows:

<table>
<thead>
<tr>
<th>Model Year or Weight in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. For a model year more than six years from date of annual registration.</td>
<td>$40.50</td>
</tr>
<tr>
<td>2. For a model year more than three years but six years or less from date of annual registration.</td>
<td>$50.50</td>
</tr>
<tr>
<td>3. For a model three years or less from date of annual registration.</td>
<td>$58.50</td>
</tr>
<tr>
<td>4. For a vehicle over 6000 pounds, irrespective of model year.</td>
<td>$25.00 plus 60¢ cwt.</td>
</tr>
</tbody>
</table>

The weight of any passenger car or of any street or suburban bus, for purpose of registration, shall be the weight generally accepted as its correct shipping weight plus one hundred (100) pounds.

Reviser's Note

Subsection (a), V.A.C.S. Article 6675a-5.1, provides that if the fees contained in "Section 5 of this Act" (meaning V.A.C.S. Article 6675a-5) are held invalid, the fees in Article 6675a-5.1 will apply. Subsections (b), (c), and (d), V.A.C.S. Article 6675a-5.1, contain fee schedules for the years beginning August 1, 1984, August 1, 1985, and August 1, 1986, respectively. The revised law omits Article 6675a-5.1 as expired. The omitted article reads:

Art. 6675a-5.1. (a) If for any
Section 5 of this Act is held invalid, the annual license fee for registration of a passenger car and a street or suburban bus shall be as provided by this section.

(b) For the year beginning August 1, 1984:

<table>
<thead>
<tr>
<th>Weight in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>-3,500</td>
<td>$28.00</td>
</tr>
<tr>
<td>3,501-4,500</td>
<td>$38.00</td>
</tr>
<tr>
<td>4,501-6,000</td>
<td>$46.00</td>
</tr>
<tr>
<td>6,001 and over</td>
<td>$12.50 plus 60¢ cwt.</td>
</tr>
</tbody>
</table>

(c) For the year beginning August 1, 1985:

<table>
<thead>
<tr>
<th>Weight in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3,500</td>
<td>$34.25</td>
</tr>
<tr>
<td>3,501-4,500</td>
<td>$44.25</td>
</tr>
<tr>
<td>4,501-6,000</td>
<td>$52.25</td>
</tr>
<tr>
<td>6,001 and over</td>
<td>$18.75 plus 60¢ cwt.</td>
</tr>
</tbody>
</table>

(d) For the year beginning August 1, 1986:

<table>
<thead>
<tr>
<th>Weight in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3,500</td>
<td>$40.50</td>
</tr>
<tr>
<td>3,501-4,500</td>
<td>$50.50</td>
</tr>
<tr>
<td>4,501-6,000</td>
<td>$58.50</td>
</tr>
<tr>
<td>6,001 and over</td>
<td>$25.00 plus 60¢ cwt.</td>
</tr>
</tbody>
</table>

Revised Law

Sec. 502.162. FEE: COMMERCIAL MOTOR VEHICLE OR TRUCK-TRACTOR. (a) The fee for a registration year 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:
<table>
<thead>
<tr>
<th>Gross weight in pounds</th>
<th>Fee for each 100 pounds or fraction of 100 pounds</th>
<th>Equipped with pneumatic tires</th>
<th>Equipped with solid tires</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- 6,000</td>
<td>$0.44</td>
<td>$0.55</td>
<td></td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>0.495</td>
<td>0.66</td>
<td></td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>0.605</td>
<td>0.77</td>
<td></td>
</tr>
<tr>
<td>10,001-17,000</td>
<td>0.715</td>
<td>0.88</td>
<td></td>
</tr>
<tr>
<td>17,001-24,000</td>
<td>0.77</td>
<td>0.99</td>
<td></td>
</tr>
<tr>
<td>24,001-31,000</td>
<td>0.88</td>
<td>1.10</td>
<td></td>
</tr>
<tr>
<td>31,001 and over</td>
<td>0.99</td>
<td>1.32</td>
<td></td>
</tr>
</tbody>
</table>

(b) The gross weight of a vehicle is the actual weight of the vehicle, fully equipped with a body and other equipment, as certified by a public weigher or a license and weight inspector of the Department of Public Safety, plus its net carrying capacity.

(c) The net carrying capacity of a vehicle other than a bus is the heaviest net load to be carried on the vehicle, but not less than the manufacturer's rated carrying capacity.

(d) The net carrying capacity of a bus is computed by multiplying its seating capacity by 150 pounds. The seating capacity of a bus is:

(1) the manufacturer's rated seating capacity, excluding the operator's seat; or

(2) if the manufacturer has not rated the vehicle for seating capacity, a number computed by allowing one passenger for each 16 inches of seating on the bus, excluding the operator's seat. (V.A.C.S. Art. 6675a-6.)

Source Law

Art. 6675a-6. The annual license fee for the registration of a commercial motor vehicle or truck tractor shall be Twenty-five Dollars ($25.00) plus an amount based upon the gross weight and tire equipment of the vehicle as follows:

<table>
<thead>
<tr>
<th>Gross Weight in Pounds</th>
<th>Fee per 100 Pounds or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- 6,000</td>
<td>$ .44</td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>$ .55</td>
</tr>
</tbody>
</table>
The term "gross weight" as used in this Section shall mean the actual weight of the vehicle fully equipped with body, and other equipment, as certified by any official Public Weigher or any License and Weight Inspector of the State Department of Highways and Public Transportation, plus its net carrying capacity. "Net carrying capacity" of any vehicle except a bus, as used in this Section, shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity. The "net carrying capacity" of a bus as defined in this Act shall be computed by multiplying its seating capacity by one hundred and fifty (150) pounds. The seating capacity of any such vehicle shall be the manufacturer's rated seating capacity exclusive of the driver's or operator's seat. The seating capacity of any such vehicle not rated by the manufacturer shall be determined by allowing one (1) passenger for each sixteen (16) inches that such vehicle will seat, exclusive of the driver's or operator's seat.

Revisor's Note
V.A.C.S. Article 6675a-6 refers to a "License and Weight Inspector of the State Department of Highways and Public Transportation." Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6701d-11, Vernon's Texas Civil Statutes) (revised as Chapter 621 of this code), is the general statute relating to weights of motor vehicles. Under Subdivision 1, Section 6, of that article, as amended by Chapter 71, Acts of the 47th Legislature, Regular Session, 1941, the authority to inspect and weigh vehicles was transferred to the Department of Public Safety. The revised law is drafted accordingly.

Revised Law
Sec. 502.163. FEE: COMMERCIAL MOTOR VEHICLE USED PRIMARILY FOR FARM PURPOSES; OFFENSE. (a) The registration fee for a commercial motor vehicle as a farm vehicle is 50 percent of the applicable fee under Section 502.162 if the vehicle's owner will
use the vehicle for commercial purposes only to transport:

(1) the person's own poultry, dairy, livestock, livestock products, timber in its natural state, or farm products to market or another place for sale or processing;

(2) laborers from their place of residence to the owner's farm or ranch; or

(3) without charge, materials, tools, equipment, or supplies from the place of purchase or storage to the owner's farm or ranch exclusively for the owner's use or for use on the farm or ranch.

(b) A commercial motor vehicle may be registered under this section despite its use for transporting without charge the owner or a member of the owner's family:

(1) to attend church or school;

(2) to visit a doctor for medical treatment or supplies; or

(3) for other necessities of the home or family.

(c) Subsection (b) does not permit the use of a vehicle registered under this section in connection with gainful employment other than farming or ranching.

(d) The department shall provide distinguishing license plates for a vehicle registered under this section.

(e) The owner of a commercial motor vehicle registered under this section commits an offense if the person uses or permits to be used the vehicle for a purpose other than one permitted by this section. Each use or permission for use in violation of this section is a separate offense.

(f) An offense under this section is a misdemeanor punishable by a fine of not less than $25 or more than $200.

(V.A.C.S. Art. 6675a-6a (part).

Source Law

Art. 6675a-6a. When a commercial motor vehicle is to be used for commercial purposes by the owner thereof only in the transportation of his own poultry, dairy, livestock, livestock products, timber in its natural state, and farm products to market, or to other

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points for sale or processing, or the transportation by
the owner thereof of laborers from their place of
residence, and materials, tools, equipment and
supplies, without charge, from the place of purchase or
storage, to his own farm or ranch exclusively for his
own use, or use on such farm or ranch, the registration
license fee shall be fifty per cent (50%) of the
registration fee prescribed for weight classifications
in Section 6 of this Act; provided, however, that the
additional use of the vehicle as a means of passenger
transportation, without charge, of members of the
family to attend church or school, to visit doctors for
medical treatment or supplies, and for other
necessities of the home or family shall not prevent its
registration as a farm vehicle. Nothing in the
foregoing shall be interpreted as permitting the use of
a farm licensed vehicle in connection with other
gainful employment. It shall be the duty of the Texas
Department of Transportation to provide license plates
for vehicles registered under this Section
distinguishable from license plates used for other
commercial vehicles using the highways. If the owner
of any commercial motor vehicle registered under this
Section shall use or permit to be used any such vehicle
for any other purpose than those provided for in this
Section, he shall be guilty of a misdemeanor and upon
conviction shall be fined in any sum not less than
Twenty-five Dollars ($25) nor more than Two Hundred
Dollars ($200), and each use of such vehicle and each
permission for such use of such vehicle shall
constitute a separate offense.

Revisor's Note
V.A.C.S. Article 6675a-6a provides in part that
"[a]ll commercial motor vehicles, truck tractors, road
tractors, trailers and semi-trailers . . . not coming
within the provisions of [Article 6675a-6a] shall be
required to pay all registration fees and license fees
prescribed by other provisions of this Act," meaning
V.A.C.S. Article 6675a-1 et seq. The revised law omits
this provision because the other provisions of this
chapter apply to the registration of vehicles that do
not qualify as farm vehicles, and an express statement
to that effect is unnecessary. The omitted law reads:

All commercial motor vehicles, truck
tractors, road tractors, trailers and
semi-trailers as defined in Section 1 of
Chapter 23 of the General Laws of the Fifth
Called Session of the Forty-first
Legislature, not coming within the
provisions of this Section, shall be
required to pay all registration and
license fees prescribed by other provisions
of this Act.
Revised Law
Sec. 502.164. FEE: MOTOR VEHICLE USED EXCLUSIVELY TO TRANSPORT AND SPREAD FERTILIZER. The fee for a registration year for registration of a motor vehicle designed or modified and used exclusively to transport to the field and spread fertilizer, including agricultural limestone, is $75. (V.A.C.S. Art. 6701d-11a, Secs. 1, 2.)

Source Law
Art. 6701d-11a
Sec. 1. In this Act, "fertilizer" includes agricultural limestone.
Sec. 2. The annual license fee for the registration of a motor vehicle designed or modified exclusively to transport fertilizer to the field and spread it, and used only for that purpose, is $75.

Revised Law
Sec. 502.165. FEE: ROAD TRACTOR. The fee for a registration year for registration of a road tractor is $25 plus an amount determined according to the vehicle's weight as certified by a public weigher or a license and weight inspector of the Department of Public Safety, as follows:

<table>
<thead>
<tr>
<th>Gross weight in pounds</th>
<th>Fee for each 100 pounds or fraction of 100 pounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- 4,000</td>
<td>$0.275</td>
</tr>
<tr>
<td>4,001- 6,000</td>
<td>0.55</td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>0.66</td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>0.825</td>
</tr>
<tr>
<td>10,001 and over</td>
<td>1.10</td>
</tr>
</tbody>
</table>

(V.A.C.S. Art. 6675a-7.)

Source Law
Art. 6675a-7. The annual license fee for the registration of a road tractor shall be Twenty-five Dollars ($25.00) plus an amount based upon the weight of the tractors, as certified by any Official Public Weigher or any License and Weight Inspector of the State Department of Highways and Public Transportation, as follows:

<table>
<thead>
<tr>
<th>Gross Weight in Pounds</th>
<th>Fee per 100 Pounds or Fraction Thereof</th>
</tr>
</thead>
</table>

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Reviser's Note

V.A.C.S. Article 6675a-7 refers to a "License and Weight Inspector of the State Department of Highways and Public Transportation." The revised law substitutes "Department of Public Safety" for "State Department of Highways and Public Transportation" for the reason stated in the reviser's note under Section 502.162 of this code.

Revised Law

Sec. 502.166. FEE: TRAILER OR SEMITRAILER. (a) The fee for a registration year for registration of a trailer or semitrailer is $25 plus an amount determined according to the vehicle's gross weight and tire equipment, as follows:

<table>
<thead>
<tr>
<th>Gross weight in pounds</th>
<th>Equipped with pneumatic tires</th>
<th>Equipped with solid tires</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- 6,000</td>
<td>$0.33</td>
<td>$0.44</td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>0.44</td>
<td>0.55</td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>0.55</td>
<td>0.66</td>
</tr>
<tr>
<td>10,001-17,000</td>
<td>0.66</td>
<td>0.88</td>
</tr>
<tr>
<td>17,001 and over</td>
<td>0.715</td>
<td>0.99</td>
</tr>
</tbody>
</table>

(b) The gross weight of a trailer or semitrailer is the actual weight of the vehicle, as certified by a public weigher or a license and weight inspector of the Department of Public Safety, plus its net carrying capacity.

(c) The net carrying capacity of a vehicle is the heaviest net load to be carried on the vehicle, but not less than the manufacturer's rated carrying capacity. (V.A.C.S. Art. 6675a-8.)
Art. 6675a-8. The annual license fee for the registration of trailer or semi-trailer shall be Twenty-five Dollars ($25.00) plus an amount based upon the gross weight and tire equipage of the trailer or semi-trailer as follows:

<table>
<thead>
<tr>
<th>Gross Weight in Pounds</th>
<th>Equipped with Pneumatic Tires</th>
<th>Equipped with Solid Tires</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-6,000</td>
<td>$.33</td>
<td>$.44</td>
</tr>
<tr>
<td>6,001-8,000</td>
<td>$.44</td>
<td>$.55</td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>$.55</td>
<td>$.66</td>
</tr>
<tr>
<td>10,001-17,000</td>
<td>$.66</td>
<td>$.88</td>
</tr>
<tr>
<td>17,001-and up</td>
<td>.715</td>
<td>.99</td>
</tr>
</tbody>
</table>

The term "gross weight" as used in this Section means the actual weight of the trailer or semi-trailer, as officially certified by any Public Weigher or any License and Weight Inspector of the State Department of Highways and Public Transportation, plus its net carrying capacity. "Net carrying capacity" as used in this Section shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity.

Reviser's Note

V.A.C.S. Article 6675a-8 refers to a "License and Weight Inspector of the State Department of Highways and Public Transportation." The revised law substitutes "Department of Public Safety" for "State Department of Highways and Public Transportation" for the reason stated in the reviser's note under Section 502.162 of this code.

Revised Law

Sec. 502.167. TRUCK-TRACTOR OR COMMERCIAL MOTOR VEHICLE COMBINATION FEE; SEMITRAILER TOKEN FEE. (a) This section applies only to a truck-tractor or commercial motor vehicle 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) Notwithstanding Section 502.162, the fee for a registration year for registration of a truck-tractor or commercial motor vehicle is $40 plus an amount determined according to the...
combined gross weight of the vehicles, as follows:

<table>
<thead>
<tr>
<th>Combined gross weight in pounds</th>
<th>Fee for each 100 pounds or fraction of 100 pounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>18,000-36,000</td>
<td>$0.60</td>
</tr>
<tr>
<td>36,001-42,000</td>
<td>0.75</td>
</tr>
<tr>
<td>42,001-62,000</td>
<td>0.90</td>
</tr>
<tr>
<td>62,001 and over</td>
<td>1.00</td>
</tr>
</tbody>
</table>

(c) 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 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.

(d) A registration made under Subsection (c) is valid only when the semitrailer is used in the manner described by Subsection (a).

(e) For registration purposes, a semitrailer converted to a trailer by means of an auxiliary axle assembly retains its status as a semitrailer.

(f) A combination of vehicles may not be registered under this section for a combined gross weight of less than 18,000 pounds.

(g) This section does not apply to:

(1) a combination of vehicles that includes a vehicle that has a distinguishing license plate under Section 502.276;

(2) a truck-tractor or commercial motor vehicle registered or to be registered with $5 distinguishing license plates for which the vehicle is eligible under this chapter;

(3) a truck-tractor or commercial motor vehicle used exclusively in combination with a semitrailer of the housetrailer type; or
(4) a vehicle registered or to be registered:
   (A) with a temporary registration permit;  
   (B) under Section 502.163; or
   (C) under Section 502.278.

(h) The department may adopt rules to administer this section.

(i) In this section:

   (1) "Combined gross weight" means the empty weight of the truck-tractor or commercial motor vehicle combined with the empty weight of the heaviest semitrailer used or to be used in combination with the truck-tractor or commercial motor vehicle plus the heaviest net load to be carried on the combination during the registration year.

(2) "Empty weight" means the unladen weight of the truck-tractor or commercial motor vehicle and semitrailer combination fully equipped, as certified by a public weigher or license and weight inspector of the Department of Public Safety.

(V.A.C.S. Art. 6675a-6-1/2, Subsecs. (a) (part), (b), (c) (part), (d); Sec. 3, Ch. 9, Acts 62nd Leg., R.S., 1971.)

Source Law

Art. 6675a-6 1/2. (a) Notwithstanding the provisions of Sections 6 and 8 of this Act, as amended (Articles 6675a-6 and 6675a-8, Vernon's Texas Civil Statutes), the annual license fee for the registration of a truck tractor or commercial motor vehicle with a manufacturer's rated carrying capacity in excess of one ton used or to be used in combination with a semitrailer having a gross weight in excess of six thousand (6,000) pounds shall be Forty Dollars ($40.00) plus an amount based on the combined gross weight of all such vehicles used in the combination as follows:

<table>
<thead>
<tr>
<th>Combined Gross Weight</th>
<th>Fee per 100 lbs. or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td>*18,000-36,000</td>
<td>$ .60</td>
</tr>
<tr>
<td>36,001-42,000</td>
<td>.75</td>
</tr>
<tr>
<td>42,001-62,000</td>
<td>.90</td>
</tr>
<tr>
<td>62,001-and up</td>
<td>1.00</td>
</tr>
</tbody>
</table>

*(No such combination of vehicles may be registered for a combined gross weight of less than 18,000 pounds.)

In addition, semitrailers having gross weights in excess of six thousand (6,000) pounds used or to be used in combination with truck tractors or commercial motor vehicles with manufacturers' rated carrying
capacities in excess of one (1) ton shall be registered for a "token" fee of Thirty Dollars ($30.00) for a semitrailer being propelled by a power unit for which a permit has been issued under Section 5B of Article 6701d-11, Vernon's Texas Civil Statutes, or Fifteen Dollars ($15.00) for a semitrailer being propelled by a power unit for which such a permit has not been issued, for the Motor Vehicle Registration Year, regardless of the date such semitrailers are registered within said Registration Year, and the distinguishing license plates issued for such semitrailers shall be valid only when said vehicles are operated in combination with truck tractors or commercial motor vehicles that have been properly registered for their combined gross weight; provided, however, that...

(b) For registration purposes, semitrailers which are converted to trailers by means of auxiliary axle assemblies shall retain their status as semitrailers.

(c) Truck tractors or commercial motor vehicles with manufacturers' rated carrying capacities in excess of one (1) ton used exclusively in combination with semitrailer-type vehicles displaying Five Dollar ($5.00) distinguishing license plates for which such semitrailer-type vehicles are eligible under the provisions of this Act shall not be required to register in combination; provided, however, that...

(2) Truck tractors or commercial motor vehicles registered or to be registered with Five Dollar ($5.00) distinguishing license plates for which such vehicles are eligible under the applicable registration statutes of this State;

(3) Truck tractors or commercial motor vehicles used exclusively in combination with semitrailers of the house trailer type; provided, however, that...

(4) Vehicles registered or to be registered with temporary registration permits for which such vehicles are eligible under the applicable registration statutes of this State;

(5) Truck tractors or commercial motor vehicles registered or to be registered with Farm Truck or Farm Truck Tractor License Plates; provided, however, that...

(6) Truck tractors or commercial motor vehicles and semitrailers registered or to be registered with Soil Conservation License Plates; provided, however, that...

(d)(1) The term "combined gross weight" as used in this section means the empty weight of the truck tractor or commercial motor vehicle combined with the empty weight of the heaviest semitrailer(s) used or to be used in combination therewith plus the heaviest net load to be carried on such combination during the Motor Vehicle Registration Year, provided that in no case may the combined gross weight be less than eighteen thousand (18,000) pounds.

(2) The term "empty weight" as used in this section means the actual unladen weight of the truck tractor or commercial motor vehicle and semitrailer(s) combination fully equipped, as officially certified by any public weigher or license and weight patrolman of the Texas Department of Public Safety.

[Acts 62nd Leg.]

Sec. 3. The Highway Department is hereby
authorized to promulgate reasonable rules and regulations for the orderly administration of this Act.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-6-1/2, refers to "Sections 6 and 8 of this Act, as amended (Articles 6675a-6 and 6675a-8, Vernon's Texas Civil Statutes)." Articles 6675a-6 and 6675a-8 are codified in this chapter as Sections 502.162 and 502.166, respectively, and the revised law is drafted accordingly.

(2) Subsection (a), V.A.C.S. Article 6675a-6-1/2, refers to Section 5B, Article 6701d-11, Vernon's Texas Civil Statutes. That statute is codified in this code as Section 623.011, and the revised law is drafted accordingly.

(3) Subsection (a), V.A.C.S. Article 6675a-6-1/2, provides in part that the fee prescribed by that subsection for a semitrailer does not exempt the semitrailer from the Certificate of Title Act (revised as Chapter 501 of this code). The revised law omits this provision as unnecessary because there is no legal basis to argue that a token registration fee exempts a vehicle from Chapter 501. The omitted provision reads:

... the "token" fee for semitrailers shall not exempt such vehicles from the provisions of the Certificate of Title Act.

(4) Subsection (c), V.A.C.S. Article 6675a-6-1/2, refers to "semitrailer-type vehicles displaying Five Dollar ($5.00) distinguishing license plates for which such semitrailer-type vehicles are eligible under the provisions of this Act," meaning V.A.C.S. Article 6675a-1 et seq. Subsection (c), V.A.C.S. Article 6675a-2, contains the only provision in V.A.C.S. Article 6675a-1 et seq. that refers to
"Five Dollar ($5.00) distinguishing license plates" for a semitrailer. The relevant portion of Subsection (c), V.A.C.S. Article 6675a-2, is revised in this code as Section 502.276, and the revised law substitutes a reference to that section for the quoted language.

(5) Subsection (c), V.A.C.S. Article 6675a-6-1/2, provides that certain truck-tractors and commercial motor vehicles that are not required to be registered in combination under that article shall be registered "as provided in Section 6 of this Act" (revised as Section 502.162 of this code). The revised law omits this provision because Section 6 by its own terms applies to the registration of those truck-tractors and commercial motor vehicles, and it is unnecessary to repeat that requirement here. The omitted provision reads:

... such truck tractors or commercial motor vehicles continue to be registered as provided in Section 6 of this Act ... .

(6) Subsection (c)(1), V.A.C.S. Article 6675a-6-1/2, provides that that article does not apply to vehicles to be registered with United States government license plates or exempt license plates. The revised law omits this provision as unnecessary because V.A.C.S. Article 6675a-3 (revised in relevant part as Subchapter E of this chapter) exempts certain vehicles from registration, and accordingly Article 6675a-6-1/2 does not apply to those vehicles in the absence of an express statement to that effect. The omitted provision reads:

... and provided further, that the provisions of this section shall not apply to:

(1) vehicles registered or to be registered with United States Government license plates or exempt license plates issued by the State of Texas; ...
(7) Subsection (c)(3), V.A.C.S. Article 6675a-6-1/2, provides that certain truck-tractors and commercial motor vehicles that are not registered in combination under that article shall be registered "as provided in Section 6 of this Act" (revised as Section 502.162 of this code), and that certain semitrailers that are not registered in combination under that article shall be registered "as provided in Section 8 of this Act" (revised as Section 502.166 of this code). The revised law omits these provisions because Sections 6 and 8 by their own terms apply to the registration of those truck-tractors, commercial motor vehicles, and semitrailers, and it is unnecessary to repeat those requirements here. The omitted provisions read:

... such truck tractors or commercial motor vehicles shall continue to be registered as provided in Section 6 of this Act; and, provided further that semitrailers of the housetrailer type shall continue to be registered as provided in Section 8 of this Act;...

(8) Subsection (C)(5), V.A.C.S. Article 6675a-6-1/2, provides that certain farm trucks and farm truck-tractors that are not registered in combination under that article shall be registered "as provided in Section 6a of this Act" (revised as Section 502.163 of this code). The revised law omits this provision because Section 6a by its own terms applies to the registration of those farm trucks and farm truck-tractors, and it is unnecessary to repeat that requirement here. The omitted provision reads:

... such farm trucks or farm truck tractors shall continue to be registered as provided in Section 6a of this Act; or...

(9) Subsection (c)(5), V.A.C.S. Article 6675a-6-1/2, refers to "Farm Truck or Farm Truck Tractor License Plates." The relevant portion of that
The statute that relates to those plates is codified in this chapter as Section 502.163, and the revised law is drafted accordingly.

(10) Subsection (c)(6), V.A.C.S. Article 6675a-6-1/2, provides that certain truck-tractors, commercial motor vehicles, and semitrailers that are not registered in combination under that article shall be registered "as provided in Subsection (h)(1), Section 2 of this Act" (revised as Section 502.278 of this code), "based on the registration fees for truck tractors or commercial motor vehicles as prescribed in Section 6 of this Act" (revised as Section 502.162 of this code), and based on "the registration fees for trailers or semitrailers as prescribed in Section 8 of this Act" (revised as Section 502.166 of this code). The revised law omits these provisions because Sections 2(h)(1), 6, and 8 by their own terms apply to the registration of those truck-tractors, commercial motor vehicles, and semitrailers, and it is unnecessary to repeat those requirements here. The omitted provisions read:

... such truck tractors or commercial motor vehicles and semitrailers shall continue to be registered as provided in Subsection (h)(1), Section 2 of this Act, based on the registration fees for truck tractors or commercial motor vehicles as prescribed in Section 6 of this Act, and the registration fees for trailers or semi-trailers as prescribed in Section 8 of this Act.

(11) Subsection (c)(6), V.A.C.S. Article 6675a-6-1/2, refers to "Soil Conservation License Plates." The statute that relates to those plates is codified in this chapter as Section 502.278, and the revised law is drafted accordingly.

Revised Law

Sec. 502.168. FEE: MOTOR BUS. The fee for a registration

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year for registration of a motor bus is $25 plus an amount determined according to the vehicle's gross weight, as follows:

<table>
<thead>
<tr>
<th>Gross weight in pounds</th>
<th>Fee for each 100 pounds or fraction of 100 pounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- 6,000</td>
<td>$0.44</td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>0.495</td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>0.605</td>
</tr>
<tr>
<td>10,001-17,000</td>
<td>0.715</td>
</tr>
<tr>
<td>17,001-24,000</td>
<td>0.77</td>
</tr>
<tr>
<td>24,001-31,000</td>
<td>0.88</td>
</tr>
<tr>
<td>31,001 and over</td>
<td>0.99</td>
</tr>
</tbody>
</table>

(V.A.C.S. Art. 6675a-8a.)

**Source Law**

Art. 6675a-8a. Annual license fees for the registration of a motor bus shall be Twenty-five Dollars ($25.00) plus an amount based upon the "gross weight" of the vehicle as follows:

<table>
<thead>
<tr>
<th>Gross Weight in Pounds</th>
<th>Fee per 100 lbs. or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- 6,000</td>
<td>$0.44</td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>0.495</td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>0.605</td>
</tr>
<tr>
<td>10,001-17,000</td>
<td>0.715</td>
</tr>
<tr>
<td>17,001-24,000</td>
<td>0.77</td>
</tr>
<tr>
<td>24,001-31,000</td>
<td>0.88</td>
</tr>
<tr>
<td>31,001 and up</td>
<td>0.99</td>
</tr>
</tbody>
</table>

**Revised Law**

Sec. 502.169. FEE: ALL-TERRAIN VEHICLE. (a) The fee for a registration year for off-highway registration of an all-terrain vehicle is $6. (b) At the time of registration, the county assessor-collector shall also collect from the registered owner of the vehicle an annual all-terrain vehicle safety fee of $6. (V.A.C.S. Art. 6675a-5, Subsec. (c).)

**Source Law**

(c) The annual license fee for off-highway registration of an all-terrain vehicle is Six Dollars ($6). At the time of registration, the County Tax Collector shall also collect from each registered owner.
of the vehicle an annual all-terrain vehicle safety fee
of Six Dollars ($6).

Revisor's Note
Subsection (c), V.A.C.S. Article 6675a-5, refers
to a "County Tax Collector." The revised law
substitutes "county assessor-collector" for "County Tax
Collector" for the reason stated in Revisor's Note (3)
under Section 502.002 of this code.

Revised Law
Sec. 502.170. ADDITIONAL FEE FOR REFLECTORIZED LICENSE
PLATES. (a) In addition to the other registration fees for a
license plate or set of license plates or other device used as the
registration insignia, 30 cents shall be collected.
(b) The department shall use money collected under this
section to purchase equipment and material for the production and
manufacture of reflectorized license plates. (V.A.C.S.
Art. 6675a-13-1/2, Subsec. (b) (part).)

Source Law
(b) Thirty cents (30¢) shall be added to the
cost of each license plate or set of plates, symbol,
tab, or other device used as the legal registration
insignia, purchased for 1968 licenses, and licenses for
each year thereafter. Such funds collected shall be
used by the State Highway Department for the purpose of
purchasing equipment and material for the production
and manufacturing of reflectorized license plates, as
provided in Subsection (a) of this Act for the calendar
year of 1969 and thereafter...

Revisor's Note
Subsection (b), V.A.C.S. Article 6675a-13-1/2,
refers to a 30-cent fee added to the cost of license
plates and other registration insignia "purchased for
1968 licenses, and licenses for each year thereafter."
Subsection (b) also provides in part that the money
raised by the additional fee is to be used for the
production and manufacturing of reflectorized license
plates "for the calendar year of 1969 and thereafter."
These provisions are omitted from the revised law as executed.

Revised Law

Sec. 502.171. ADDITIONAL FEE FOR CERTAIN VEHICLES USING DIESEL MOTOR. (a) The registration fee under this chapter for a motor vehicle other than a passenger car, a truck with a manufacturer's rated carrying capacity of two tons or less, or a vehicle registered in combination under Section 502.167 is increased by 11 percent if the vehicle has a diesel motor.

(b) A county assessor-collector shall show on the registration receipt for a motor vehicle, other than a passenger car or a truck with a manufacturer's rated carrying capacity of two tons or less, that the vehicle has a diesel motor.

(c) The department may adopt rules to administer this section. (V.A.C.S. Art. 6675a-8c; Sec. 3, Ch. 9, Acts 62nd Leg., R.S., 1971.)

Source Law

Art. 6675a-8c. It is expressly provided that the license fees for all motor vehicles, other than a passenger car and other than a truck that has a manufacturer's rated carrying capacity of two (2) tons or less, using or being propelled by diesel motors or engines shall be the fees provided in other sections of this Act, plus an additional eleven percent (11%); provided, however, that such additional percentage shall not apply to the fee for the combined gross weight of vehicles registered in combination. When motor vehicles other than a passenger car or a truck described by this section are propelled by diesel fuel, such fact shall be indicated on the license receipts issued for such vehicles by the county tax collectors.

[Acts 62nd Leg.] Sec. 3. The Highway Department is hereby authorized to promulgate reasonable rules and regulations for the orderly administration of this Act.

Reviser's Note

(1) V.A.C.S. Article 6675a-8c refers to "county tax collectors." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Reviser's Note (3) under Section 74C263 JD-D 2277
502.002 of this code.

(2) V.A.C.S. Article 6675a-8c refers to motor vehicles that have "diesel motors or engines." The reference to "engine" is omitted from the revised law because "engine" is included within the meaning of "motor."

(3) Section 3, Chapter 9, Acts of the 62nd Legislature, Regular Session, 1971, refers to "rules and regulations." The revised law omits the reference to "regulations" for the reason stated in Revisor's Note (4) under Section 502.054 of this code.

Revised Law

Sec. 502.172. OPTIONAL COUNTY FEE FOR ROAD AND BRIDGE FUND.

(a) The commissioners court of a county by order may impose an additional fee, not to exceed $10, for registering a vehicle in the county.

(b) A vehicle that may be registered under this chapter without payment of a registration fee may be registered in a county imposing a fee under this section without payment of the additional fee.

(c) A fee imposed under this section may take effect only on January 1 of a year. The county must adopt the order and notify the department not later than September 1 of the year preceding the year in which the fee takes effect.

(d) A fee imposed under this section may be removed. The removal may take effect only on January 1 of a year. A county may remove the fee only by:

(1) rescinding the order imposing the fee; and

(2) notifying the department not later than September 1 of the year preceding the year in which the removal takes effect.

(e) The county assessor-collector of a county imposing a fee under this section shall collect the additional fee for a vehicle when other fees imposed under this chapter are collected.

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(f) The department shall collect the additional fee on a vehicle that is owned by a resident of a county imposing a fee under this section and that, under this chapter, must be registered directly with the department. The department shall send all fees collected for a county under this subsection to the county treasurer to be credited to the county road and bridge fund.

(g) The department shall adopt rules and develop forms necessary to administer registration by mail for a vehicle being registered in a county imposing a fee under this section.

Source Law

Art. 6675a-9a. (a) The Commissioners Court of a County by order may impose, in addition to the fee imposed by this Act for registering a vehicle in this State, an extra fee in an amount set by the Commissioners Court that does not exceed Ten Dollars ($10) for each vehicle registered in the County. A vehicle that may be registered under this Act without payment of a registration fee may be registered in the County without payment of the extra fee.

(b) A county may impose a fee under this section to take effect beginning January 1 of a year. The county shall adopt the order and notify the Department on or before September 1 of the year preceding the year in which the fee takes effect. Imposition of the fee may be removed but the removal may only become effective beginning January 1. A county may remove the fee only by:

(1) rescinding the order imposing the fee; and

(2) notifying the Department on or before September 1 of the year preceding the year in which the removal takes effect.

(c) The County Tax Collector of a County imposing a fee under this section shall collect the extra fee for a vehicle simultaneously with the collection of other fees imposed under this Act for the vehicle.

(d) The Department shall collect the extra fee on a vehicle owned by a resident of a County imposing a fee under Subsection (a) of this section that under this Act must be registered directly with the Department. The Department shall remit all fees collected for the County under this subsection to the County Treasurer for deposit in the County Road and Bridge Fund.

(e) The Department shall adopt rules and develop forms necessary to administer registration by mail for vehicles registering in a county imposing a fee under Subsection (a) of this section.
Revisor's Note

V.A.C.S. Article 6675a-9a refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.173. OPTIONAL COUNTY FEE FOR CHILD SAFETY. (a) The commissioners court of a county with a population greater than 1.18 million may impose by order an additional fee of not less than 50 cents or more than $1.50 for registering a vehicle in the county. The commissioners court of a county with a population less than 1.18 million may impose by order an additional fee of not more than $1.50 for registering a vehicle in the county.

(b) A vehicle that may be registered under this chapter without payment of a registration fee may be registered in a county imposing a fee under this section without payment of the additional fee.

(c) A fee imposed under this section may take effect only on January 1 of a year. The county must adopt the order and notify the department not later than September 10 of the year preceding the year in which the fee takes effect.

(d) A fee imposed under this section may be removed. The removal may take effect only on January 1 of a year. A county may remove the fee only by:

(1) rescinding the order imposing the fee; and

(2) notifying the department not later than September 1 of the year preceding the year in which the removal takes effect.

(e) The county assessor-collector of a county imposing a fee under this section shall collect the additional fee for a vehicle when other fees imposed under this chapter are collected.

(f) A county imposing a fee under this section may deduct for administrative costs an amount of not more than 10 percent of
the revenue it receives from the fee. The county may also deduct
from the fee revenue an amount proportional to the percentage of
county residents who live in unincorporated areas of the county.
After making the deductions provided for by this subsection, the
county shall send the remainder of the fee revenue to the
municipalities in the county according to their population.

(g) A municipality with a population greater than 850,000
shall deposit revenue from a fee imposed under this subsection to
the credit of the child safety fund created under Article 6701d-26,
Revised Statutes. A municipality with a population less than
850,000 shall use revenue from a fee imposed under this section in
accordance with Subsection (f), Article 102.014, Code of Criminal
Procedure.

(h) After deducting administrative costs, a county may use
revenue from a fee imposed under this section only for a purpose
permitted by Subsection (g), Article 102.014, Code of Criminal
Procedure. (V.A.C.S. Art. 6675a-9b, Subsecs. (a), (b), (c) (part),
(d), (e), (h), (i).)

Source Law

Art. 6675a-9b. (a) The commissioners court of a
county with a population greater than 1.18 million
according to the most recent federal decennial census
may by order impose, in addition to the fee imposed by
this Act for registering a vehicle in this state, an
extra fee in an amount set by the commissioners court
not less than 50 cents and not to exceed $1.50.
(b) The commissioners court of a county with a
population less than 1.18 million according to the most
recent federal decennial census may by order impose, in
addition to the fee imposed by this Act for registering
a vehicle in this state, an extra fee in an amount not
to exceed $1.50.
(c) A county imposing a fee under this section
may deduct an amount not to exceed 10 percent of the
revenues it receives from the fee for administrative
costs. The county may further deduct from the fee
revenues an amount proportional to the percentage of
county residents who live in the unincorporated portion
of the county. . . .
(d) After the deduction of administrative costs
and the portion of fee revenue to which the county is
entitled under Subsection (c) of this section, the
county shall remit the remainder of the fee to the
municipalities in the county according to their
population. A municipality with a population greater
than 850,000 according to the most recent federal
decennial census shall deposit money received from the
fee in the child safety fund created in Article
6701d-26, Revised Statutes. A municipality with a population less than 850,000 according to the most recent federal decennial census shall use the fee revenue in accordance with Subsection (f), Article 102.014, Code of Criminal Procedure.

(e) After administrative costs are deducted, the county shall use the revenue from fees under this section for any purpose permitted under Subsection (g), Article 102.014, Code of Criminal Procedure.

(h) The county, tax collector of a county imposing a fee under this section shall collect the extra fee for a vehicle simultaneously with the collection of other fees imposed under this Act for the vehicle. A vehicle that may be registered under this Act without payment of a registration fee may be registered in the county without payment of the extra fee.

(i) A county may impose a fee under this section to take effect beginning January 1 of a year. The county shall adopt the order and notify the department on or before September 10 of the year preceding the year in which the fee takes effect. Imposition of the fee may be removed but the removal may only become effective beginning January 1. A county may remove the fee only by:

(1) rescinding the order imposing the fee; and

(2) notifying the department on or before September 1 of the year preceding the year in which the removal takes effect.

Reviser's Note

(1) Subsections (a)-(d), V.A.C.S. Article 6675a-9b, each describe a population number that is to be determined according to the most recent federal decennial census. The revised law omits the reference to the federal census because the reference is unnecessary. Section 311.005(3), Government Code (Code Construction Act), and Section 312.011(20), Government Code, define "population" as population according to the most recent federal decennial census. That definition applies to the revised law.

(2) V.A.C.S. Article 6675a-9b refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(3) Subsection (c), V.A.C.S. Article 6675a-9b, provides in part for the deduction by certain counties
of additional amounts from fee revenue received "before January 1, 1992," and for reimbursement to the State Department of Highways and Public Transportation from this additional amount. The provision is omitted from the revised law as expired. The omitted provision reads:

... A county that has a population greater than 1.18 million, according to the most recent federal decennial census, and that, before September 31, 1991, imposes an additional registration fee under Subsection (a) of this section may deduct an additional amount, not to exceed 15 percent of the revenues it receives from the fee before January 1, 1992, from which additional amount the county shall reimburse the State Department of Highways and Public Transportation for reasonable costs incurred by the department in assisting the county in assessing and collecting the additional registration fee and with which the county may defray actual computer and mailing costs incurred by the county in assessing and collecting the additional registration fee.

Revised Law

Sec. 502.174. VOLUNTARY ASSESSMENT FOR YOUNG FARMER LOAN GUARANTEES. (a) When a person registers a commercial motor vehicle under Section 502.163, the person shall pay a voluntary assessment of $5.

(b) The county assessor-collector shall send an assessment collected under this section to the state treasurer, at the time and in the manner prescribed by the Texas Agricultural Finance Authority, for deposit in the general revenue fund to the credit of the young farmer loan guarantee account.

(c) The Texas Agricultural Finance Authority shall prescribe procedures under which an assessment collected under this section may be refunded. The county assessor-collector of the county in which an assessment is collected shall:

(1) implement the refund procedures; and

(2) provide notice of those procedures to a person paying an assessment at the time of payment. (V.A.C.S.
Art. 6675a-17. (a) At the time a person registers a commercial motor vehicle under Section 6a of this Act, the person shall pay a voluntary assessment in the amount of $5.

(b) The county tax collector shall send the $5 assessment collected under this section to the state treasurer, at the time and in the manner prescribed by the Texas Agricultural Finance Authority, for deposit in the general revenue fund to the credit of the young farmer loan guarantee account.

(c) The Texas Agricultural Finance Authority shall prescribe procedures under which an assessment collected under this section may be refunded. The county tax collector of the county in which an assessment is collected shall implement the refund procedures prescribed by the authority and shall provide notice of those procedures to a person paying an assessment at the time of the payment.

Reviser's Note

(1) Subsection (a), V.A.C.S. Article 6675a-17, refers to "Section 6a of this Act," meaning V.A.C.S. Article 6675a-6a. The relevant portion of that statute is codified in this chapter as Section 502.163, and the revised law is drafted accordingly.

(2) V.A.C.S. Article 6675a-17 refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.175. TRANSFER FEE. (a) A person other than a dealer who sells a vehicle subject to registration under this chapter shall indorse on the certificate of registration a written transfer of the vehicle.

(b) The purchaser of a motor vehicle to which Subsection (a) applies shall:

(1) pay a transfer fee of $1 to the county assessor-collector of the county in which the person resides; and
(2) provide the person's full name and address to the assessor-collector.

(c) On compliance with Subsection (b), a person is considered to be the owner of the vehicle and is subject to this chapter. (V.A.C.S. Art. 6685.)

Source Law

Art. 6685. When any person, other than a dealer, sells a vehicle subject to registration hereunder, he shall indorse upon his certificate of registration a written transfer of the same. The purchaser of such motor vehicle shall pay to the county tax collector of the county of his residence a transfer fee of one dollar, with his full name and address, and he shall then be regarded as the owner thereof and amenable to the provisions of this law.

Reviser's Note

V.A.C.S. Article 6685 refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.176. DELINQUENT FEE. (a) A registration fee prescribed by this chapter for a vehicle becomes delinquent immediately if the vehicle is used on a public highway without the fee having been paid in accordance with this chapter.

(b) A county assessor-collector may not register a vehicle for which payment of the registration fee is delinquent unless the owner pays an additional charge equal to 20 percent of the prescribed fee. (V.A.C.S. Art. 6675a-3a.)

Source Law

Art. 6675a-3a. The payment of the license fee prescribed herein for any vehicle shall become delinquent immediately upon the use of said vehicle on any public highway without said fee having been paid in accordance with this Act. In the event the payment of any such fee has become delinquent on any such vehicle, no license or license number plates shall be issued therefore by any County Tax Collector unless the owner of said vehicle pay an additional charge equal to
twenty (20%) per cent of the total amount of said prescribed fee.

Revisor's Note

V.A.C.S. Article 6675a-3a refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.177. MINIMUM REGISTRATION FEE. Notwithstanding any other provision of this chapter and without regard to the month in which the application for registration is filed, the minimum registration fee for any vehicle may not be less than $5. (V.A.C.S. Art. 6675a-4, Subsec. (b).)

Source Law

(b) Notwithstanding the provisions of Subsection (a) of this section or any other section of this Act, the registration or license of any vehicle shall not be issued for or reduced to a fee less than $5.00, regardless of the month of the registration period in which application is filed.

Revised Law

Sec. 502.178. REGISTRATION RECEIPT. (a) The department shall issue or require to be issued to the owner of a vehicle registered under this chapter a registration receipt showing:

(1) the date of issuance;
(2) the license number assigned to the vehicle;
(3) the name and address of the owner; and
(4) other information as determined by the department.

(b) The registration receipt issued for a commercial motor vehicle, truck-tractor, trailer, or semitrailer must show the gross weight for which the vehicle is registered. (V.A.C.S. Arts. 6675a-12; 6701d-11, Sec. 5(a) (part).)
Art. 6675a-12. The Department shall issue, or cause to be issued, to the owner of each vehicle registered under the provisions of this Act a license receipt which shall indicate the date of its issuance, the license number assigned the registered vehicle, the name and address of the owner and such other information or statement of facts as may be determined by the Department.

[Art. 6701d-11]
Sec. 5(a). Upon application for registration of any commercial motor vehicle, truck tractor, trailer or semi-trailer, the applicant shall deliver to the Tax Collector, or one of his duly authorized deputies, an affidavit, duly sworn to before an officer authorized to administer oaths, showing the weight of said vehicle, the maximum load to be transported thereon, and the total gross weight for which said vehicle is to be registered; . . . . The license receipt issued to the applicant shall also show said total gross weight for which said vehicle is registered. . . .

Revisor's Note
(1) V.A.C.S. Article 6675a-12 refers to "other information or statement of facts." The reference to "statement of facts" is omitted from the revised law because in this context "statement of facts" is included within the meaning of "information."

(2) Section 5(a), V.A.C.S. Article 6701d-11, refers to the "total gross weight" of a vehicle. The reference to "total" is omitted from the revised law because "total" is included within the meaning of "gross."

Revised Law
Sec. 502.179. DUPLICATE REGISTRATION RECEIPT. (a) The owner of a vehicle for which the registration receipt has been lost or destroyed may obtain a duplicate receipt from the department or the county assessor-collector who issued the original receipt by paying a fee of $2.

(b) The office issuing a duplicate receipt shall retain the fee received as a fee of office. (V.A.C.S. Art. 6675a-12a.)
Source Law

Art. 6675a-12a. The owner of a vehicle, the license receipt for which has been lost or destroyed, may obtain a duplicate thereof from the State Department of Highways and Public Transportation or the County Collector who issued the original receipt by paying a fee of Two Dollars ($2.00) for said duplicate. The fees derived from the issuance of duplicate license receipts are to be retained by the office issuing same as a fee of office.

Revisor's Note

V.A.C.S. Article 6675a-12a refers to a "County Collector." The revised law substitutes "county assessor-collector" for "County Collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.180. ISSUANCE OF LICENSE PLATE OR REGISTRATION INSIGNIA. (a) On payment of the prescribed fee, the department shall issue to an applicant for motor vehicle registration a license plate or set of plates or a device that, when attached to the vehicle as prescribed by the department, is the registration insignia for the period for which it was issued.

(b) The department shall issue only one license plate or set of plates for a vehicle during a five-year period.

(c) On application and payment of the prescribed fee for a renewal of the registration of a vehicle for the first, second, third, or fourth registration year after the issuance of a license plate or set of plates for the vehicle, the department shall issue a registration insignia for the validation of the license plate or plates to be attached as provided by Subsection (d).

(d) 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, directly above the place where the motor vehicle inspection sticker is required to be placed. If the vehicle does not have a windshield, the owner, 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.

(e) The department shall adopt rules for the issuance and use of license plates and registration insignia issued under this chapter.

(f) Subsections (b)-(d) do not apply to:

(1) the issuance of specialized license plates as designated by the department, including state official license plates, exempt plates for governmental entities, and temporary registration plates; or

(2) the issuance or validation of replacement license plates, except as provided by Section 502.184.

(g) The department shall provide a separate and distinctive tab to be affixed to the license plate of an automobile, pickup, or recreational vehicle that is offered for rent, as a business, to any part of the public. (V.A.C.S. Arts. 6675a-3e, Sec. 5(c) (part); 6675a-13, Subsecs. (a), (b), (c), (e) (part), (f), (g).)

Source Law

[Art. 6675a-3e]
[Sec. 5]

(c) The symbol, tab, or device required by Subsection (b) of this section shall be attached to the inside of the vehicle's windshield, if the vehicle is equipped with a windshield, directly above the place where the motor vehicle inspection sticker is required to be placed. If the vehicle has no windshield, the person who operates the vehicle shall, upon application for, or renewal of, the vehicle registration, notify the department, whereby the department shall issue a distinctive symbol, tab, or other device for attachment to the rear license plate of the vehicle. . . .

Art. 6675a-13. (a) The Department shall issue to applicants for a motor vehicle registration, on payment of the required fee, a plate or plates, symbols, tabs, or other devices which when attached to a vehicle as prescribed by the Department are the legal registration insignia for the period issued.

(b) The Department shall issue only one license plate or set of license plates for each vehicle during any five-year period, the first such period to begin April 1, 1975, unless a replacement plate or set of plates is applied for under the provisions of Section 13a of this Act.

(c) Upon the application and payment of the prescribed fee for reregistration of a vehicle for the first, second, third, or fourth registration year
following the issuance of a plate or set of plates for
the vehicle, the Department shall issue new license
plates or a symbol, tab, or other device evidencing the
registration to be attached by the applicant in the
manner provided by Section 5, Chapter 3, Acts of the
43rd Legislature, 2nd Called Session, 1934 (Article
6675a-3e, Vernon's Texas Civil Statutes), for the
validation of regular registration of the vehicle.

(e) The provisions of Subsections (b), (c), [and
(d)] of this section do not apply to the issuance of
special category plates as designated by the
Department, including State Official license plates,
exempt plates for governmental entities, and temporary
registration plates.

(f) The Department shall make and publish rules
and regulations for the issuance and use of license
plates, symbols, tabs, and other devices issued under
the provisions of this Act.

(g) The Department shall provide a separate and
distinctive tab to be affixed to the license plates of
those automobiles, pickups and recreational vehicles
that are offered for rent, as a business, to any part
of the general public.

Revisor's Note

(1) Section 5(c), V.A.C.S. Article 6675a-3e,
refers to "[t]he symbol, tab, or device required by
Subsection (b) of this section" (revised as Section
502.404 of this code). Subsection (a), V.A.C.S.
Article 6675a-13, refers to "symbols, tabs, or other
devices which when attached to a vehicle as prescribed
by the Department are the legal registration insignia."
Subsection (c), V.A.C.S. Article 6675a-13, refers to "a
symbol, tab, or other device evidencing the
registration." Subsection (f), V.A.C.S. Article
6675a-13, refers to the issuance of "symbols, tabs, and
other devices." The revised law substitutes "device"
or "registration insignia," as applicable, for "symbol,
tab, or other device" for the reasons stated in
Revisor's Note (2) under Section 502.053 of this code.

(2) Subsection (b), V.A.C.S. Article 6675a-13,
provides in part that the first five-year period for
the issuance of license plates is to begin April 1,
1975. The revised law omits this provision as
executed.

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(3) Subsection (f), V.A.C.S. Article 6675a-13, requires the Texas Department of Transportation to "make and publish rules and regulations." Chapter 2001, Government Code (the administrative procedure law) prescribes the procedure each agency must follow in adopting rules, including the publication requirement imposed by Subsection (f); the provision is accordingly omitted as unnecessary. The reference to "regulations" is omitted from the revised law for the reason stated in Reviser's Note (4) under Section 502.054 of this code.

(4) Subsection (h), V.A.C.S. Article 6675a-13, in part requires the Texas Department of Transportation to issue a license plate for a moped registered under this chapter. The revised law omits this provision as unnecessary because a moped is a motor vehicle under Section 502.001 and as such is covered by Subsection (a) of the revised law. The omitted provision reads:

(h) The Department shall issue to each person registering a moped under this Act a license plate for the moped.

Revised Law
Sec. 502.181. PAYMENT OF REGISTRATION FEE BY CHECK DRAWN AGAINST INSUFFICIENT FUNDS. (a) A county assessor-collector who receives from any person a check or draft drawn on a bank or trust company in payment of a registration fee for a registration year that has not ended on a motor vehicle, trailer, or motorcycle sidecar that is returned unpaid because of insufficient funds or no funds in the bank or trust company to the credit of the drawer of the check or draft shall immediately certify the fact to the sheriff or a constable or highway patrol officer in the county. The certification must:

1. be under the assessor-collector's official seal;
2. include the name and address of the person who
gave the assessor-collector the check or draft;

(3) include the license plate number and make of the vehicle; and

(4) be accompanied by the check or draft.

(b) On receiving a complaint under Subsection (a) from the county assessor-collector, the sheriff, constable, or highway patrol officer shall find the person who gave the assessor-collector the check or draft, if the person is in the county, and demand immediate redemption of the check or draft from the person. If the person fails or refuses to redeem the check or draft, the sheriff, constable, or highway patrol officer shall:

(1) seize and remove the license plates from the vehicle; and

(2) return the license plates to the county assessor-collector. (V.A.C.S. Art. 6675a-15.)

Source Law

Art. 6675a-15. Whenever the tax collector or assessor or collector of taxes shall receive from any person a check and/or draft drawn upon any bank or trust company in payment of the registration license fee or fees and license number plates for the current year on any motor vehicle, truck, tractor, trailer, motorcycle or motorcycle side car and such check and/or draft shall be returned unpaid to such tax collector or assessor and collector of taxes on account of insufficient funds, or no funds, in such bank or trust company to the credit of the drawer thereof, it shall be the duty of such tax collector or assessor and collector of taxes to immediately certify under his official seal, accompanied by said check, the sheriff or any constable or highway patrolman in his county of such fact, giving such officer the name and address of such person who gave him such check and/or draft and the number and make of such motor vehicle, truck, tractor, trailer, motorcycle or motorcycle side car. Such officer, upon receiving any such complaint from the tax collector or assessor and collector of taxes shall be authorized, and it shall immediately become his duty, to find such person, if in his county, and demand of such person the immediate redemption of such check and/or draft. Should any person fail and/or refuse to so redeem any such check and/or draft, theretofore given a tax collector or assessor and collector of taxes in payment of any license fee and license number plates mentioned in this Act and returned unpaid to such tax collector, then any sheriff, or any officer mentioned herein, shall be authorized, and it shall be his duty, to forthwith seize and remove from the motor vehicle, truck, tractor, trailer, motorcycle or motorcycle side car, wherever found, the license number plates theretofore
issued to the owner thereof, and such officer shall
forthwith return such license number plates so seized

to the office of the tax collector or assessor and

collector of taxes issuing same.

Revisor's Note

(1) V.A.C.S. Article 6675a-15 refers to a "tax
collector or assessor or [and] collector of taxes."
The revised law substitutes "county assessor-collector"
for "tax collector or assessor or [and] collector of
taxes" for the reason stated in Revisor's Note (3)
under Section 502.002 of this code.

(2) V.A.C.S. Article 6675a-15 refers to "any
motor vehicle, truck, tractor, trailer, motorcycle or
motorcycle side car." The revised law omits "truck,"
"tractor," and "motorcycle" because each is included in
the definition of "motor vehicle" under Section 502.001
of this code.

Revised Law

Sec. 502.182. CREDIT FOR REGISTRATION FEE PAID ON MOTOR
VEHICLE SUBSEQUENTLY DESTROYED. (a) The owner of a motor vehicle
that is destroyed to the extent that it cannot afterwards be
operated on a public highway is entitled to a registration fee
credit if the prorated portion of the registration fee for the
remainder of the registration year is more than $15. The owner
must claim the credit by:

(1) sending the registration fee receipt and the
license plates for the vehicle to the department; and

(2) executing a statement on a form provided by the
department showing that the license plates have been surrendered to

the department.

(b) The department, on satisfactory proof that the vehicle
is destroyed, shall issue a registration fee credit slip to the
owner in an amount equal to the prorated portion of the
registration fee for the remainder of the registration year. The
owner, during the same or the next registration year, may use the
registration fee credit slip as payment or part payment for the
registration of another vehicle to the extent of the credit.

(c) A statement executed under Subsection (a)(2) shall be
delivered to a purchaser of the destroyed vehicle. The purchaser
may surrender the statement to the department in lieu of the
vehicle license plates.

(d) The department shall adopt rules to administer this
section. (V.A.C.S. Art. 6675a-5d.)

Source Law

Art. 6675a-5d. If the owner of any motor vehicle
which is destroyed to such an extent that it cannot
thereafter be operated upon the highways of this state
transmits the license fee receipt and the license
plates for the vehicle to the State Highway Department,
he is entitled to a license fee credit if the prorated
portion of the license fee for the remainder of the
year is over $15.00. The State Highway Department,
upon satisfactory proof of the destruction of the
vehicle, shall issue a license fee credit slip to the
owner in an amount equal to the prorated portion of the
license fee for the remainder of the year if it is over
$15.00. The owner of the vehicle at the time of
destruction may during the same or the following
registration year use the license fee credit slip as
payment or part payment for the registration of
additional vehicles to the extent of the license fee
credit slip. The State Highway Department shall
promulgate regulations necessary for the administration
of this Act.

Any owner of a motor vehicle applying for a
license fee credit under this Section shall execute a
statement upon a form provided by the State Highway
Department showing that the license plates have been
surrendered to the State Highway Department. This
statement shall be delivered to the purchaser of the
destroyed vehicle who may surrender this statement to
the State Highway Department in lieu of the vehicle
license plates.

Reviser's Note

V.A.C.S. Article 6675a-5d refers to
"regulations." The revised law substitutes "rules" for
"regulations" for the reason stated in Reviser's Note
(4) under Section 502.054 of this code.

Revised Law

Sec. 502.183. REFUND OF OVERCHARGED REGISTRATION FEE. (a)
The owner of a motor vehicle that is required to be registered who pays an annual registration fee in excess of the statutory amount is entitled to a refund of the overcharge.

(b) The county assessor-collector who collects the excessive fee shall refund an overcharge on presentation to the assessor-collector of satisfactory evidence of the overcharge. The owner must make a claim for a refund of an overcharge not later than the fifth anniversary of the date the excessive registration fee was paid.

(c) A refund shall be paid from the fund in which the county's share of registration fees is deposited. (V.A.C.S. Art. 6675a-5f.)

Source Law

Art. 6675a-5f. If the owner of a motor vehicle that is required to be registered pays an annual registration fee in excess of the statutory amount, he shall be entitled to a refund of the overcharge from the county tax collector who collected the excessive fee. The refund shall be paid from the fund in which the county's share of registration fees is deposited. A refund of the overcharge shall be made on presentation of satisfactory evidence of the overcharge to the county tax collector who collected the excessive fee. The owner of a motor vehicle who pays an excessive registration fee shall make his claim for a refund of the overcharge within five (5) years of the date that the excessive registration fee was paid.

Revisor's Note

V.A.C.S. Article 6675a-5f refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

Revised Law

Sec. 502.184. REPLACEMENT OF LOST, STOLEN, OR MUTILATED LICENSE PLATE. (a) The owner of a registered motor vehicle may obtain from the department through the county assessor-collector replacement license plates by:

(1) filing with the assessor-collector a statement:
(A) showing that one or both of the license plates to be replaced have been lost, stolen, or mutilated; and

(B) stating that no license plate to be replaced will be used on any vehicle owned or operated by the person making the statement;

(2) paying a fee of $5, except as provided by Subsection (b) or (c); and

(3) returning to the assessor-collector each replaced plate in the owner's possession.

(b) The fee for replacement of certain specialized license plates is:

<table>
<thead>
<tr>
<th>License plates issued under:</th>
<th>Fee:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 502.254</td>
<td>$1</td>
</tr>
<tr>
<td>Section 502.255 or 502.257</td>
<td>No fee</td>
</tr>
<tr>
<td>Section 502.256 or 502.267</td>
<td>$2</td>
</tr>
<tr>
<td>Section 502.268</td>
<td>$9</td>
</tr>
<tr>
<td>Section 502.273</td>
<td>$30</td>
</tr>
</tbody>
</table>

(c) The fee for replacement of license plates issued under Section 502.280 is the amount prescribed by the department as necessary to recover the cost of providing the replacement plates.

(d) If license plates approved under Section 502.274(b) are lost, stolen, or mutilated, the owner of the vehicle may obtain approval of another set of license plates as provided by Section 502.274. The fee for approval of replacement license plates is $5.

(e) A county assessor-collector may not issue replacement license plates without complying with this section.

(f) A county assessor-collector shall retain one-half of a fee collected under this section and shall report and send the remainder to the department as provided by Sections 502.102 and 502.105.

(g) Replacement license plates may be used in the registration year in which the plates are issued and during each succeeding year of the five-year period as prescribed by Section
(b) If the registration insignia is properly attached.

(h) Subsection (g) does not apply to the issuance of specialized license plates as designated by the department, including state official license plates, exempt plates for governmental entities, and temporary registration plates.

(V.A.C.S. Arts. 6675a-5a, Subsec. (f); 6675a-5e, Subsec. (g); 6675a-5e.2, Subsec.  (d) (part); 6675a-5e.3, Subsec. (d) (part); 6675a-5e.4, Subsec. (d) (part); 6675a-5g, Subsec. (d) (part); 6675a-5h, Subsec. (d) (part); 6675a-5j, Subsec. (j) (part); 6675a-5l, Subsec. (h) (part); 6675a-5m, Subsec. (h) (part); 6675a-5n, Subsecs. (g), (i); 6675a-5o, Subsec. (g); 6675a-5p (as added Ch. 534, Acts 73rd Leg., R.S., 1993), Subsec. (e); 6675a-5p (as added Ch. 567, Acts 73rd Leg., R.S., 1993), Subsec. (g) (part); 6675a-13, Subsecs. (d), (e) (part); 6675a-13a.)

Source Law

[Art. 6675a-5a]
(f) If license plates issued under this section become lost, stolen, or mutilated, the owner may secure replacement plates by executing a statement and application on a form furnished by the Department and by the payment of the fee prescribed in Section 13a of this Act.

[Art. 6675a-5e]
(g) If the special license plates provided herein become lost, stolen, or mutilated, the owner of the vehicle may secure a set of replacement license plates from the Department for a fee of One Dollar ($1.00).

[Art. 6675a-5e.2]
(d) If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the department without charge.

[Art. 6675a-5e.3]
(d) If license plates issued under this Section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the department by paying a replacement fee of Two Dollars ($2). . . .

[Art. 6675a-5e.4]
(d) If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the department by paying a replacement fee of $2 . . . .

[Art. 6675a-5g]
(d) If license plates issued under this Section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the Department without charge. . . .

[Art. 6675a-5h]

(d) If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the Department. The owner shall pay a fee of $4 in addition to the fee required for replacement plates. . . .

[Art. 6675a-5j]

(j) If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the department by paying a replacement fee of $5. . . .

[Art. 6675a-5l]

(h) If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the department by paying a replacement fee of $5. . . .

[Art. 6675a-5m]

(h) If a license plate issued under this section is lost, stolen, or mutilated, the owner of the vehicle for which the plate was issued may obtain a replacement plate from the department by paying a replacement fee of $5. . . .

[Art. 6675a-5n]

(g) If license plates issued or approved under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued or approved may obtain replacement plates from the department by paying a replacement fee of $5.

(i) If license plates approved under Subsection (d)(2) of this section are lost, stolen, or mutilated, the owner of the vehicle may obtain the department's approval of another set of license plates by paying a replacement fee of $5, or the owner may apply for replacement plates under Subsection (g) of this section.

[Art. 6675a-5o]

(g) If license plates issued under this section are lost, stolen, or mutilated, the owner of a registered motor vehicle may obtain replacement plates through the county tax collector as prescribed by Section 13a of this Act.

[Art. 6675a-5p, as added Ch. 534, Acts 73rd Leg., R.S., 1993]

(e) If license plates issued under this section are lost, stolen, or mutilated, the owner of the forestry vehicle may obtain replacement plates from the department by paying a replacement fee prescribed by the department at an amount necessary to recover the cost of providing the replacement plates.

[Art. 6675a-5p, as added Ch. 567, Acts 73rd Leg., R.S., 1993]
(g) If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the department. The owner shall pay a fee of Twenty-five Dollars ($25.00) in addition to the fee required for replacement plates.

[Art. 6675a-13]

(d) Replacement plates issued under the provisions of Section 13a of this Act may be used during the registration year of issue and during the succeeding years of the five year period as prescribed in subparagraph (b) above if the proper symbol, tab, or other device is properly attached.

(e) The provisions of Subsections [(b), (c),] and (d) of this section do not apply to the issuance of special category plates as designated by the Department, including State Official license plates, exempt plates for governmental entities, and temporary registration plates.

Art. 6675a-13a. The owner of a registered motor vehicle may obtain from the Department through the County Tax Collector replacement number plates for such vehicle by filing with said collector a statement showing that said number plate or plates have been lost, stolen or mutilated, and by paying a fee of five dollars for each set of plates issued. The County Tax Assessor-Collector shall retain as commission one-half (1/2) of this fee collected for replacement number plates and the other one-half (1/2) of such fee shall be reported to and remitted to the State Department of Highways and Public Transportation on Monday of each week as other registration fees are now required to be reported and remitted. In case one or more plates are left in possession of such owner same shall be returned to the Tax Collector when making this statement. Said statement shall state that such plate or plates have been lost, stolen or mutilated and will not be used on any vehicle owned or operated by the person making this statement. No Tax Collector shall issue replacement plates without requiring compliance with the provisions of this Section.

Revisor's Note

(1) Subsection (g), V.A.C.S. Article 6675a-5e, refers to "this section," meaning V.A.C.S. Article 6675a-5e. The relevant portion of that statute is revised in this chapter as Section 502.254, and the revised law is drafted accordingly.

(2) Subsection (d), V.A.C.S. Article 6675a-5e.2, refers to "this section," meaning V.A.C.S. Article 6675a-5e.2. The relevant portion of that statute is revised in this chapter as Section 502.255, and the revised law is drafted accordingly.
(3) Subsection (d), V.A.C.S. Article 6675a-5e.3, refers to "this Section," meaning V.A.C.S. Article 6675a-5e.3. The relevant portion of that statute is revised in this chapter as Section 502.256, and the revised law is drafted accordingly.

(4) Subsection (d), V.A.C.S. Article 6675a-5e.4, refers to "this section," meaning V.A.C.S. Article 6675a-5e.4. The relevant portion of that statute is revised in this chapter as Section 502.267, and the revised law is drafted accordingly.

(5) Subsection (d), V.A.C.S. Article 6675a-5g, refers to "this Section," meaning V.A.C.S. Article 6675a-5g. The relevant portion of that statute is revised in this chapter as Section 502.257, and the revised law is drafted accordingly.

(6) Subsection (d), V.A.C.S. Article 6675a-5h, refers to "this section," meaning V.A.C.S. Article 6675a-5h. The relevant portion of that statute is revised in this chapter as Section 502.268, and the revised law is drafted accordingly.

(7) Subsection (d), V.A.C.S. Article 6675a-5h, provides that the fee for replacements for license plates issued under that article (revised as Section 502.268 of this code) is "$4 in addition to the fee required for replacement plates." The fee for replacement plates is $5. Accordingly, the revised law substitutes $9 for the quoted language.

(8) Subsection (i), V.A.C.S. Article 6675a-5n, refers to Subsection (d)(2) of "this section," meaning V.A.C.S. Article 6675a-5n. That statute is revised in this chapter as Section 502.274(b), and the revised law is drafted accordingly.

(9) Subsection (e), V.A.C.S. Article 6675a-5p, as added by Chapter 534, Acts of the 73rd Legislature,
Regular Session, 1993, refers to "this section," meaning V.A.C.S. Article 6675a-5p, as added by Chapter 534, Acts of the 73rd Legislature, Regular Session, 1993. The relevant portion of that statute is revised in this chapter as Section 502.280, and the revised law is drafted accordingly.

(10) Subsection (g), V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993, refers to "this section," meaning V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993. The relevant portion of that statute is revised in this chapter as Section 502.273, and the revised law is drafted accordingly.

(11) Subsection (g), V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993, provides that the fee for replacements for license plates issued under that article (revised as Section 502.273 of this code) is "Twenty-five Dollars ($25.00) in addition to the fee required for replacement plates." The fee for replacement plates is $5. Accordingly, the revised law substitutes $30 for the quoted language.

(12) Subsection (d), V.A.C.S. Article 6675a-13, refers to "subparagraph (b) above," meaning Subsection (b), V.A.C.S. Article 6675a-13. That provision is revised in this chapter as Section 502.180(b), and the revised law is drafted accordingly.

(13) Subsection (d), V.A.C.S. Article 6675a-13, refers to "the proper symbol, tab, or other device." The revised law substitutes "registration insignia" for "proper symbol, tab, or other device" for the reason stated in Reviser's Note (2) under Section 502.053 of this code.
[Sections 502.185-502.200 reserved for expansion]

SUBCHAPTER E. SPECIALLY DESIGNATED LICENSE PLATES; EXEMPTIONS FOR GOVERNMENTAL AND QUASI-GOVERNMENTAL VEHICLES

Revised Law

Sec. 502.201. LICENSE PLATES FOR EXEMPT VEHICLES. (a) Before license plates are issued or delivered to the owner of a vehicle that is exempt by law from payment of registration fees, the department must approve the application for registration. The department may not approve an application if there is the appearance that:

(1) the vehicle was transferred to the owner or purported owner:
   (A) for the sole purpose of evading the payment of registration fees; or
   (B) in bad faith; or

(2) the vehicle is not being used in accordance with the exemption requirements.

(b) The department shall revoke the registration of a vehicle issued license plates under this section and may recall the plates if the vehicle is no longer:

(1) owned and operated by the person whose ownership of the vehicle qualified the vehicle for the exemption; or

(2) used in accordance with the exemption requirements.

(c) The owner of a vehicle described by Subsection (b) shall return the license plates and registration receipt to the department for cancellation.

(d) The department may provide by rule for the issuance of specially designated license plates for vehicles that are exempt by law.

(e) A license plate under Subsection (d) is not issued annually, but remains on the vehicle until:

(1) the registration is revoked as provided by
Subsection (b); or

(2) the plate is lost, stolen, or mutilated.

(f) A person who operates on a public highway a vehicle after the license has been revoked is liable for the penalties for failing to register a vehicle. (V.A.C.S. Art. 6675a-3aa, Subsecs. (a), (b), (c), (d), (e).)

Source Law

Art. 6675a-3aa. (a) Before the issuance or delivery of a license plate or plates to an owner of a vehicle that is exempt by law from the payment of registration fees, the application shall have the approval of the State Highway Department, and if it appears that the vehicle was transferred to any such owner or purported owner for the sole purpose of evading the payment of registration fees, or that the transfer was not made in good faith, or that the vehicle is not being used in accordance with the exemption requirements, such shall not be issued. If after the issuance of such plates, the vehicle ceases to be owned and operated by such owner, or to be used in accordance with the exemption requirements, then the license shall be revoked and the plates may be recalled and taken into possession by the Department.

(b) The Department may provide for issuance of specially designated plates to those exempt by law.

(c) Specially designated plates are not issued annually but, once issued, remain on the vehicle until (1) it is no longer owned and operated by those exempt by law or (2) the plates are mutilated, lost, or stolen. The plates and registration receipts of a vehicle no longer owned and operated by the registered owner, or no longer used for an exempt purpose, shall be forwarded to the Department for cancellation.

(d) The Department may provide rules and regulations for the issuance of exempt license plates.

(e) It shall be unlawful for any person to operate a vehicle after the license has been revoked, and any such person shall be liable for the penalties prescribed for the failure to register a vehicle as provided by law when it is being operated upon the public highways.

Revisor's Note

Subsection (d), V.A.C.S. Article 6675a-3aa, refers to "rules and regulations." The reference to "regulations" is omitted from the revised law for the reason stated in Revisor's Note (4) under Section 502.054 of this code.
Sec. 502.202. GOVERNMENT-OWNED VEHICLES; PUBLIC SCHOOL BUSES; FIRE-FIGHTING VEHICLES; COUNTY MARINE LAW ENFORCEMENT VEHICLES. (a) The owner of a motor vehicle, trailer, or semitrailer may annually apply for registration under Section 502.201 and is exempt from the payment of a registration fee under this chapter if the vehicle is:

1. owned by and used exclusively in the service of:
   A. the United States;
   B. this state; or
   C. a county, municipality, or school district in this state;

2. owned by a commercial transportation company and used exclusively to provide public school transportation services to a school district under Section 21.181, Education Code;

3. designed and used exclusively for fire fighting;

4. owned by a volunteer fire department and used exclusively in the conduct of department business; or

5. privately owned and used by a volunteer exclusively in county marine law enforcement activities, including rescue operations, under the direction of the sheriff's department.

(b) An application for registration under this section must be made by a person having the authority to certify that the vehicle meets the exemption requirements prescribed by Subsection (a). An application for registration under this section of a fire-fighting vehicle described by Subsection (a)(3) must include a reasonable description of the vehicle and of any fire-fighting equipment mounted on the vehicle. An application for registration under this section of a vehicle described by Subsection (a)(5) must include a statement signed by a person having the authority to act for a sheriff's department that the vehicle is used exclusively in marine law enforcement activities under the direction of the sheriff's department. (V.A.C.S. Art. 6675a-3, Subsec. (c).)
(c) Owners of motor vehicles, trailers and semi-trailers which are the property of and used exclusively in the service of the United States Government, the State of Texas, or any county, city or school district thereof, or which are the property of a commercial transportation company and are used exclusively to provide public school transportation services to a school district under Section 21.181, Education Code, and its subsequent amendments, shall apply annually to the Department as provided in Section 3-aa of this Act to register all such vehicles, but shall not be required to pay the registration fees herein prescribed, provided that application is made at the time of registration by a person who has the proper authority to certify that such vehicles are the property of and used exclusively in the service of the United States Government, the State of Texas, or a county, city or school district thereof, or are the property of a commercial transportation company and are used exclusively to provide public school transportation services to a school district under Section 21.181, Education Code, and its subsequent amendments, as the case may be. Owners of vehicles designed and used exclusively for fire fighting shall apply to the Department as provided in Section 3-aa of this Act to register all such vehicles, but shall not be required to pay the registration fees herein prescribed, provided that application is made at the time of registration by a person who has the proper authority to certify that such vehicles are used exclusively for fire fighting; and provided further, that such person shall supply the Department with a reasonable description of the vehicle and the fire fighting equipment mounted thereon. A vehicle owned by a volunteer fire department and used exclusively in the conduct of business of the department shall be registered without the payment of an annual registration fee, if the application for registration is accompanied by a statement that the vehicle is owned by, and used exclusively in the conduct of business of, the department and signed by a person with authority to act for the department, and if the application is approved as provided in Section 3-aa of this Act. An owner of a land vehicle used exclusively in county marine law enforcement activities, which may include rescue operations, shall apply to the Department as provided in Section 3-aa of this Act to register the vehicle but is exempt from paying a registration fee. The owner shall include with the application for registration a statement signed by a person with authority to act for a county sheriff's department that states that the vehicle is used exclusively in marine law enforcement activities under the direction of the department. An exempted vehicle may be privately owned and operated by a volunteer if it is used only for marine law enforcement activities.

Revisor's Note

(1) Subsection (c), V.A.C.S. Article 6675a-3, refers to "Section 3-aa of this Act," meaning V.A.C.S. Article 6675a-3aa. That statute is codified in this
chapter as Section 502.201, and the revised law is
drafted accordingly.

(2) Subsection (c), V.A.C.S. Article 6675a-3,
refers to a "city." The revised law substitutes
"municipality" for "city" for the reason stated in
Revisor's Note (6) under Section 502.001.

Revised Law

Sec. 502.203. VEHICLES USED BY NONPROFIT DISASTER RELIEF
ORGANIZATIONS. (a) The owner of a commercial motor vehicle,
trailer, or semitrailer may apply for registration under Section
502.201 and is exempt from the payment of the registration fee that
would otherwise be required by this chapter if the vehicle is owned
and used exclusively for emergencies by a nonprofit disaster relief
organization.

(b) An application for registration under this section must
include:

(1) a statement by the owner of the vehicle that the
vehicle is used exclusively for emergencies;
(2) a statement by the sheriff of the county in which
the vehicle is registered that the vehicle has not been used for
any purpose other than emergencies; and
(3) a reasonable description of the vehicle and the
emergency equipment included in the vehicle.

(c) An applicant for registration under this section must
pay a fee of $5.

(d) A commercial motor vehicle registered under this section
must display the name of the organization that owns it on each
front door.

(e) A vehicle registered under this section must display at
all times an appropriate license plate showing the vehicle's
status.

(f) A vehicle registered under this section that is used for
any purpose other than an emergency may not again be registered
under this section. (V.A.C.S. Art. 6675a-3, Subsec. (d).)

(d) Owners of commercial motor vehicles, truck-tractors, trailers and semi-trailers which are the property of and used exclusively by nonprofit disaster relief organizations and are used solely for emergencies shall apply to the Department as provided in Section 2 of this Act (compiled as Article 6675a-3aa of Vernon's Texas Civil Statutes) to register all such vehicles, but shall not be required to pay the registration fees herein, but shall pay a fee of Five Dollars ($5) provided that a statement shall be made at the time of registration by the owner of said vehicle that said vehicle is used exclusively for emergencies; provided further that such owner shall supply the Department with a reasonable description of the vehicle and the emergency equipment contained therein; provided further that each commercial motor vehicle and truck-tractor displays the name of the organization on each front door; provided further that if said vehicle is used for any purpose other than emergency usage, then such vehicle shall not be exempted under this Section at any future time. A statement by the sheriff of the county in which said vehicle is registered that said vehicle has not been used for any purpose except emergency usage shall be required before said vehicle shall be so licensed. Provided, however, that each vehicle so licensed shall be furnished an appropriate plate or tag indicating its status, which shall be displayed at all times.

Revisor's Note

(1) Subsection (d), V.A.C.S. Article 6675a-3, refers to "commercial motor vehicles, truck-tractors, trailers and semi-trailers." The reference to "truck-tractors" is omitted from the revised law because "truck-tractor" is included within the definition of "commercial motor vehicle" under Section 502.001 of this code.

(2) Subsection (d), V.A.C.S. Article 6675a-3, refers to "Section 2 of this Act (compiled as Article 6675a-3aa of Vernon's Texas Civil Statutes)." That statute is codified in this chapter as Section 502.201, and the revised law is drafted accordingly.

Revised Law

Sec. 502.204. EMERGENCY SERVICES VEHICLES. (a) A vehicle may be registered without payment if:
(1) the vehicle is owned or leased by an emergency medical services provider that:

(A) is a nonprofit entity; or

(B) is created and operated by:

(i) a county;

(ii) a municipality; or

(iii) any combination of counties and municipalities through a contract, joint agreement, or other method provided by Chapter 791, Government Code, or other law authorizing counties and municipalities to provide joint programs; and

(2) the vehicle:

(A) is authorized under an emergency medical services provider license issued by the Texas Board of Health under Chapter 773, Health and Safety Code, and is used exclusively as an emergency medical services vehicle; or

(B) is an emergency medical services chief or supervisor vehicle and is used exclusively as an emergency services vehicle.

(b) A vehicle may be registered without payment of a registration fee if the vehicle:

(1) is owned by the Civil Air Patrol, Texas Wing; and

(2) is used exclusively as an emergency services vehicle by members of the Civil Air Patrol, Texas Wing.

(c) An application for registration under Subsection (a) must be accompanied by a copy of the license issued by the Texas Board of Health. An application for registration of an emergency medical services vehicle must include a statement signed by an officer of the emergency medical services provider that the vehicle is used exclusively as an emergency response vehicle and qualifies for registration under this section. An application for registration of an emergency medical services chief or supervisor vehicle must include a statement signed by an officer of the emergency medical services provider stating that the vehicle qualifies for registration under this section.
(d) An application for registration under Subsection (b) must include a statement signed by an officer of the Civil Air Patrol, Texas Wing, that the vehicle is used exclusively as an emergency services vehicle by members of the Civil Air Patrol, Texas Wing.

(e) The department must approve an application for registration under this section as provided by Section 502.201.

(V.A.C.S. Art. 6675a-3, Subsecs. (g), (h).)

Source Law

(g) A vehicle owned or leased by an emergency medical services provider described by this subsection shall be registered without payment if the vehicle has been authorized under an emergency medical services provider license by the Texas Board of Health under Chapter 773, Health and Safety Code, and its subsequent amendments, and is used exclusively as an emergency medical services vehicle or the vehicle is an emergency medical services chief or supervisor vehicle used exclusively as an emergency services vehicle. This subsection applies only to an emergency medical services provider that is nonprofit or that is created and operated by a municipality, a county, or any combination of municipalities and counties through a contract, joint agreement, or any other method provided by Chapter 791, Government Code, and its subsequent amendments, or any other law authorizing counties and municipalities to provide joint programs. The application for registration of an emergency medical services vehicle must be accompanied by a copy of the license issued by the Texas Board of Health and an emergency response vehicle and a statement signed by an officer of the emergency medical services provider stating that the vehicle is used exclusively as an emergency response vehicle and qualifies under this subsection for registration without payment. The application for an emergency medical services chief or supervisors vehicle must be accompanied by an affidavit signed by an officer of the emergency medical services provider stating that the vehicle qualifies under this subsection for registration without payment. The application must be approved by the department as provided by Section 3aa of this Act.

(h) A vehicle owned by the Civil Air Patrol, Texas Wing, and operated exclusively as an emergency services vehicle by members of the Civil Air Patrol, Texas Wing, shall be registered without the payment of an annual registration fee. The application for registration must be accompanied by a statement signed by an officer of the Civil Air Patrol, Texas Wing, stating that the vehicle is used exclusively by members of the Civil Air Patrol, Texas Wing, as an emergency services vehicle. The application must be approved by the department as provided by Section 3aa of this Act.
Revisor's Note

Subsections (g) and (h), V.A.C.S. Article 6675a-3, refer to "Section 3aa of this Act," meaning V.A.C.S. Article 6675a-3aa. That statute is codified in this chapter as Section 502.201, and the revised law is drafted accordingly.

Revised Law

Sec. 502.205. ALL-TERRAIN VEHICLES. (a) An all-terrain vehicle may be registered without payment of a registration fee if the vehicle:

(1) is owned by this state, a county, or a municipality; and
(2) is used exclusively to maintain public safety and welfare.

(b) An application for registration under this section must include a statement that is signed by an officer having the authority to certify for the agency, county, or municipality and that states that the vehicle is used exclusively to maintain the public safety and welfare.

(c) The department must approve an application for registration under this section as provided by Section 502.201.

(V.A.C.S. Art. 6675a-3, Subsec. (i).)

Source Law

(i) An all-terrain vehicle owned by this State, a county, or a municipality and operated exclusively to maintain public safety and welfare of the residents of this State shall be registered without the payment of an annual registration fee. The application for registration must be accompanied by a statement signed by an official with authority to affirm for the agency, county, or municipality and stating that the vehicle is used exclusively by the governmental entity to maintain public safety and welfare. The application must be approved by the department as provided by Section 3aa of this Act.

Revisor's Note

Subsection (i), V.A.C.S. Article 6675a-3, refers to "Section 3aa of this Act," meaning V.A.C.S. Article
6675a-3aa. That statute is codified in this chapter as Section 502.201, and the revised law is drafted accordingly.

Revised Law

Sec. 502.206. REGISTRATION OF CERTAIN LAW ENFORCEMENT VEHICLES UNDER ALIAS. On receipt of a written request approved by the executive administrator of a law enforcement agency, the department may issue exempt license plates for a vehicle and register the vehicle under an alias for the law enforcement agency's use in covert criminal investigations. (V.A.C.S. Art. 6675a-3aa, Subsec. (f).)

Source Law

(f) On receipt of a written request approved by the executive administrator of a law enforcement agency, the Department may issue exempt license plates for a vehicle and register the vehicle under an alias for the law enforcement agency's use in covert criminal investigations.

[Sections 502.207-502.250 reserved for expansion]

SUBCHAPTER F. SPECIALIZED LICENSE PLATES; EXEMPTIONS FOR PRIVATELY OWNED VEHICLES

Revised Law

Sec. 502.251. PERSONALIZED PRESTIGE LICENSE PLATES. (a) The department shall establish and issue personalized prestige license plates. The department may not issue identically lettered or numbered plates to more than one person.

(b) The department shall establish procedures for continuous application for and issuance of personalized prestige license plates. An owner must make a new application and pay a new fee for each registration period for which the owner seeks to obtain personalized prestige license plates. An owner who obtains personalized prestige license plates has first priority on those plates for each subsequent registration period for which the owner applies.
The annual fee for personalized prestige license plates is $40, in addition to the registration fee otherwise prescribed by this chapter.

The department may issue to an applicant only one set of personalized prestige license plates for a vehicle for a six-year period. The department may issue a new set of personalized prestige license plates within the six-year period if the applicant pays a fee of $50 in addition to the fees required by Subsection (c) for the registration period.

On application and payment of the required fee for a registration period following the issuance of the plates, the department shall issue a registration insignia as provided by Section 502.180.

Of each fee collected by the department under this section:

1. $1.25 shall be deposited to the credit of the state highway fund to defray the cost of administering this section; and
2. the remainder shall be deposited to the credit of the general revenue fund. (V.A.C.S. Art. 6675a-5c.)

Source Law

Art. 6675a-5c. (a) The State Department of Highways and Public Transportation shall establish and issue special personalized prestige license plates. For a fee of Forty Dollars ($40) per year in which a vehicle is registered in addition to the regular motor vehicle registration fee, any owner may apply for issuance of personalized license plates. The Department shall establish and promulgate procedures for application for and issuance of special personalized prestige license plates on a staggered, year-round basis. No two owners will be issued identical lettered and/or numbered plates. An owner must make a new application and pay a new fee each registration period for which he desires to obtain special personalized prestige license plates. However, once an owner obtains personalized plates, he will have first priority on those plates for each of the following registration periods for which he makes the appropriate application.

(b) The Department shall issue to an applicant only one set of personalized prestige license plates for a vehicle for each six-year period, except that the Department shall issue a new set of personalized prestige license plates for a registration period within the six-year period to an applicant who pays a
fee of Fifty Dollars ($50) in addition to the fees required by Subsection (a) of this section for that registration period. On application and payment of the required fee for the registration periods following the issuance of the plates, the Department shall issue a symbol, tab, or other device to be attached in the manner provided by Section 5, Chapter 3, Acts of the 43rd Legislature, 2nd Called Session, 1934 (Article 6675a-3e, Vernon's Texas Civil Statutes), for the validation of regular registration of the vehicle.

(c) One Dollar and Twenty-five Cents ($1.25) of each fee collected by the Department under this Section shall be deposited in the State Treasury to the credit of the State Highway Fund to defray the costs of administration of this Section, and the remainder of each fee shall be deposited in the State Treasury to the credit of the General Revenue Fund.

Revisor's Note

(1) Subsection (b), V.A.C.S. Article 6675a-5c, refers to "a symbol, tab, or other device." The revised law substitutes "registration insignia" for "symbol, tab, or other device" for the reason stated in Revisor's Note (2) under Section 502.053 of this code.

(2) Subsection (b), V.A.C.S. Article 6675a-5c, refers to Section 5, Chapter 3, Acts of the 43rd Legislature, 2nd Called Session, 1934 (Article 6675a-3e, Vernon's Texas Civil Statutes). The relevant portion of that statute is codified in this chapter as Section 502.180, and the revised law is drafted accordingly.

(3) Subsection (c), V.A.C.S. Article 6675a-5c, requires that the Texas Department of Transportation deposit the additional fee for personalized prestige license plates in the state treasury. The revised law omits this requirement as unnecessary. Section 404.094, Government Code (State Funds Reform Act), requires all money, including the referenced fees, collected or received by a state agency to be deposited in the treasury. It is unnecessary to repeat that requirement in this chapter.
Revised Law

Sec. 502.252. CERTAIN SPECIALIZED PLATES AVAILABLE


(1) have a license plate number assigned by the department; or

(2) apply for personalized prestige license plates under Section 502.251. (V.A.C.S. Arts. 6675a-5j, Subsec. (e); 6675a-5k, Subsec. (e); 6675a-5l, Subsec. (d); 6675a-5m, Subsec. (d); 6675a-5n, Subsec. (d) (part); 6675a-5p (as added Ch. 567, Acts 73rd Leg., R.S., 1993), Subsec. (d).)

Source Law

[Art. 6675a-5j]

(e) A person applying for license plates under this section may:

(1) have a license plate number assigned by the department; or

(2) apply for personalized prestige license plates under Section 5c of this Act.

[Art. 6675a-5k]

(e) A person applying for license plates under this section may:

(1) have a license plate number assigned by the department; or

(2) apply for personalized prestige license plates under Section 5c of this Act.

[Art. 6675a-5l]

(d) A person applying for license plates under this section may:

(1) have a license plate number assigned by the department; or

(2) apply for personalized prestige license plates under Section 5c of this Act.

[Art. 6675a-5m]

(d) A person applying for a license plate under this section may:

(1) have a license plate number assigned by the department; or

(2) apply for a personalized prestige license plate under Section 5c of this Act.

[Art. 6675a-5n]

(d) A person applying for registration under this section may:

(1) have a license plate number assigned by the department;

... or

(3) apply for personalized prestige
license plate symbols under Section 5c of this Act.

[Art. 6675a-5p, as added Ch. 567, Acts 73rd Leg., R.S., 1993]

(d) A person applying for license plates under this section may:
   (1) have a license plate number assigned by the department; or
   (2) apply for personalized prestige license plates under Section 5c of this Act.

Revisor's Note

(1) Subsection (e), V.A.C.S. Article 6675a-5j, refers to "this section," meaning V.A.C.S. Article 6675a-5j. That statute is codified in this chapter as Section 502.270, and the revised law is drafted accordingly.

(2) Subsection (e), V.A.C.S. Article 6675a-5k, refers to "this section," meaning V.A.C.S. Article 6675a-5k. That statute is codified in this chapter as Sections 502.258-502.265 and 502.269, and the revised law is drafted accordingly.

(3) Subsection (d), V.A.C.S. Article 6675a-5l, refers to "this section," meaning V.A.C.S. Article 6675a-5l. That statute is codified in this chapter as Section 502.271, and the revised law is drafted accordingly.

(4) Subsection (d), V.A.C.S. Article 6675a-5m, refers to "this section," meaning V.A.C.S. Article 6675a-5m. That statute is codified in this chapter as Section 502.272, and the revised law is drafted accordingly.

(5) Subsection (d), V.A.C.S. Article 6675a-5n, refers to "this section," meaning V.A.C.S. Article 6675a-5n. That statute is codified in this chapter as Section 502.274, and the revised law is drafted accordingly.

(6) Subsection (d), V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature,
Regular Session, 1993, refers to "this section," meaning V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993. That statute is codified in this chapter as Section 502.273, and the revised law is drafted accordingly.

(7) Subsection (e), V.A.C.S. Article 6675a-5j, Subsection (e), V.A.C.S. Article 6675a-5k, Subsection (d), V.A.C.S. Article 6675a-5l, Subsection (d), V.A.C.S. Article 6675a-5m, Subsection (d), V.A.C.S. Article 6675a-5n, and Subsection (d), V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993, refer to Section 5c of "this Act," meaning V.A.C.S. Article 6675a-5c. That statute is codified in this chapter as Section 502.251, and the revised law is drafted accordingly.

Revised Law
Sec. 502.253. PERSONS WITH DISABILITIES. (a) The department shall provide for the issuance of specially designed license plates for motorcycles, passenger cars, and light trucks regularly operated for noncommercial use by or for the transportation of a person with a permanent disability.

(b) A person has a disability if the person has:

(1) mobility problems that substantially impair the person's ability to ambulate;

(2) visual acuity of 20/200 or less in the better eye with correcting lenses; or

(3) visual acuity of more than 20/200 but with a limited field of vision in which the widest diameter of the visual field subtends an angle of 20 degrees or less.

(c) An owner of a motor vehicle regularly operated by or for the transportation of a person described by Subsection (b) may apply to the department for registration under this section.
(d) An application for registration under this section must:
   (1) be on a form prescribed by the department;
   (2) be submitted to the assessor-collector of the county in which the person resides; and
   (3) be accompanied by the regular registration fee for the vehicle being registered.

(e) The first application for registration must be accompanied by acceptable medical proof that the operator or regularly transported passenger has a permanent disability. A written statement from a physician is not required as acceptable medical proof if:
   (1) the person with a disability:
       (A) has had a limb, hand, or foot amputated; or
       (B) must use a wheelchair; and
   (2) the applicant and the county assessor-collector issuing the special license plates execute an affidavit attesting to the person's disability.

(f) A person with a disability may receive:
   (1) one disabled parking placard under Section 681.002, if the person receives a set of special license plates under this section; or
   (2) two disabled parking placards under Section 681.002, if the person does not receive a set of license plates under this section.

(g) A license plate issued under this section must include the symbol of access adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the Disabled. The symbol must be the same size as the numbers on the license plates. (V.A.C.S. Art. 6675a-5e.1, Secs. 1(a), (c)(2); 2(a), (b) (part), (c) (part); 3 (part); 4.)

Source Law

Art. 6675a-5e.1
Sec. 1. (a) The State Department of Highways and Public Transportation shall provide for the issuance of specially designed license plates for motor vehicles regularly operated by or for the
transportation of permanently disabled persons. Such license plates shall be designed by the department and include the international symbol of access which shall be the same size as the numbers on the license plates.

(c) In this Act:

(2) "International symbol of access" means the symbol adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the Disabled.

Sec. 2. (a) A person is disabled who has mobility problems that substantially impair the person's ability to ambulate, or who is legally blind. In this Act, "legally blind" means having not more than 20/200 of visual acuity in the better eye with correcting lenses, or visual acuity greater than 20/200 but with a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(b) Owners of motor vehicles regularly operated by or for the transportation of persons described in Subsection (a) of this section may make application to the department through the county tax collector of the county in which they reside for the special license plates or a removable windshield identification card on a form prescribed and furnished by the department. A permanently disabled person may receive a set of special license plates and one removable windshield identification card or may receive no special license plates and two removable windshield identification cards. The first such application must be accompanied by acceptable medical proof that the operator or regularly transported passenger is currently or permanently disabled.

(c) A written statement from a physician is not required as acceptable medical proof under this section if:

(1) the disabled person is an amputee who has had a limb, hand, or foot amputated or if the disabled person is confined to a wheelchair; and

(2) the applicant and the county tax collector or his designee issuing the special license plates execute a sworn affidavit attesting to the applicant's disability.

Sec. 3. An application for license plates shall be submitted to the county tax collector of the vehicle owner's resident county and shall be accompanied by the annual registration fee prescribed by law for the particular vehicle being registered.

Sec. 4. Special license plates shall be issued for motorcycles, passenger vehicles, and light commercial vehicles having a manufacturer's rated carrying capacity of one ton or less operated by or for the transportation of permanently disabled persons for noncommercial use.

Reviser's Note

(1) V.A.C.S. Article 6675a-5e.1 refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector"
for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) Section 4, V.A.C.S. Article 6675a-5e.1, refers to "light commercial vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial [vehicle] having a manufacturer's rated carrying capacity of one ton or less" because that is the defined term under Section 502.001 of this code.

(3) V.A.C.S. Article 6675a-5e.1 refers to a "removable windshield identification card." The revised law substitutes "disabled parking placard" for "removable windshield identification card" because "disabled parking placard" provides a more accurate description.

(4) V.A.C.S. Article 6675a-5e.1 provides for the issuance of special license plates and disabled parking placards to persons with permanent disabilities. The provisions relating to the issuance of disabled parking placards are revised as Section 681.002 of this code. For the reader's convenience, the revised law duplicates the limitation in Section 681.002 on the number of special license plates and disabled parking placards that a person may obtain.

(5) Section 8, V.A.C.S. Article 6675a-5e.1, provides that license plates for persons with disabilities be issued beginning April 1, 1976. The revised law omits this provision as executed. Section 8 reads:

Sec. 8. Devices with the "Disabled" designation provided for by this Act shall be issued for the registration year beginning April 1, 1976, and thereafter.
Sec. 502.254. VETERANS WITH DISABILITIES. (a) A veteran of the United States armed forces is entitled to register, for the person's own use, one passenger car or light truck without payment of a registration fee if the person:

(1) has suffered, as a result of military service:
   (A) at least a 60 percent service-connected disability; or
   (B) a 40 percent service-connected disability because of the amputation of a lower extremity; and

(2) receives compensation from the United States because of the disability.

(b) An organization may register a motor vehicle without payment of a registration fee if:

(1) the vehicle is used exclusively to transport veterans of the United States armed forces who have suffered, as a result of military service, a service-connected disability; and

(2) the veterans are not charged for the transportation.

(c) The department shall issue specially designed license plates for registration under this section. The plates must include:

(1) the letters "DV" as a prefix or suffix to the numerals on the plate; and

(2) the words "DISABLED VET."

(d) An application for registration under this section must be on a form provided by the department and be accompanied by a fee of $3 and evidence required by the department that the applicant may register under this section.

(e) A statement by the veterans county service officer of the county in which a vehicle is registered or by the Veterans Administration that a vehicle is used exclusively to transport veterans with disabilities without charge to them is satisfactory evidence that an organization may register under Subsection (b).
A license plate issued under this section becomes invalid and the owner shall return the license plate to the department for cancellation when:

(1) the owner disposes of the vehicle during the registration year; or

(2) the organization ceases to use the vehicle exclusively to transport veterans with disabilities.

After a license plate becomes invalid under Subsection (f), the owner may qualify for another set of license plates under this section.

The department may adopt rules to administer this section. (V.A.C.S. Art. 6675a-5e, Subsecs. (a), (b), (c), (d), (f), (i).)

Source Law

Art. 6675a-5e. (a) A veteran of the armed forces of the United States who, as a result of military service, has suffered at least a 60% service-connected disability or has a 40% service-connected disability due to the amputation of a lower extremity, and who receives compensation from the federal government because of such disability, is entitled to register, for his own personal use, one passenger car or light commercial vehicle having a manufacturer’s rated carrying capacity of one (1) ton or less, without payment of the prescribed annual registration fee.

(b) An organization which owns a motor vehicle used exclusively for the transportation of disabled veterans without charge to them may register the vehicle without the payment of the prescribed annual registration fee. "Disabled veteran," as used in this subsection, means a veteran of the armed forces of the United States who, as a result of military service, has suffered a service-connected disability. A statement by the Veterans County Service Officer of the county in which the vehicle is registered or by the Veterans Administration that the vehicle is exclusively used for the transportation of disabled veterans without charge to them is satisfactory evidence that the organization is qualified under this subsection.

(c) The Highway Department shall provide for the issuance of specially designed license plates for persons and organizations who are qualified under this Act. The letters "DV" shall appear as either a prefix or a suffix to the numerals on the plates, and the words "DISABLED VET" shall also appear on the plates.

(d) Application for the specially designed license plates provided for in this Section shall be made on forms prescribed and furnished by the Department and must be submitted to the Department by October 1st preceding the registration year for which requested. The registration year for these license plates is from April 1st through March 31st of the
following year. Each application shall be accompanied by a fee of three dollars ($3.00) and such evidence as the Department may require as proof of the applicant's eligibility to receive the registration fee exemption. The exemption continues until the license plates are cancelled under Subsection (f) of this Section.

(f) If during the registration year the owner disposes of the vehicle upon which the license plates issued under this Act are affixed, or if an organization ceases to use the vehicle on which the special license plates are affixed exclusively to transport disabled veterans, such plates are automatically cancelled and it shall be the responsibility of such owner to remove the license plates and return them to the Texas Highway Department for cancellation. Thereafter, the owner may qualify for another set of license plates as provided for in this Section.

(i) The Department may promulgate such reasonable rules and regulations as it may deem necessary for the orderly administration of this Act.

Reviser's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5e, refers to a "light commercial vehicle having a manufacturer's rated carrying capacity of one (1) ton or less." The revised law substitutes "light truck" for "light commercial vehicle having a manufacturer's rated carrying capacity of one (1) ton or less" for the reason stated in Reviser's Note (2) under Section 502.253 of this code.

(2) Subsection (d), V.A.C.S. Article 6675a-5e, provides in part that an application "for the specially designed license plates provided for in this Section... must be submitted to the Department by October 1st preceding the registration year for which requested. The registration year for these license plates is from April 1st through March 31st of the following year." The revised law omits the quoted language for the reason stated in Reviser's Note (2) under Section 502.002 of this code.

(3) Subsection (i), V.A.C.S. Article 6675a-5e, refers to "rules and regulations." The reference to
1 "regulations" is omitted from the revised law for the
2 reason stated in Revisor's Note (4) under Section
3 502.054 of this code.

4 Revised Law

5 Sec. 502.255. CONGRESSIONAL MEDAL OF HONOR RECIPIENTS. (a)
6 A recipient of a Congressional Medal of Honor awarded under Title
7 10, United States Code, is entitled to register, for the person's
8 own use, one passenger car or light truck without payment of a
9 registration fee or service charge.
10 (b) The department shall issue specially designed license
11 plates for registration under this section. The department shall
12 assign the license plate number.
13 (c) A person may apply to the department at any time for
14 registration under this section on a form prescribed by the
15 department. The department shall require an applicant to submit
16 proof of eligibility for registration under this section.
17 (d) Registration under this section is valid for one year.
18 A person who has registered a vehicle and obtained license plates
19 under this section may renew the registration of the vehicle
20 without charge by applying to the county assessor-collector of the
21 county of the person's residence for an annual registration
22 insignia.
23 (e) If the owner of a vehicle registered under this section
24 disposes of the vehicle during the registration year, the owner
25 shall return the special license plates to the department. The
26 owner may then register another vehicle under this section without
27 charge. (V.A.C.S. Art. 6675a-5e.2, Subsecs. (a), (b), (c), (d)
28 (part), (e).)

9 Source Law

10 Art. 6675a-5e.2. (a) A recipient of the
11 Congressional Medal of Honor is entitled to register
12 under this section, for the person's own use, one
13 passenger car or light commercial vehicle having a
14 manufacturer's rated carrying capacity of one ton or
15 less, without payment of any annual registration fee or
16 service charge.
17 (b) The department shall design and provide for
the issuance of special license plates for recipients of the Congressional Medal of Honor. The license plate number will be assigned by the department.

(c) A person may apply to the department at any time for registration under this section on a form prescribed by the department. The department shall require an applicant to submit proof of eligibility to register under this section. Registration under this section is valid for one year.

(d) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the person shall return the special license plates to the department. At that time the owner may register another passenger car or light commercial motor vehicle under this section without charge.

(e) A person who has registered a vehicle and received license plates under this section may renew the registration of the vehicle without charge through application to the county tax collector in the county of the person's residence for an annual registration sticker.

Revisor's Note

(1) V.A.C.S. Article 6675a-5e.2 refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) V.A.C.S. Article 6675a-5e.2 refers to the "Congressional Medal of Honor." The revised law adds a reference to Title 10, United States Code, because that is the federal law under which the medal is awarded. See Title 10, United States Code, Sections 3741, 6241, and 8741.

(3) Subsection (a), V.A.C.S. Article 6675a-5e.2, refers to a "light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.
Sec. 502.256. MEMBERS OF TEXAS NATIONAL GUARD, STATE GUARD, OR UNITED STATES ARMED FORCES RESERVES. (a) The department shall issue special license plates for passenger cars and light trucks owned by:

(1) active members of the Texas National Guard and Texas State Guard;

(2) retired members of the Texas National Guard and Texas State Guard who have completed 20 years of satisfactory federal service; or

(3) members of a reserve component of the United States armed forces.

(b) The department and the adjutant general must agree on the design and color of license plates issued under this section. The license plates must include the words "Texas Guard" or "Armed Forces Reserve," as applicable.

(c) A person may apply to the department at any time for registration under this section on a form prescribed by the department. The department shall require an applicant to submit proof of eligibility for registration under this section. A letter from the United States Department of Defense, the Department of the Army, or the Department of the Air Force stating that a retired guard member has 20 years of satisfactory federal service is proof of eligibility for registration under this section.

(d) The fee for registration under this section and issuance of the special license plates is the fee otherwise prescribed by this chapter for the vehicle.

(e) Registration under this section is valid for one registration year.

(f) The owner of a vehicle registered under this section shall return the special license plates to the department if the owner:

(1) disposes of the vehicle during the registration year;
(2) ceases to be an active member of the Texas National Guard or Texas State Guard; or

(3) ceases to be a member of a reserve component of the United States armed forces. (V.A.C.S. Art. 6675a-5e.3, Subsecs. (a), (b), (c) (part), (d) (part).

Source Law

Art. 6675a-5e.3. (a) The department shall provide for the issuance of special license plates for passenger cars and light commercial motor vehicles having manufacturers' rated carrying capacities of one (1) ton or less that are owned by active members of the Texas Army National Guard, Texas Air National Guard, and Texas State Guard, by retired guard members who have completed 20 years satisfactory federal service, or by members of a reserve component of the United States armed forces. The license plates shall be of a color and design agreed on by the Adjutant General and the department and shall bear the words "Texas Guard" or "Armed Forces Reserve," as applicable.

(b) A person may apply to the department for the license plates at any time on a form prescribed by the department. The department shall require with each application proof of eligibility to receive the license plates. A letter from either the United States Department of Defense, the Department of the Army, or the Department of the Air Force stating that a retired guard member has 20 years satisfactory federal service is proof of eligibility to receive the license plates.

Registration under this section is valid for one year and expires in the same manner as do regular motor vehicle registrations.

(c) The fee for registration under this section and the issuance of a set of the special license plates is the regular fee for the particular kind of vehicle.

(d) If the owner of a vehicle registered under this Section disposes of the vehicle during the registration year or ceases to be an active member of the Texas Army National Guard, Texas Air National Guard, or Texas State Guard or ceases to be a member of a reserve component of the United States armed forces, the person shall return the special license plates to the department.

Reviser's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5e.3, refers to "light commercial motor vehicles having manufacturers' rated carrying capacities of one (1) ton or less." The revised law substitutes "light truck" for "light commercial [vehicle] having [a manufacturer's] rated carrying capacity of one ton or less" for the reason stated in Reviser's Note (2) under
Section 502.253 of this code.

(2) Subsections (a) and (d), V.A.C.S. Article 6675a-5e.3, refer to the "Texas Army National Guard" and the "Texas Air National Guard." The revised law substitutes "Texas National Guard" for "Texas Army National Guard" and "Texas Air National Guard" because each entity is a component of the Texas National Guard. See Section 431.001(4), Government Code.

Revised Law

Sec. 502.257. FORMER PRISONERS OF WAR. (a) A person is entitled to register, for the person's own use, one passenger car or light truck without payment of a registration fee if the person:

(1) was captured and incarcerated by an enemy of the United States during a period of conflict with the United States; and

(2) was not discharged from the United States armed forces under conditions less than honorable.

(b) The department shall issue specially designed license plates for registration under this section. The license plates must show that the recipient is a former prisoner of war.

(c) A person may apply to the department at any time for registration under this section on a form prescribed by the department. The department shall require an applicant to submit proof of eligibility for registration under this section.

(d) The fee for issuance of license plates under this section is $3.

(e) Registration under this section is valid for one year. A person who has registered a vehicle and obtained license plates under this section may renew the registration of the vehicle by applying to the county assessor-collector of the county of the individual's residence for an annual registration insignia.

(f) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner
shall return the special license plates to the department. The owner may then register another vehicle under this section without charge. (V.A.C.S. Art. 6675a-5g, Subsecs. (a) (part), (b), (c), (d) (part), (e).)

Source Law

Art. 6675a-5g. (a) Any person, other than a person discharged from the armed forces under conditions less than honorable, who was captured and incarcerated by an enemy of the United States during a period of conflict with the United States, or the surviving spouse of that person, as long as the surviving spouse remains unmarried, is entitled to register under this Section, for the person's own use, one (1) passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of one (1) ton or less, without payment of the annual registration fee for the vehicle.

(b) The Department shall design and provide for the issuance of special license plates for persons entitled to register under this Section. The license plates shall be designed to indicate that the recipient is, or the recipient's deceased spouse was, a former prisoner of war.

(c) A person may apply to the Department at any time for registration under this Section on a form prescribed by the Department. The Department shall require an applicant to submit proof of eligibility to register under this Section. The fee for issuance of plates under this Section is three dollars ($3.00). Registration under this Section is valid for one (1) year.

(d) If the owner of a vehicle registered under this Section disposes of the vehicle during the registration year, the person shall return the special license plates to the Department. At that time the person may register another passenger car or light commercial motor vehicle under this Section.

(e) A person who has registered a vehicle and received license plates under this Section may renew the registration of the vehicle through application to the County Tax Collector in the county of the person's residence for an annual registration sticker.

Reviser's Note

(1) V.A.C.S. Article 6675a-5g refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-5g, refers to a "light commercial vehicle having a manufacturer's rated carrying capacity of one (1) ton
or less." The revised law substitutes "light truck"
for "light commercial vehicle having a manufacturer's
rated carrying capacity of one (1) ton or less" for the
reason stated in Revisor's Note (2) under Section
502.253 of this code.

Revised Law

Sec. 502.258. ACTIVE OR RETIRED MEMBERS OF UNITED STATES
ARMED FORCES. (a) The department shall issue specially designed
license plates for passenger cars and light trucks owned by active
or retired members of the United States armed forces.
(b) License plates issued under this section must include
the designation of the appropriate branch of the United States
armed forces.
(c) The department shall issue license plates under this
section to a person who:
(1) applies to the department on a form prescribed by
the department;
(2) pays an annual fee of $10, in addition to the fee
prescribed by Section 502.161, and, if personalized prestige
license plates are issued, in addition to the fee prescribed by
Section 502.251; and
(3) submits proof that the person is eligible under
this section.
(d) The department shall send 50 cents of each fee collected
under this section to the county treasurer of the county in which
the applicant resides. The county treasurer shall credit money
received under this section to the general fund of the county to
pay the costs of administering this section.
(e) A person may be issued only one set of license plates
under this section.
(f) If the owner of a vehicle registered under this section
disposes of the vehicle during the registration year, the owner
shall return the special license plates to the department. The
owner may then apply for issuance of those plates to another vehicle. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (b) (part), (c), (d) (part), (f) (part), (h), (l) (part).)

Source Law

Art. 6675a-5k. (a) The department shall design and provide for the issuance of special license plates for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less and shall design and provide for the issuance of special license plates for those vehicles that are owned by persons who are:

(1) active or retired members of a branch of the armed forces of the United States;

(b) License plates issued to a member of a branch of the armed forces, or to the individual's surviving spouse as provided by Subsection (a)(2) of this section, shall bear the designation of the appropriate branch of the armed forces.

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;
(2) pays the fee prescribed by Subsection (f) of this section; and
(3) submits with the application any proof required by Subsection (d) of this section.

(d) A person who applies for:

(1) armed forces license plates must submit proof that the person is eligible to receive the plates;

(f) The fee for issuance of special license plates under this section, other than license plates depicting the capitol, Purple Heart license plates, and Pearl Harbor license plates, is $10 a year. Except as provided by Subsection (g) of this section, a fee imposed under this subsection is in addition to the motor vehicle registration fee imposed by Section 5 of this Act, and if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act.

(h) The department shall forward 50 cents of each fee collected under this section to the county treasurer of the county in which the person applying for the license plates resides. The county treasurer shall deposit funds received under this section in the general fund of the county to be used to pay the costs of administering this section.

(1) A person may only be issued one set of armed forces license plates. If the owner of a vehicle for which plates, other than license plates depicting the capitol, are issued under this section disposes of the vehicle during a registration year, the person shall return the special plates to the department, and at that time may apply for issuance of those plates to another vehicle.
Revisor's Note
(1) Subsection (a), V.A.C.S. Article 6675a-5k, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Reviser's Note (2) under Section 502.253 of this code.

(2) Subsection (f), V.A.C.S. Article 6675a-5k, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.

Revised Law
Sec. 502.259. PEARL HARBOR SURVIVORS. (a) The department shall issue specially designed license plates for passenger cars and light trucks owned by survivors of the attack on Pearl Harbor on December 7, 1941.

(b) License plates issued under this section must include the words "Pearl Harbor Survivor" and must be consecutively numbered.

(c) The department shall issue license plates under this section to a person who:
(1) applies to the department on a form prescribed by the department;
(2) pays an annual fee of $3; and
(3) submits proof that the person:
   (A) served in the United States armed forces;
   (B) was stationed in the Hawaiian Islands on December 7, 1941; and

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(C) survived the attack on Pearl Harbor on December 7, 1941.

(d) The department shall send 50 cents of each fee collected under this section to the county treasurer of the county in which the applicant resides. The county treasurer shall credit money received under this section to the general fund of the county to pay the costs of administering this section.

(e) A vehicle for which license plates are issued under this section is exempt from the fee under Section 502.161.

(f) A person may be issued only one set of license plates under this section.

(g) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the special license plates to the department. The owner may then apply for issuance of those plates to another vehicle. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (b) (part), (c), (d) (part), (f) (part), (g) (part), (h), (l) (part).)

Source Law

(a) The department [shall design and provide for the issuance of special license plates] for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less and shall design and provide for the issuance of special license plates for those vehicles that are owned by persons who are:

(b) . . . License plates issued to Pearl Harbor survivors or their surviving spouses who have not remarried shall bear the words "Pearl Harbor Survivor" and shall be numbered consecutively. . . .

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays the fee prescribed by Subsection (f) of this section; and

(3) submits with the application any proof required by Subsection (d) of this section.

(d) A person who applies for:

(2) Pearl Harbor license plates must submit proof that the person:

(A) served in the armed forces of the United States;
(B) was stationed in the Hawaiian Islands on December 7, 1941; and
(C) survived the attack on Pearl Harbor on December 7, 1941; or

(f) ... The fee for ... Pearl Harbor license plates is $3 a year...
(g) A vehicle for which Pearl Harbor license plates ... are issued under this section is exempt from the motor vehicle registration fee imposed by Section 5 of this Act and any additional county fee imposed under Section 9a of this Act.
(h) The department shall forward 50 cents of each fee collected under this section to the county treasurer of the county in which the person applying for the license plates resides. The county treasurer shall deposit funds received under this section in the general fund of the county to be used to pay the costs of administering this section.

(l) A person may only be issued ... one set of Pearl Harbor license plates ... If the owner of a vehicle for which plates ... are issued under this section disposes of the vehicle during a registration year, the person shall return the special plates to the department, and at that time may apply for issuance of those plates to another vehicle.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(2) Subsection (g), V.A.C.S. Article 6675a-5k, refers to "Section 5 of this Act," meaning V.A.C.S. Article 6675a-5. The relevant portion of that statute is codified in this chapter as Section 502.161, and the revised law is drafted accordingly.

(3) Subsection (g), V.A.C.S. Article 6675a-5k, provides in part that a vehicle for which Pearl Harbor license plates are issued is exempt from "any additional county fee imposed under Section 9a of this..."
Act," meaning V.A.C.S. Article 6675a-9a (revised in this chapter as Section 502.172). Subsection (a), V.A.C.S. Article 6675a-9a (revised as Section 502.172(b)), provides that a vehicle that may be registered without payment of a registration fee may be registered without payment of the fee imposed under Article 6675a-9a. Because it is not necessary to repeat the exemption here, the revised law omits the quoted language.

Revised Law

Sec. 502.260. PURPLE HEART RECIPIENTS. (a) The department shall issue specially designed license plates for passenger cars and light trucks owned by recipients of the Purple Heart.

(b) License plates issued under this section must include:

(1) the Purple Heart emblem;

(2) the words "Purple Heart" at the bottom of each plate; and

(3) the letters "PH" as a prefix or suffix to the numerals on the plate, if numbered plates are used.

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays an annual fee of $3; and

(3) submits proof that the person has been awarded the Purple Heart and is:

  (A) an honorably discharged veteran of the United States armed forces; or

  (B) a member of the United States armed forces on active duty.

(d) The department shall send 50 cents of each fee collected under this section to the county treasurer of the county in which the applicant resides. The county treasurer shall credit money
received under this section to the general fund of the county to pay the costs of administering this section.

(e) A vehicle for which license plates are issued under this section is exempt from the fee under Section 502.161.

(f) A person may be issued only one set of license plates under this section.

(g) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the special license plates to the department. The owner may then apply for issuance of those plates to another vehicle. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (b) (part), (c), (d) (part), (f) (part), (g) (part), (h), (l) (part).)

Source Law

(a) The department [shall design and provide for the issuance of special license plates] for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less and shall design and provide for the issuance of special license plates for those vehicles that are owned by persons who are:

(4) recipients of the Purple Heart medal [or recipients' surviving spouses who have not remarried];

(...) License plates issued to recipients, or surviving spouses of recipients, of the Purple Heart medal shall bear the Purple Heart emblem, shall bear the words "Purple Heart" at the bottom of each plate, and if numbered plates are issued, shall bear the letters "PH" as the prefix or suffix to the assigned number. . . .

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays the fee prescribed by Subsection (f) of this section; and

(3) submits with the application any proof required by Subsection (d) of this section.

(d) A person who applies for:

(3) Purple Heart license plates must submit proof that the person:

(A) has been awarded the Purple Heart medal and is:

(i) an honorably discharged veteran of the armed forces of the United States; or

(ii) a member of the armed forces of the United States on active duty; or

. . . .

(f) . . . The fee for Purple Heart license plates and [Pearl Harbor] license plates is $3 a
year. . . .

(g) A vehicle for which [Pearl Harbor license plates or] Purple Heart license plates are issued under this section is exempt from the motor vehicle registration fee imposed by Section 5 of this Act and any additional county fee imposed under Section 9a of this Act.

(h) The department shall forward 50 cents of each fee collected under this section to the county treasurer of the county in which the person applying for the license plates resides. The county treasurer shall deposit funds received under this section in the general fund of the county to be used to pay the costs of administering this section.

(i) A person may only be issued . . . and one set of Purple Heart license plates. If the owner of a vehicle for which plates . . . are issued under this section disposes of the vehicle during a registration year, the person shall return the special plates to the department, and at that time may apply for issuance of those plates to another vehicle.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(2) Subsection (g), V.A.C.S. Article 6675a-5k, refers to "Section 5 of this Act," meaning V.A.C.S. Article 6675a-5. The relevant portion of that statute is codified in this chapter as Section 502.161, and the revised law is drafted accordingly.

(3) Subsection (g), V.A.C.S. Article 6675a-5k, provides in part that a vehicle for which Purple Heart license plates are issued is exempt from "any additional county fee imposed under Section 9a of this Act," meaning V.A.C.S. Article 6675a-9a (revised in this chapter as Section 502.172). The revised law omits the quoted language for the reason stated in Revisor's Note (3) under Section 502.259 of this code.
Sec. 502.261. MEMBERS OF UNITED STATES ARMED FORCES AUXILIARIES. (a) The department shall issue specially designed license plates for passenger cars and light trucks owned by members of:

(1) the United States Air Force Auxiliary, Civil Air Patrol;
(2) the United States Coast Guard Auxiliary; or
(3) the Marine Corps League or its auxiliary.

(b) License plates issued under this section to members of the Civil Air Patrol must include the words "Texas Wing Civil Air Patrol." License plates issued under this section to members of the Coast Guard Auxiliary must include the words "Coast Guard Auxiliary." License plates issued under this section to members of the Marine Corps League or its auxiliary must include the words "Marine Corps League" and the emblem of the Marine Corps League.

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;
(2) pays an annual fee of $10, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251; and
(3) submits proof that the person is eligible under this section.

(d) The department shall send 50 cents of each fee collected under this section to the county treasurer of the county in which the applicant resides. The county treasurer shall credit money received under this section to the general fund of the county to pay the costs of administering this section.

(e) A person may be issued only one set of Civil Air Patrol license plates or Coast Guard Auxiliary license plates.

(f) If the owner of a vehicle registered under this section...
disposes of the vehicle during the registration year, the owner shall return the special license plates to the department. The owner may then apply for issuance of those plates to another vehicle. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (b) (part), (c), (d) (part), (f) (part), (h), (l) (part).

Source Law

(a) The department shall design and provide for the issuance of special license plates for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less and shall design and provide for the issuance of special license plates for those vehicles that are owned by persons who are:

(5) members of the United States Air Force Auxiliary, Civil Air Patrol, members of the United States Coast Guard Auxiliary, or members of the Marine Corps League or its auxiliary;

(b) License plates issued to members of the civil air patrol shall bear the words "Texas Wing Civil Air Patrol." License plates issued to members of the Coast Guard Auxiliary shall bear the words "Coast Guard Auxiliary." License plates issued to members of the Marine Corps League or its auxiliary shall bear the words "Marine Corps League" and the emblem of the Marine Corps League.

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays the fee prescribed by Subsection (f) of this section; and

(3) submits with the application any proof required by Subsection (d) of this section.

(d) A person who applies for:

(1) Coast Guard Auxiliary, Civil Air Patrol, or Marine Corps League license plates must submit proof that the person is eligible to receive the plates;

(f) The fee for issuance of special license plates under this section, other than license plates depicting the capitol, Purple Heart license plates, and Pearl Harbor license plates, is $10 a year. Except as provided by Subsection (g) of this section, a fee imposed under this subsection is in addition to the motor vehicle registration fee imposed by Section 5c of this Act, and if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act.

(h) The department shall forward 50 cents of each fee collected under this section to the county treasurer of the county in which the person applying for the license plates resides. The county treasurer shall deposit funds received under this section in the general fund of the county to be used to pay the costs of administering this section.
A person may only be issued ... one set of
civil air patrol license plates ... one set of Coast
Guard Auxiliary license plates ... If the owner of
a vehicle for which plates ... are issued under this
section disposes of the vehicle during a registration
year, the person shall return the special plates to the
department, and at that time may apply for issuance of
those plates to another vehicle.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k,
refers to "light commercial motor vehicles having a
manufacturer's rated carrying capacity of one ton or
less." The revised law substitutes "light truck" for
"light commercial motor [vehicle] having a
manufacturer's rated carrying capacity of one ton or
less" for the reason stated in Revisor's Note (2) under
Section 502.253 of this code.

(2) Subsection (f), V.A.C.S. Article 6675a-5k,
refers to Sections 5 and 5c of "this Act," meaning
V.A.C.S. Articles 6675a-5 and 6675-5c, respectively.
The relevant portions of those statutes are codified in
this chapter as Sections 502.161 and 502.251,
respectively, and the revised law is drafted
accordingly.

Revised Law

Sec. 502.262. WORLD WAR II VETERANS. (a) The department
shall issue specially designed license plates for passenger cars
and light trucks owned by persons who served in the United States
armed forces after December 6, 1941, and before January 1, 1947.

(b) License plates issued under this section must include
the words "WWII Veteran."

(c) The department shall issue license plates under this
section to a person who:

(1) applies to the department on a form prescribed by
the department;

(2) pays an annual fee of $10, in addition to the fee
prescribed by Section 502.161, and, if personalized prestige
license plates are issued, in addition to the fee prescribed by
Section 502.251; and
(3) submits proof that the person:
(A) served in the United States armed forces
after December 6, 1941, and before January 1, 1947; and
(B) is an honorably discharged veteran of the
United States armed forces.
(d) The department shall send 50 cents of each fee collected
under this section to the county treasurer of the county in which
the applicant resides. The county treasurer shall credit money
received under this section to the general fund of the county to
pay the costs of administering this section.
(e) A person may be issued only one set of license plates
under this section.
(f) If the owner of a vehicle registered under this section
disposes of the vehicle during the registration year, the owner
shall return the special license plates to the department. The
owner may then apply for issuance of those plates to another
vehicle. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (b)
(part), (c), (d) (part), (f) (part), (h), (l) (part).)

Source Law
(a) The department [shall design and provide for
the issuance of special license plates] for passenger
cars and light commercial motor vehicles having a
manufacturer's rated carrying capacity of one ton or
less and shall design and provide for the issuance of
special license plates for those vehicles that are
owned by persons who are:
(6) persons who served in a branch of the
armed forces of the United States after December 6,
1941, and before January 1, 1947;
(b) License plates issued to persons who
served in a branch of the armed forces of the United
States after December 6, 1941, and before January 1,
1947, shall bear the words "WWII Veteran." . . .
(c) The department shall issue license plates
under this section to a person who:
(1) applies to the department on a form
prescribed by the department;
(2) pays the fee prescribed by Subsection
(f) of this section; and
(3) submits with the application any proof
(d) A person who applies for:

(4) World War II veteran license plates
must submit proof that the person served in a branch of
the armed forces of the United States after December 6,
1941, and before January 1, 1947, and is an honorably
discharged veteran of the armed forces of the United
States;

(f) The fee for issuance of special license
plates under this section, other than license plates
depicting the capitol, Purple Heart license plates, and
Pearl Harbor license plates, is $10 a
year. . . . Except as provided by Subsection (g) of
this section, a fee imposed under this subsection is in
addition to the motor vehicle registration fee imposed
by Section 5 of this Act, and if personalized prestige
license plates are issued, in addition to the fee
imposed by Section 5c of this Act.

(h) The department shall forward 50 cents of
each fee collected under this section to the county
treasurer of the county in which the person applying
for the license plates resides. The county treasurer
shall deposit funds received under this section in the
general fund of the county to be used to pay the costs
of administering this section.

(1) A person may only be issued . . . one set of
World War II veteran license plates . . . . If the
owner of a vehicle for which plates . . . are issued
under this section disposes of the vehicle during a
registration year, the person shall return the special
plates to the department, and at that time may apply
for issuance of those plates to another vehicle.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k,
refers to "light commercial motor vehicles having a
manufacturer's rated carrying capacity of one ton or
less." The revised law substitutes "light truck" for
"light commercial motor [vehicle] having a
manufacturer's rated carrying capacity of one ton or
less" for the reason stated in Revisor's Note (2) under
Section 502.253 of this code.

(2) Subsection (f), V.A.C.S. Article 6675a-5k,
refers to Sections 5 and 5c of "this Act," meaning
V.A.C.S. Articles 6675a-5 and 6675-5c, respectively.
The relevant portions of those statutes are codified in
this chapter as Sections 502.161 and 502.251,
respectively, and the revised law is drafted accordingly.

Revised Law

Sec. 502.263. KOREAN CONFLICT VETERANS. (a) The department shall issue specially designed license plates for passenger cars and light trucks owned by persons who served in the United States armed forces after June 26, 1950, and before February 1, 1955.

(b) License plates issued under this section must include the words "Korea Veteran."

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays an annual fee of $10, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251; and

(3) submits proof that the person:

(A) served in the United States armed forces after June 26, 1950, and before February 1, 1955; and

(B) is an honorably discharged veteran of the United States armed forces.

(d) The department shall send 50 cents of each fee collected under this section to the county treasurer of the county in which the applicant resides. The county treasurer shall credit money received under this section to the general fund of the county to pay the costs of administering this section.

(e) A person may be issued only one set of license plates under this section.

(f) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the special license plates to the department. The owner may then apply for issuance of those plates to another
(a) The department [shall design and provide for the issuance of special license plates] for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less and shall design and provide for the issuance of special license plates for those vehicles that are owned by persons who are:

(7) persons who served in a branch of the armed forces of the United States after June 26, 1950, and before February 1, 1955;

(b) . . . . License plates issued to persons who served in a branch of the armed forces of the United States after June 26, 1950, and before February 1, 1955, shall bear the words "Korea Veteran." . . .

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays the fee prescribed by Subsection (f) of this section; and

(3) submits with the application any proof required by Subsection (d) of this section.

(d) A person who applies for:

(5) Korean conflict veteran license plates must submit proof that the person served in a branch of the armed forces of the United States after June 26, 1950, and before February 1, 1955, and is an honorably discharged veteran of the armed forces of the United States;

(f) The fee for issuance of special license plates under this section, other than license plates depicting the capitol, Purple Heart license plates, and Pearl Harbor license plates, is $10 a year. . . . Except as provided by Subsection (g) of this section, a fee imposed under this subsection is in addition to the motor vehicle registration fee imposed by Section 5 of this Act, and if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act.

(h) The department shall forward 50 cents of each fee collected under this section to the county treasurer of the county in which the person applying for the license plates resides. The county treasurer shall deposit funds received under this section in the general fund of the county to be used to pay the costs of administering this section.

(l) A person may only be issued . . . . one set of Korea veteran license plates . . . . If the owner of a vehicle for which plates . . . . are issued under this section disposes of the vehicle during a registration year, the person shall return the special plates to the department, and at that time may apply for issuance of those plates to another vehicle.
Reviser's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Reviser's Note (2) under Section 502.253 of this code.

(2) Subsection (f), V.A.C.S. Article 6675a-5k, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.

Revised Law

Sec. 502.264. VIETNAM VETERANS. (a) The department shall issue specially designed license plates for passenger cars and light trucks owned by persons who served in the United States armed forces after August 4, 1964, and before May 8, 1975.

(b) License plates issued under this section must include the words "Vietnam Veteran."

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays an annual fee of $10, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251; and

(3) submits proof that the person served in the United States armed forces after August 4, 1964, and before May 8, 1975,
and is:

(A) an honorably discharged veteran of the United States armed forces; or

(B) a member of the United States armed forces on active duty.

(d) The department shall send 50 cents of each fee collected under this section to the county treasurer of the county in which the applicant resides. The county treasurer shall credit money received under this section to the general fund of the county to pay the costs of administering this section.

(e) A person may be issued only one set of license plates under this section.

(f) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the special license plates to the department. The owner may then apply for issuance of those plates to another vehicle. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (b) (part), (c), (d) (part), (f) (part), (h), (l) (part).)

Source Law

(a) The department [shall design and provide for the issuance of special license plates] for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less and shall design and provide for the issuance of special license plates for those vehicles that are owned by persons who are:

(8) persons who served in a branch of the armed forces of the United States after August 4, 1964, and before May 8, 1975; or

(b) License plates issued to persons who

 served in a branch of the armed forces of the United States after August 4, 1964, and before May 8, 1975,

 shall bear the words "Vietnam Veteran." ...

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays the fee prescribed by Subsection (f) of this section; and

(3) submits with the application any proof required by Subsection (d) of this section.

(d) A person who applies for:

(6) Vietnam veteran license plates must submit proof that the person served in a branch of the armed forces of the United States after August 4, 1964,
and before May 8, 1975, and:

(A) is an honorably discharged veteran of the armed forces of the United States; or

(B) is a member of the armed forces of the United States on active duty; and

(f) The fee for issuance of special license plates under this section, other than license plates depicting the capitol, Purple Heart license plates, and Pearl Harbor license plates, is $10 a year. . . . Except as provided by Subsection (g) of this section, a fee imposed under this subsection is in addition to the motor vehicle registration fee imposed by Section 5 of this Act, and if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act.

(h) The department shall forward 50 cents of each fee collected under this section to the county treasurer of the county in which the person applying for the license plates resides. The county treasurer shall deposit funds received under this section in the general fund of the county to be used to pay the costs of administering this section.

(1) A person may only be issued . . . one set of Vietnam veteran license plates . . . . If the owner of a vehicle for which plates . . . are issued under this section disposes of the vehicle during a registration year, the person shall return the special plates to the department, and at that time may apply for issuance of those plates to another vehicle.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(2) Subsection (f), V.A.C.S. Article 6675a-5k, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.
Sec. 502.265. DESERT SHIELD OR DESERT STORM VETERANS. (a) The department shall issue specially designed license plates for passenger cars and light trucks owned by persons who served in the United States armed forces and were deployed to the Middle East, where they participated in Operation Desert Shield or Desert Storm.

(b) License plates issued under this section must include the words "Desert Storm."

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays an annual fee of $10, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251; and

(3) submits proof that the person:

(A) served in the United States armed forces and was deployed to the Middle East, where the person participated in Operation Desert Shield or Desert Storm; and

(B) is:

(i) an honorably discharged veteran of the United States armed forces or reserve component of the United States armed forces; or

(ii) a member of the United States armed forces, the Texas National Guard, or a reserve component of the United States armed forces.

(d) The department shall send 50 cents of each fee collected under this section to the county treasurer of the county in which the applicant resides. The county treasurer shall credit money received under this section to the general fund of the county to pay the costs of administering this section.

(e) A person may be issued only one set of license plates under this section.
(f) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the special license plates to the department. The owner may then apply for issuance of those plates to another vehicle. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (b) (part), (c), (d) (part), (f) (part), (h), (l) (part).)
each fee collected under this section to the county
treasurer of the county in which the person applying
for the license plates resides. The county treasurer
shall deposit funds received under this section in the
general fund of the county to be used to pay the costs
of administering this section.

(1) A person may only be issued ... one set of
Desert Storm license plates ... If the owner of a
vehicle for which plates ... are issued under this
section disposes of the vehicle during a registration
year, the person shall return the special plates to the
department, and at that time may apply for issuance of
those plates to another vehicle.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k,
refers to "light commercial motor vehicles having a
manufacturer's rated carrying capacity of one ton or
less." The revised law substitutes "light truck" for
"light commercial motor [vehicle] having a
manufacturer's rated carrying capacity of one ton or
less" for the reason stated in Revisor's Note (2) under
Section 502.253 of this code.

(2) Subsection (d)(7)(B), V.A.C.S. Article
6675a-5k, refers to the "Texas Army National Guard" and
the "Texas Air National Guard." The revised law
substitutes "Texas National Guard" for "Texas Army
National Guard" and "Texas Air National Guard" for the
reason stated in Revisor's Note (2) under Section
502.256 of this code.

(3) Subsection (f), V.A.C.S. Article 6675a-5k,
refers to Sections 5 and 5c of "this Act," meaning
V.A.C.S. Articles 6675a-5 and 6675-5c, respectively.
The relevant portions of those statutes are codified in
this chapter as Sections 502.161 and 502.251,
respectively, and the revised law is drafted
accordingly.
Sec. 502.266. SURVIVING SPOUSES OF CERTAIN MILITARY VETERANS. (a) The surviving spouse of a person who was issued license plates under Section 502.254 is entitled to continue to register one motor vehicle under that section as long as the spouse remains unmarried.

(b) The surviving spouse of a person who would be eligible for license plates under Section 502.257, 502.259, or 502.260 is entitled to register one motor vehicle under that section as long as the spouse remains unmarried.

(c) The surviving spouse of a person who was killed in action while serving in the United States armed forces is entitled to register one motor vehicle under Section 502.258 as long as the spouse remains unmarried.

(d) An applicant for registration under this section must submit proof of the eligibility of the applicant's deceased spouse for registration under Section 502.254, 502.257, 502.258, 502.259, or 502.260, as applicable.

(e) The county assessor-collector shall require an applicant for registration under this section to make a statement that the spouse is unmarried. The statement must be sworn if the spouse renews a registration under Section 502.257, 502.259, or 502.260.

(V.A.C.S. Arts. 6675a-5e, Subsec. (j); 6675a-5g, Subsecs. (a) (part), (f); 6675a-5k, Subsecs. (a) (part), (c), (d) (part), (m).)
unmarried, is entitled to register under this Section, for the person's own use, one (1) passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of one (1) ton or less, without payment of the annual registration fee for the vehicle.

(f) When a surviving spouse applies to renew a registration under this Section, the County Tax Collector shall require the spouse to make a sworn statement that the spouse is unmarried.

[Art. 6675a-5k]
(a) The department [shall design and provide for the issuance of special license plates] for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less and shall design and provide for the issuance of special license plates for those vehicles that are owned by persons who are:

(2) the surviving spouses of individuals killed in action while serving in the armed forces of the United States, as long as the surviving spouse remains unmarried;

(3) [survivors of the attack on Pearl Harbor on December 7, 1941,] or their surviving spouses who have not remarried;

(4) [recipients of the Purple Heart medal] or recipients' surviving spouses who have not remarried;

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays the fee prescribed by Subsection (f) of this section; and

(3) submits with the application any proof required by Subsection (d) of this section.

(d) A person who applies for:

(1) armed forces license plates must submit proof that the person is eligible to receive the plates;

(2) Pearl Harbor license plates must submit proof that the person:

(A) served in the armed forces of the United States;

(B) was stationed in the Hawaiian Islands on December 7, 1941; and

(C) survived the attack on Pearl Harbor on December 7, 1941; or]

(D) is the surviving spouse of an individual who meets the requirements of Paragraphs (A), (B), and (C) of this subdivision;

(3) [Purple Heart license plates must submit proof that the person:

(A) has been awarded the Purple Heart medal and is:

(i) an honorably discharged veteran of the armed forces of the United States; or

(ii) a member of the armed forces of the United States on active duty; or

(B)(i) is the surviving spouse of a recipient of the Purple Heart medal who was an honorably discharged veteran of the armed forces of the United States or a member of the armed forces of the United States on active duty on the date of death; and
(m) The surviving spouse of a deceased person who was issued Pearl Harbor or Purple Heart license plates under this section is entitled to have those plates issued to the surviving spouse for as long as the surviving spouse remains unmarried. When the surviving spouse applies to renew registration for the vehicle for which the plates were issued, the county tax collector shall require the surviving spouse to make a sworn statement that the surviving spouse is unmarried.

Revisor's Note

(1) V.A.C.S. Articles 6675a-5e, 6675a-5g, and 6675a-5k refer to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) Subsection (j), V.A.C.S. Article 6675a-5e, refers to "this Section," meaning V.A.C.S. Article 6675a-5e. The relevant portion of that statute is codified in this chapter as Section 502.254, and the revised law is drafted accordingly.

(3) Subsection (m), V.A.C.S. Article 6675a-5k, provides in part that "[t]he surviving spouse of a deceased person who was issued Pearl Harbor or Purple Heart license plates under this section is entitled to have those plates issued to the surviving spouse for as long as the surviving spouse remains unmarried." This implies that the surviving spouse of a Pearl Harbor survivor or Purple Heart recipient may not obtain the specialized license plates if the deceased spouse did not do so. Subsection (a)(3), V.A.C.S. Article 6675a-5k (revised in part as Section 502.259 and this section), was amended by Chapter 659, Acts of the 72nd Legislature, Regular Session, 1991, to permit Pearl Harbor license plates to be issued to the surviving spouse of a Pearl Harbor survivor, without any
requirement that the deceased spouse have obtained the special plates. Subsection (a)(4), V.A.C.S. Article 6675a-5k (revised in part as Section 502.260 and this section), was amended by Chapter 654, Acts of the 72nd Legislature, Regular Session, 1991, to permit Purple Heart license plates to be issued to the surviving spouse of a Purple Heart recipient, without any requirement that the deceased spouse have obtained the special plates. The 1991 legislation amended Subsection (m), V.A.C.S. Article 6675a-5k, by implication, and accordingly, the quoted language is omitted from the revised law.

Revised Law

Sec. 502.267. HONORARY CONSULS. (a) The department shall issue special license plates for passenger cars and light trucks owned by persons who are honorary consuls authorized by the United States to perform consular duties.

(b) License plates issued under this section must include the words "Honorary Consul."

(c) A person may apply to the department at any time for registration under this section on a form prescribed by the department. The department shall require an applicant to submit proof of eligibility for registration under this section.

(d) The fee for registration under this section and issuance of the special license plates is the fee otherwise prescribed by this chapter for the vehicle plus an additional fee equal to the fee imposed under Section 502.251 for personalized prestige license plates.

(e) Registration under this section is valid for one registration year.

(f) The owner of a vehicle registered under this section shall return the special license plates to the department if the owner:
(1) disposes of the vehicle during the registration year; or

(2) ceases to be authorized to perform consular duties. (V.A.C.S. Art. 667a-5e.4, Subsecs. (a), (b), (c) (part), (d) (part).)

Source Law

Art. 667a-5e.4. (a) The department shall provide for the issuance of special license plates for passenger cars and light commercial motor vehicles having manufacturers' rated carrying capacities of one ton or less that are owned by persons who are honorary consuls authorized by the United States government to perform consular duties. The license plates shall bear the words "Honorary Consul."

(b) A person may apply to the department for the license plates at any time on a form prescribed by the department. The department shall require with each application proof of eligibility to receive the license plates. Registration under this section is valid for one year and expires in the same manner as do regular motor vehicle registrations.

(c) The fee for registration under this section and the issuance of a set of the special license plates is the annual registration fee for the vehicle plus an additional fee in the same amount as the additional fee charged under Section 5c of this Act for personalized prestige license plates.

(d) . . . If the owner of a vehicle registered under this section disposes of the vehicle during the registration year or ceases to be authorized to perform consular duties, the person shall return the special license plates to the department.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 667a-5e.4, refers to "light commercial motor vehicles having manufacturers' rated carrying capacities of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having [a manufacturer's rated carrying capacity] of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(2) Subsection (c), V.A.C.S. Article 667a-5e.4, refers to "Section 5c of this Act," meaning V.A.C.S. Article 6675-5c. That statute is codified in this chapter as Section 502.251, and the revised law is
Sec. 502.268. VOLUNTEER FIREFIGHTERS. (a) The department shall issue specially designed license plates for passenger cars and light trucks owned by volunteer firefighters certified by the Texas Commission on Fire Protection.

(b) A person may apply at any time for registration under this section to the department through the county assessor-collector of the county in which the person resides. The department shall prescribe the form of the application. The department shall require an applicant to submit satisfactory proof of eligibility under this section.

(c) The fee for registration under this section and issuance of the special license plates is the fee otherwise prescribed by this chapter for the vehicle plus an additional fee of $4. The county assessor-collector shall send the additional fee to the department to defray the cost of providing the special license plates.

(d) Registration under this section is valid for one registration year.

(e) A person may register, for the person's own use, only one vehicle under this section.

(f) The owner of a vehicle registered under this section shall return the special license plates to the department if the owner disposes of the vehicle during the registration year. The owner may then register another vehicle under this section.

(V.A.C.S. Art. 6675a-5h, Subsecs. (a), (b) (part), (c), (d) (part).)
passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less. The person shall pay the annual registration fee for the vehicle plus $4. The County Tax Collector shall forward the additional $4 fee to the Department to defray the cost of providing the specially designed license plates.

(c) A person may apply at any time for registration under this section through the County Tax Collector in the county of the person's residence. The Department shall prescribe the form of the application. The Department shall require an applicant to submit proof of eligibility to register under this section that is satisfactory to the Department. Registration under this section is valid for one year.

(d) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the person shall return the special license plates to the Department. At that time the person may register another passenger car or light commercial motor vehicle under this section.

Reviser's Note

(1) V.A.C.S. Article 6675a-5h refers to a "County Tax Collector." The revised law substitutes "county assessor-collector" for "County Tax Collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-5h, refers to volunteer firefighters certified by the "Texas Volunteer Firefighters and Fire Marshals Certification Board." The agency that now certifies volunteer firefighters is the Texas Commission on Fire Protection (see Section 419.071, Government Code). The revised law is drafted accordingly.

(3) Subsection (b), V.A.C.S. Article 6675a-5h, refers to a "light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor vehicle having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Reviser's Note (2) under Section 502.253 of this code.
Sec. 502.269. TEXAS CAPITOL LICENSE PLATES. (a) The department shall issue specially designed license plates depicting the State Capitol for passenger cars and light trucks.

(b) The department shall issue license plates under this section to a person who:

1. applies to the department on a form prescribed by the department; and
2. pays an annual fee of $30, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.

(c) The department shall send 50 cents of each fee collected under this section to the county treasurer of the county in which the applicant resides. The county treasurer shall credit money received under this section to the general fund of the county to pay the costs of administering this section.

(d) The department shall deposit $25 of each fee collected under this section in the general revenue fund. (V.A.C.S. Art. 6675a-5k, Subsecs. (a) (part), (c), (f) (part), (h), (i).)

Art. 6675a-5k. (a) The department shall design and provide for the issuance of special license plates depicting the state capitol for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less . . . .

(c) The department shall issue license plates under this section to a person who:

1. applies to the department on a form prescribed by the department;
2. pays the fee prescribed by Subsection (f) of this section; and
3. submits with the application any proof required by Subsection (d) of this section.

(f) . . . The fee for license plates depicting the capitol is $30 a year. Except as provided by Subsection (g) of this section, a fee imposed under this subsection is in addition to the motor vehicle registration fee imposed by Section 5 of this Act, and if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act.

(h) The department shall forward 50 cents of each fee collected under this section to the county.
treasurer of the county in which the person applying for the license plates resides. The county treasurer shall deposit funds received under this section in the general fund of the county to be used to pay the costs of administering this section.

(i) The department shall deposit $25 of each fee collected for license plates depicting the capitol in the state treasury to the credit of a special fund to be used by the State Preservation Board for a purpose authorized by Section 443.007, Government Code. Interest, dividends, and other income of the fund shall be credited to the fund.

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5k, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(2) Subsection (f), V.A.C.S. Article 6675a-5k, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.

(3) Subsection (i), V.A.C.S. Article 6675a-5k, requires the Texas Department of Transportation to "deposit $25 of each fee collected for license plates depicting the capitol in the state treasury to the credit of a special fund to be used by the State Preservation Board for a purpose authorized by Section 443.007, Government Code." Acting under authority of Section 403.094(a), Government Code, the comptroller abolished that special fund effective August 31, 1993. The revised law omits the requirement that the fees be deposited in the state treasury for the reason stated.
in Revisor's Note (3) under Section 502.251 of this
code.

Section 403.094(h), Government Code, provides
that all statutory dedications of revenue enacted
before August 31, 1995, are void unless reenacted after
September 1, 1991. Subsection (i), V.A.C.S. Article
6675a-5k, was enacted in 1989 and was not reenacted
after September 1, 1991. The revised law is drafted
accordingly.

Because V.A.C.S. Article 6694 (revised in this
chapter as Section 502.051) requires the Texas
Department of Transportation to deposit all
registration fees in the state highway fund, this
section of the revised law requires the department to
deposit in the general revenue fund that portion of the
fee for license plates depicting the Capitol that was
formerly dedicated for use by the State Preservation
Board.

(4) Subsection (k), V.A.C.S. Article 6675a-5k,
provides that there is no limit to the number of
vehicles "for which a person may apply for the issuance
of license plates depicting the capitol." The revised
law omits this provision as unnecessary because, in the
absence of an express limitation on the number of
vehicles that may be registered, a person may register
as many vehicles as desired. Subsection (k) reads:

(k) There is no limit to the number
of passenger cars and light commercial
motor vehicles for which a person may apply
for the issuance of license plates
depicting the capitol.

Revised Law
Sec. 502.270. COLLEGIATE LICENSE PLATES. (a) The
department shall issue for passenger cars and light trucks
specially designed license plates that include the name and
insignia of:

(1) an institution of higher education as defined by Section 61.003(8), Education Code; or

(2) a private college or university described by Section 61.222, Education Code.

(b) The department may not issue a license plate under this section for a particular institution unless the institution:

(1) certifies to the department that it has determined that at least 1,500 persons will apply for the plates; and

(2) approves the design of the license plates, including the name, insignia, color, and quality.

(c) Except as provided by Subsection (b), the department shall issue license plates under this section to a person who:

(1) applies to the county assessor-collector of the county in which the person resides on a form provided by the department; and

(2) pays an annual fee of $30, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.

(d) The department shall deposit $25 of each fee collected under this section in the general revenue fund.

(e) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the special license plates to the department.

(V.A.C.S. Art. 6675a-5j, Subsecs. (a), (b), (c), (d), (f), (g), (h), (i) (part), (j) (part).)

Source Law

Art. 6675a-5j. (a) The department shall provide for the issuance of special collegiate license plates for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less.

(b) The license plates shall bear the name and insignia for:

(1) an institution of higher education as defined by Section 61.003(8), Education Code; or

(2) a private college or university described by Section 61.222, Education Code.
(c) The department may not issue a license plate under this section for a particular public or private institution of higher education unless the institution has:

1. certified to the department that it has determined that at least 1,500 persons will apply for the plates; and
2. approved the design of the license plates, including the name, insignia, color, and quality.

(d) Except as provided by Subsection (c) of this section, the department shall issue license plates under this section to a person who:

1. applies to the county tax collector in the county of the person's residence on a form provided by the department; and
2. pays the fee prescribed by Subsection (f) of this section.

(f) The fee for issuance of special license plates under this section is $30 a year in addition to the motor vehicle registration fee imposed by Section 5 of this Act, and if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act.

(g) The department shall deposit $25 of each fee collected under this section for issuance of license plates designating a public senior college or university in the state treasury to the credit of the public senior college or university. The funds may be used only for scholarships to students who demonstrate a need for financial assistance under rules adopted by the Texas Higher Education Coordinating Board. Funds deposited under this subsection are supplementary and are not income for purposes of reducing general revenue appropriation to the public senior college or university in the General Appropriations Act.

(h) The department shall deposit $25 of each fee collected under this section for issuance of license plates designating a private institution or other public institutions of higher education not included in Subsection (g) of this section in the state treasury to the credit of the Texas Higher Education Coordinating Board for allocation to students at the designated public or private institutions of higher education. The funds may only be used for awarding scholarships to students who demonstrate a need for financial assistance under rules adopted by the Texas Higher Education Coordinating Board. Funds deposited under this subsection shall be allocated for awarding scholarships to eligible students at the designated institution in addition to any amounts that otherwise are available for allocation.

(i) The department shall deposit the remainder of each fee collected under this section, after deposit as provided by Subsections (g) and (h) of this section, in the state treasury to the credit of the state highway fund to be used only to defray the cost of administering this section.

(j) If the owner of a vehicle for which plates are issued under this section disposes of the vehicle during a registration year, the person shall return the special license plates to the department.
Revisor's Note

(1) V.A.C.S. Article 6675a-5j refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-5j, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(3) Subsection (f), V.A.C.S. Article 6675a-5j, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.

(4) Subsection (g), V.A.C.S. Article 6675a-5j, provides that the Texas Department of Transportation "shall deposit $25 of each fee collected under this section for issuance of license plates designating a public senior college or university in the state treasury to the credit of the public senior college or university. The funds may be used only for scholarships to students who demonstrate a need for financial assistance under rules adopted by the Texas Higher Education Coordinating Board. Funds deposited under this subsection are supplementary and are not income for purposes of reducing general revenue appropriation to the public senior college or
university in the General Appropriations Act."

Subsection (h), V.A.C.S. Article 6675a-5j, provides that the Texas Department of Transportation "shall deposit $25 of each fee collected under this section for issuance of license plates designating a private institution or other public institutions of higher education not included in Subsection (g) of this section in the state treasury to the credit of the Texas Higher Education Coordinating Board for allocation to students at the designated public or private institutions of higher education. The funds may only be used for awarding scholarships to students who demonstrate a need for financial assistance under rules adopted by the Texas Higher Education Coordinating Board. Funds deposited under this subsection shall be allocated for awarding scholarships to eligible students at the designated institution in addition to any amounts that otherwise are available for allocation."

The revised law omits the requirements that the money be deposited in the state treasury for the reason stated in Revisor's Note (3) under Section 502.251 of this code.

Section 403.094(h), Government Code, provides that all statutory dedications of revenue enacted before August 31, 1995, are void unless reenacted after September 1, 1991. Subsections (g), (h), and (i), V.A.C.S. Article 6675a-5j, were enacted in 1989 and were not reenacted after September 1, 1991. The revised law is drafted accordingly.

The revised law requires the Texas Department of Transportation to deposit in the general revenue fund that portion of the fee for special collegiate license plates that was formerly dedicated for use in awarding
scholarships for the reason stated in Revisor's Note
(3) under Section 502.269 of this code.

(5) Subsection (k), V.A.C.S. Article 6675a-5j, provides that there is no limit to the number of
vehicles "for which a person may apply for issuance of
license plates under this section." The revised law
omits this provision for the reason stated in Revisor's
Note (4) under Section 502.269 of this code.

Subsection (k) reads:

(k) There is no limit to the number
of passenger cars and light commercial
motor vehicles for which a person may apply
for issuance of license plates under this
section.

Revised Law
Sec. 502.271. TEXAS AEROSPACE COMMISSION LICENSE PLATES.
(a) The department shall issue specially designed Texas Aerospace
Commission license plates for passenger cars and light trucks.
(b) The license plates must include the name "Texas
Aerospace Commission" and be of a color, quality, and design
approved by the Texas Aerospace Commission.
(c) The department shall issue license plates under this
section to a person who:
(1) applies to the county assessor-collector of the
county in which the person resides on a form provided by the
department; and
(2) pays an annual fee of $30, in addition to the fee
prescribed by Section 502.161, and, if personalized prestige
license plates are issued, in addition to the fee prescribed by
Section 502.251.
(d) Of each fee collected under this section, the department
shall deposit $25 under this section to the credit of the general
revenue fund and $5 to the credit of the state highway fund.
(e) If the owner of a vehicle registered under this section
disposes of the vehicle during the registration year, the owner
shall return the special license plates to the department.

(V.A.C.S. Art. 6675a-51, Subsecs. (a), (b), (c), (e), (f) (part),
(g) (part), (h) (part)).

Source Law

Art. 6675a-51. (a) The department shall design and provide for the issuance of special Texas Aerospace Commission plates for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less.

(b) The license plates shall bear the name "Texas Aerospace Commission" and be of a color, quality, and design approved by the Texas Aerospace Commission.

(c) The department shall issue license plates under this section to a person who:

(1) applies to the county tax collector in the county of the person's residence on a form provided by the department; and

(2) pays the fee prescribed by Subsection (e) of this section.

(e) The fee for issuance of special license plates under this section is $30 a year in addition to the regular registration fee for the vehicle imposed by Section 5 of this Act and, if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act.

(f) The department shall deposit $25 of each fee collected under this section in the state treasury to the credit of . . . the general revenue fund . . .

(g) The department shall deposit . . . to the credit of the state highway fund to be used only to defray the cost of administering this section.

(h) . . . If the owner of a vehicle for which plates are issued under this section disposes of the vehicle during a registration year, the person shall return the special license plates to the department.

Reviser's Note

(1) V.A.C.S. Article 6675a-51 refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-51, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or
less" for the reason stated in Revisor's Note (2) under
Section 502.253 of this code.

(3) Subsection (e), V.A.C.S. Article 6675a-5l, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.

(4) Subsection (f), V.A.C.S. Article 6675a-5l, requires the Texas Department of Transportation to "deposit $25 of each fee collected under this section in the state treasury to the credit of an account in the general revenue fund to be known as the Texas Aerospace Commission account." The revised law omits the requirement that the money be deposited in the state treasury for the reason stated in Revisor's Note (3) under Section 502.251 of this code.

(5) The revised law omits that part of Subsection (f), V.A.C.S. Article 6675a-5l, providing that $25 of each fee be deposited in the state treasury to the credit of the Texas Aerospace Commission account in the general revenue fund. The revised law omits the requirement that the money be deposited in the treasury because Section 404.094, Government Code (State Funds Reform Act), requires all money, including the referenced fees, collected by a state agency to be deposited in the treasury to the credit of the general revenue fund, unless specifically provided otherwise. The revised law omits the reference to the Texas Aerospace Commission account because the comptroller of public accounts, acting under authority of Section 403.094(a), Government Code, consolidated that account, effective August 31, 1993. The revised law omits the
dedication of the money deposited in that account to programs administered or supported by the Texas Aerospace Commission because Section 403.094(h), Government Code, provides that all statutory dedications of revenue enacted before August 31, 1995, are void unless reenacted after September 1, 1991. The dedication in Subsection (f), V.A.C.S. Article 6675a-51, was not effective until September 1, 1991, and was not reenacted after September 1, 1991. The omitted parts of Subsection (f), V.A.C.S. Article 6675a-51, read as follows:

[(f) The department shall deposit $25 of each fee collected under this section in the state treasury to the credit of an account in the general revenue fund to be known as the Texas Aerospace Commission account. Money in the account may be used only for support of programs administered or supported by the Texas Aerospace Commission. Fees deposited under this subsection are supplementary and are not income for purposes of reducing general revenue appropriations to the Texas Aerospace Commission in the General Appropriations Act.]

(6) The revised law omits that part of Subsection (g), V.A.C.S. Article 6675a-51, providing that $5 of each fee be deposited "in the state treasury" because Section 404.094, Government Code (State Funds Reform Act), requires all money, including the referenced fees, collected by a state agency to be deposited in the treasury. The revised law omits the dedication of the money deposited in that fund to the administration of the statute because Section 403.094(h), Government Code, provides that all statutory dedications of revenue enacted before August 31, 1995, are void unless reenacted after September 1, 1991. The dedication in Subsection (g), V.A.C.S. Article 6675a-51, was not effective until September 1, 1991, and was not reenacted after September 1, 1991.
The omitted parts of Subsection (g), V.A.C.S. Article 6675a-51, read as follows:

[(g) The department shall deposit]
the remainder of each fee collected under
this section, after deposit as provided by
Subsection (f) of this section, in the
state treasury [to the credit of the state
highway fund] to be used only to defray the
cost of administering this section.

(7) Subsection (i), V.A.C.S. Article 6675a-51,
provides that there is no limit to the number of
vehicles "for which a person may apply for the issuance
of license plates under this section." The revised law
omits this provision for the reason stated in Revisor's
Note (4) under Section 502.269 of this code.

Subsection (i) reads:

(i) There is no limit to the number
of passenger cars and light commercial
motor vehicles for which a person may apply
for the issuance of license plates under
this section.

Revised Law

Sec. 502.272. TEXAS COMMISSION ON THE ARTS LICENSE PLATES.

(a) The department shall issue specially designed Texas Commission
on the Arts license plates for passenger cars and light trucks.

(b) The license plates must include the words "State of the
Arts" and be of a color, quality, and design approved by the Texas
Commission on the Arts.

(c) The department shall issue license plates under this
section to a person who:

(1) applies to the county assessor-collector of the
county in which the person resides on a form provided by the
department; and

(2) pays an annual fee of $25, in addition to the fee
prescribed by Section 502.161, and, if personalized prestige
license plates are issued, in addition to the fee prescribed by
Section 502.251.

(d) The department shall deposit $20 of each fee collected
under this section to the credit of the Texas Commission on the
Arts operating fund established under Section 444.027, Government
Code.

(e) The remainder of each fee collected under this section,
after deposit as provided by Subsection (d), may be used only to
defray the cost of administering this section.

(f) If the owner of a vehicle registered under this section
disposes of the vehicle during the registration year, the owner
shall return the special license plates to the department.

(V.A.C.S. Art. 6675a-5m, Subsecs. (a), (b), (c), (e), (f), (g)
(part), (h) (part).)

Source Law

Art. 6675a-5m. (a) The department shall design
and provide for the issuance of special Texas
Commission on the Arts plates for passenger cars and
light commercial motor vehicles having a manufacturer's
rated carrying capacity of one ton or less.

(b) The license plates must bear the words
"State of the Arts" and be of a color, quality, and
design approved by the Texas Commission on the Arts.

(c) The department shall issue a license plate
under this section to a person who:
(1) applies to the county tax collector in
the county of the person's residence on a form provided
by the department; and
(2) pays the fee prescribed by Subsection
(e) of this section.

(e) The fee for issuance of a special license
plate under this section is $25 a year in addition to
the regular registration fee for the vehicle imposed by
Section 5 of this Act and, if a personalized prestige
license plate is issued, in addition to the fee imposed
by Section 5c of this Act.

(f) The department shall deposit $20 of each fee
collected under this section in the state treasury to
the credit of the Texas Commission on the Arts
operating fund established under Section 444.027,
Government Code.

(g) The department shall deposit the remainder
of each fee collected under this section after deposit
as provided by Subsection (f) of this section [in the
state treasury to the credit of the State Highway Fund] to
be used only to defray the cost of administering
this section.

(h) ... If the owner of a vehicle for which
the plate was issued under this section disposes of the
vehicle during a registration year, the person shall
return the special license plate to the department.
(1) V.A.C.S. Article 6675a-5m refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Reviser's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-5m, refers to "light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Reviser's Note (2) under Section 502.253 of this code.

(3) Subsection (e), V.A.C.S. Article 6675a-5m, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.

(4) Subsection (f), V.A.C.S. Article 6675a-5m, requires the Texas Department of Transportation to "deposit $20 of each fee collected under this section in the state treasury to the credit of the Texas Commission on the Arts operating fund established under Section 444.027, Government Code." The revised law omits the requirement that the money be deposited in the state treasury for the reason stated in Reviser's Note (3) under Section 502.251 of this code.

(5) Subsection (i), V.A.C.S. Article 6675a-5m, provides that there is no limit to the number of vehicles "for which a person may apply for issuance of a license plate under this section." The revised law
omits this provision for the reason stated in Revisor's
Note (4) under Section 502.269 of this code.

Subsection (i) reads:

(i) There is no limit to the number
of passenger cars and light commercial
motor vehicles for which a person may apply
for issuance of a license plate under this
section.

Revised Law

Sec. 502.273. PRIVATE NONPROFIT ORGANIZATIONS. (a) The
department shall issue specially designed license plates for
passenger cars and light trucks owned by persons who are members of
a private nonprofit organization that:

(1) has a statewide membership of at least 7,500
individuals;

(2) requests, through an authorized representative of
the organization's governing body in the state, the issuance of
license plates under this section;

(3) deposits $15,000 with the department; and

(4) provides the department with the names, addresses,
and counties of residence of 750 members of the organization for
whom the deposit may be credited to obtain the special license
plates.

(b) The department shall design the license plate in
consultation with the organization's governing body.

(c) The deposit made under Subsection (a)(3) shall be
credited toward the purchase of license plates by the persons named
under Subsection (a)(4).

(d) A person at any time after specialized license plates
are authorized under this section may apply to the department
through the county assessor-collector of the county in which the
person resides for registration under this section. The department
shall prescribe the form of the application. An applicant must
submit to the assessor-collector proof of eligibility under this
section that meets standards prescribed by the department.
(e) The annual fee for issuance of special license plates under this section is $25, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251. The county assessor-collector shall send the additional fee to the department.

(f) Registration under this section is valid for one year.

(g) A person may register, for the person's own use, only one vehicle under this section.

(h) The owner of a vehicle registered under this section shall return the special license plates to the department if the owner disposes of the vehicle during the registration year.

(V.A.C.S. Art. 6675a-5p (as added Ch. 567, Acts 73rd Leg., R.S., 1993), Subsecs. (a), (b), (c), (e), (f), (g) (part).)
department shall prescribe the form of the application. An applicant shall submit to the county tax collector proof of eligibility to register under this section that meets standards prescribed by the department. Registration under this section is valid for one year.

(g) ... If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the person shall return the special license plates to the department.

Revisor's Note

(1) V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993, refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) Subsection (c), V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993, refers to a "light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(3) Subsection (e), V.A.C.S. Article 6675a-5p, as added by Chapter 567, Acts of the 73rd Legislature, Regular Session, 1993, refers to Sections 5 and 5c of "this Act," meaning V.A.C.S. Articles 6675a-5 and 6675-5c, respectively. The relevant portions of those statutes are codified in this chapter as Sections 502.161 and 502.251, respectively, and the revised law is drafted accordingly.

Revised Law

Sec. 502.274. CLASSIC MOTOR VEHICLES. (a) The department shall issue specially designed license plates for passenger cars and light trucks that are at least 25 years old. The license
plates must include the words "Classic Auto" or "Classic Truck," as appropriate.

(b) In lieu of license plates described by Subsection (a), a person applying for registration may under this section use license plates that:

(1) were issued by this state in the same year as the model year of the vehicle; and

(2) are approved by the department.

(c) The department shall register a vehicle under this section if the owner:

(1) applies to the county assessor-collector of the county in which the person resides on a form provided by the department; and

(2) pays an annual fee of $15, in addition to the fee prescribed by Section 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.

(d) The department may require the attachment of a registration insignia to a license plate approved under Subsection (b) in a manner that does not affect the display of information originally inscribed on the license plate.

(e) Registration under this section is valid for one registration year.

(f) If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the special license plates issued under this section to the department. (V.A.C.S. Art. 6675a-5n, Subsecs. (a), (b), (c), (d) (part), (e), (f) (part), (h).)

Source Law

Art. 6675a-5n. (a) The department shall provide for registration as a classic motor vehicle, and for the issuance of special license plates, for passenger cars and light commercial motor vehicles having manufacturer's rated carrying capacity of one ton or less that are 25 or more years old. The license plates shall bear, as appropriate, the words "Classic Auto" or "Classic Truck."

(b) The department shall register a vehicle
under this section if the owner:

(1) applies to the county tax collector in the county of the person's residence on a form provided by the department; and

(2) pays the fee prescribed by Subsection (f) of this section.

(c) Registration under this section is valid for one year and expires in the same manner as do regular motor vehicle registrations.

(d) A person applying for registration under this section may:

(2) use license plates approved by the department that were issued by this state in the same year as the model year of the vehicle; or

(e) The department may require the attachment of the renewal symbol, tab, or other device to a license plate issued in the same year as the model year of the vehicle in a manner that does not affect the display of information originally inscribed on the license plate.

(f) The fee for registration and issuance of special license plates under this section or registration and use of license plates approved under Subsection (d)(2) of this section is $15 in addition to the motor vehicle registration fee imposed by Section 5 of this Act and, if personalized prestige license plates are issued, in addition to the fee imposed by Section 5c of this Act. . . .

(h) If the person who is the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the person shall return the special license plates issued under this section to the department.

Revisor's Note

(1) V.A.C.S. Article 6675a-5n refers to a "county tax collector." The revised law substitutes "county assessor-collector" for "county tax collector" for the reason stated in Revisor's Note (3) under Section 502.002 of this code.

(2) Subsection (a), V.A.C.S. Article 6675a-5n, refers to "light commercial motor vehicles having manufacturer's rated carrying capacity of one ton or less." The revised law substitutes "light truck" for "light commercial motor [vehicle] having [a] manufacturer's rated carrying capacity of one ton or less" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(3) Subsection (e), V.A.C.S. Article 6675a-5n,
refers to a "renewal symbol, tab, or other device."
The revised law substitutes "registration insignia" for
"renewal symbol, tab, or other device" for the reason
stated in Reviser's Note (2) under Section 502.053 of
this code.

(4) Subsection (f), V.A.C.S. Article 6675a-5n,
refers to Sections 5 and 5c of "this Act," meaning
V.A.C.S. Articles 6675a-5 and 6675-5c, respectively.
The relevant portions of those statutes are codified in
this chapter as Sections 502.161 and 502.251,
respectively, and the revised law is drafted
accordingly.

(5) Subsection (j), V.A.C.S. Article 6675a-5n,
provides that there is no limit to the number of
vehicles "that a person may register under this
section." The revised law omits this provision for the
reason stated in Reviser's Note (4) under Section
502.269 of this code. Subsection (j) reads:

(j) There is no limit to the number
of passenger cars and light commercial
motor vehicles that a person may register
under this section.

Revised Law

Sec. 502.275. CERTAIN ANTIQUE VEHICLES; OFFENSE. (a) The
department shall issue specially designed license plates for a
passenger car, truck, or motorcycle that:

(1) is at least 25 years old;
(2) is a collector's item;
(3) is used exclusively for exhibitions, club
activities, parades, and other functions of public interest, and is
not used for regular transportation; and
(4) does not carry advertising.

(b) Special license plates issued under this section must
include the words "Antique Auto," "Antique Truck," or "Antique
Motorcycle," as appropriate.
(c) In lieu of issuing plates under Subsection (a), the department may approve for use license plates presented by the owner that were issued by this state in the same year as the model year of a vehicle described by Subsection (a). If the department approves license plates under this section, the department shall issue a symbol for attachment to one of the license plates, as determined by the department, showing the year in which the vehicle was registered under this section.

(d) License plates issued or approved under this section are valid for a maximum period of five years.

(e) The department shall issue or approve license plates under this section and shall issue a registration receipt to a person who:

(1) files a sworn written application with the county assessor-collector of the county in which the person resides that:
   (A) is on a form provided by the department;
   (B) contains the make, body style, vehicle identification number, age of the vehicle, and any other information required by the department; and
   (C) states that the vehicle and the use of the vehicle comply with Subsection (a); and

(2) pays a fee of:
   (A) $10 for each year or portion of a year remaining in the five-year registration period, if the vehicle was manufactured in 1921 or a later year; or
   (B) $8 for each year or portion of a year remaining in the five-year registration period, if the vehicle was manufactured before 1921.

(f) A vehicle registered under this section is exempt from the registration fee otherwise prescribed by this chapter.

(g) Registration under this section is valid without renewal for the period for which the vehicle was registered if the vehicle is owned by the same person.

(h) A county assessor-collector may not renew the
registration of a vehicle under this section until the registered
owner surrenders to the assessor-collector the license plates or
symbol and registration receipt issued for the vehicle for the
previous period.

(i) If a vehicle registered under this section is
transferred to another owner or is junked, is destroyed, or
otherwise ceases to exist, the registration receipt and license
plates or symbol are immediately void and the license plates or
symbol issued under this section shall be sent immediately to the
department.

(j) An owner of a vehicle registered under this section who
violates this section commits an offense. An offense under this
section is a misdemeanor punishable by a fine of not less than $5
or more than $200. (V.A.C.S. Art. 6675a-5a, Subsecs. (a), (b),
(c), (d), (e), (g).)

Source Law

Art. 6675a-5a. (a) Passenger cars, trucks, and
motorcycles that are twenty-five (25) or more years
old, shall be excepted from the annual license fee for
registration otherwise provided by law upon written,
sworn application by the owner thereof on a form
furnished by the Department. Such application shall
show the make, body style, motor number, age of the
vehicle, and any other information required by the
Department, and shall also state that the vehicle is a
collector's item and will be used solely for
exhibitions, club activities, parades, and other
functions of public interest, and in no case for
regular transportation, and will carry no advertising.

(b) The Department shall issue license plates
which shall contain the words "Antique Auto," "Antique
Truck," or "Antique Motorcycle" and which are valid for
a maximum period of five (5) years. Alternatively, the
Department may allow antique license plates to be used
on an antique vehicle if the owner of the vehicle
presents the antique license plates to the Department
for approval and the antique license plates were issued
by this state in the same year as the model year of the
vehicle. If antique license plates are used on a
vehicle, the Department shall issue to the owner a
symbol, valid for a maximum period of five (5) years,
to be placed on one of the license plates, as
determined by the Department, designating the year in
which the vehicle was registered under this section.

(c) The registration fee for the five (5) year
period for vehicles qualifying under this Act which
were manufactured in 1921 and subsequent years shall be
Fifty Dollars ($50.00) and shall be reduced Ten Dollars
($10.00) for each year of the period that has fully
expired at the time of the application, and the fee for
the registration of vehicles manufactured in 1920 and
prior years shall be Forty Dollars ($40.00) for the five year period and shall be reduced Eight Dollars ($8.00) for each year of the five year period that has fully expired at the time of the application.

(d) On application and payment of the proper fee to the County Tax Assessor-Collector of the county in which the owner resides, the Department shall furnish such license plates or a symbol and receipts which shall be issued to the owner and such plates or symbol shall be valid without renewal for the period for which the vehicle is registered, provided such vehicle continues to be owned by the same owner.

e) If the vehicle is transferred to another owner, or is junked, destroyed, or otherwise ceases to exist, the registration receipt and plates or symbol shall become null and void and any plates or symbol issued under this section shall be sent immediately to the Department. It is further provided that the Tax Assessor-Collector shall not renew the registration of any such vehicle until the registered owner surrenders to him any license plates or symbol and receipt that were issued for such vehicle for the previous period.

(g) Any owner of a vehicle registered under the provisions of this section who violates any of the provisions herein shall be guilty of a misdemeanor, and upon conviction shall be fined not less than Five Dollars ($5.00) and not more than Two Hundred Dollars ($200.00).

Revisor's Note

(1) Subsection (a), V.A.C.S. Article 6675a-5a, refers to the "motor number" of a vehicle. The revised law substitutes "vehicle identification number" for "motor number" for the reason stated in Revisor's Note (2) under Section 502.151 of this code.

(2) Subsection (e), V.A.C.S. Article 6675a-5a, refers to certain registration receipts and license plates or symbols as being "null" and "void." The reference to "null" is omitted from the revised law because "null" is included within the meaning of "void."

Revised Law

Sec. 502.276. CERTAIN FARM VEHICLES AND DRILLING AND CONSTRUCTION EQUIPMENT. (a) An owner is not required to register a farm tractor, farm trailer, or farm semitrailer that has a gross weight of 4,000 pounds or less or an implement of husbandry that is operated temporarily on the highways.
(b) A vehicle owner may obtain a distinguishing license plate from the department by:

(1) applying to the department through the county assessor-collector of the county in which the person resides on a form provided by the department; and

(2) paying a fee of $5 for each year or portion of a year.

(c) An owner who obtains a distinguishing license plate under Subsection (b) may operate temporarily on the highways:

(1) a farm trailer or farm semitrailer with a gross weight of more than 4,000 pounds but not more than 34,000 pounds that is used exclusively to transport:

(A) the owner's seasonally harvested agricultural products and livestock from the place of production to the place of processing, market, or storage; or

(B) farm supplies from the place of loading to the farm;

(2) machinery used exclusively for the purpose of drilling water wells; or

(3) construction machinery that is not designed to transport persons or property on a public highway.

(d) This section applies to:

(1) a farm trailer or farm semitrailer owned by a cotton gin and used exclusively to transport agricultural products without charge from the place of production to the place of processing, market, or storage;

(2) a trailer used exclusively to transport fertilizer without charge from a place of supply or storage to a farm; or

(3) a trailer used exclusively to transport cottonseed without charge from a place of supply or storage to a farm or place of processing.

(e) A vehicle described by Subsection (c) is exempt from the inspection requirements of Subchapters B and F, Chapter 548.

(f) This section does not apply to a farm trailer or farm
semitrailer that:

(1) is used for hire;
(2) has metal tires operating in contact with the highway;
(3) is not equipped with an adequate hitch pinned or locked so that it will remain securely engaged to the towing vehicle while in motion; or
(4) is not operated and equipped in compliance with all other law.

(g) A vehicle to which this section applies that is operated on a public highway in violation of this section is considered to be operated while unregistered and is immediately subject to the registration fees and penalties otherwise prescribed by this chapter.

(h) In this section, the "gross weight" of a trailer or semitrailer is the combined weight of the vehicle and the load carried on the highway. (V.A.C.S. Arts. 6675a-1, Subsec. (t); 6675a-2, Subsecs. (b), (c), (d), (e), (e-1), (f), (g) (part).)

Source Law

[Art. 6675a-1]
(t) "Fertilizer trailer" means every "trailer" as defined in Subsection (g) herein, designed and used solely to transport fertilizer from the place of supply or storage to the farm.

[Art. 6675a-2]
(b). Owners of farm tractors, farm trailers and farm semitrailers with a gross weight not exceeding four thousand (4,000) pounds, and implements of husbandry operated or moved temporarily upon the highways shall not be required to register such farm tractors, farm trailers, farm semitrailers and implements of husbandry.
(c) Owners of farm trailers and farm semitrailers with a gross weight exceeding four thousand (4,000) pounds but not exceeding thirty-four thousand (34,000) pounds and used solely to transport their own seasonally harvested agricultural products and livestock from the place of production to the place of process, market or storage thereof, or farm supplies from the place of loading to the farm, and owners of machinery used solely for the purpose of drilling water wells or construction machinery (not designed for the transportation of persons or property on the public highways), may operate or move such vehicles temporarily upon the highways without the payment of the regular registration fees as prescribed by law, provided the owners of such farm trailers and
semitrailers and machinery secure for a fee of five
dollars ($5) for each year or portion thereof a
distinguishing license plate from the Texas Department
of Transportation through the County Tax Collector upon
forms prescribed and furnished by the department. Such
vehicles shall be exempt from the inspection
requirements of Sections 140 and 141 of the Uniform Act
Regulating Traffic on Highways, as amended (Article
6701d, Vernon's Texas Civil Statutes).

(d). As used in this Section, the term "gross
weight" means the combined weight of the trailer or
semitrailer and the weight of the load actually carried
on the highway.

(e). The exemptions from registration under
Subsection (b) of this Act and from regular fees under
Subsections (c) and (c-1) of this Act apply to farm
trailers and farm semitrailers owned by cotton gins and
used solely for supplying, without charge, such farm
trailers and farm semitrailers to farmers to haul
agricultural products from the place of production to
the place of process, market, or storage of the
agricultural products.

(e-1). The exemptions from registration under
Subsection (b) hereof and from regular fees under
Subsection (c) hereof shall apply to farm
trailers and semitrailers owned by cotton gins and
used solely for supplying, without charge, such farm
trailers and farm semitrailers to farmers to haul
agricultural products from the place of production to
the place of process, market, or storage of the
agricultural products.

(f). The exemptions from registration under
Subsection (b) hereof and from regular fees under
Subsection (c) hereof, shall not apply to any farm
trailer or semitrailer:

(1) When the same is used for hire;
(2) When the vehicle has steel or metal
tires operating in contact with the roadway;
(3) When not equipped with an adequate
hitch pinned or locked so that it will remain securely
engaged to the towing vehicle while in motion; or
(4) Which is not operated and equipped in
conformity with all other provisions of the law.

(g) Any vehicle exempt from registration under
Subsection (b) hereof or from regular fees under
Subsection (c) . . . hereof and operated and moved upon
the public highways of this State in violation of this
Section shall be deemed to be operated or moved
unregistered and shall immediately be subject to the
regular registration fees and penalties as prescribed
by law.

Revisor's Note

(1) Subsection (c), V.A.C.S. Article 6675a-2,
refers to Sections 140 and 141, Uniform Act Regulating
Traffic on Highways (Article 6701d, Vernon's Texas
Civil Statutes). The relevant parts of those statutes
are codified in this code as Subchapters B and F of
Chapter 548, and the revised law is drafted
accordingly.
(2) Subsection (f), V.A.C.S. Article 6675a-2, refers to "steel or metal tires." The reference to "steel" is omitted from the revised law because "steel" is included within the meaning of "metal."

(3) Subsection (g), V.A.C.S. Article 6675a-2, refers to the "public highways of this State." The reference to "of this State" is omitted from the revised law for the reason stated in Revisor's Note (2) under Section 502.001 of this code.

Revised Law
Sec. 502.277. COTTON VEHICLES. (a) The department shall issue specially designed license plates for single motor vehicles that:

(1) are used only to transport seed cotton modules, cotton, or equipment used in transporting or processing cotton; and

(2) are not more than 9 feet in width.

(b) License plates issued under this section must include the words "Cotton Vehicle."

(c) A person may apply to the department at any time for registration under this section on a form prescribed by the department. The department may require an applicant to submit proof of eligibility for registration under this section.

(d) The fee for the initial issuance of the special license plates is $8, in addition to the fee prescribed by Section 502.162 and, if applicable, the fee prescribed by Section 502.172. The additional fee may be appropriated only to the department to defray the cost of providing the special license plates.

(e) Registration under this section is valid for one registration year.

(f) A person who has registered a vehicle under this section and received license plates may renew the registration by applying to the county assessor-collector in the county in which the person resides for an annual registration insignia. On renewal, the
1 person must pay only the fee prescribed by Section 502.162 and, if
2 applicable, the fee prescribed by Section 502.172. (V.A.C.S.
3 Art. 6675a-5o, Subsecs. (a), (b), (c), (d) (part), (e), (f).)

Source Law

Art. 6675a-5o. (a) In this section, "cotton
vehicle" means a single motor vehicle that does not
exceed one hundred eight (108) inches in width and is
used only to transport seed cotton modules, cotton, or
equipment used in transporting or processing cotton.
(b) The department shall design and provide for
the issuance of special license plates for a cotton
vehicle. The license plates shall bear the words
"Cotton Vehicle."
(c) A person may apply to the department at any
time for registration under this section on a form
prescribed by the department. The department may
require an applicant to submit proof of eligibility to
register under this section.
(d) The fee for the initial issuance of plates
under this section is Eight Dollars ($8) plus the
annual registration fee imposed by Section 6 of this
Act and, if applicable, the optional county
registration fee imposed by Section 9a of this
Act. . . . The fees may be appropriated only to the
department to defray the cost of providing the
specially designed license plates.
(e) Registration under this section is valid for
one year and expires in the same manner as regular
motor vehicle registrations.
(f) A person who has registered a vehicle and
received license plates under this section may renew
the registration of the vehicle through application to
the county tax collector in the county of the person's
residence for an annual registration sticker. On
renewal, the person shall only pay the annual
registration fee imposed by Section 6 of this Act and,
if applicable, the optional county registration fee
imposed by Section 9a of this Act.

Revisor's Note

(1) V.A.C.S. Article 6675a-5o refers to a
"county tax collector." The revised law substitutes
"county assessor-collector" for "county tax collector"
for the reason stated in Revisor's Note (3) under
Section 502.002 of this code.
(2) Subsections (d) and (f), V.A.C.S. Article
6675a-5o, refer to Sections 6 and 9a of "this Act,"
meaning V.A.C.S. Articles 6675a-6 and 6675a-9a,
respectively. Those statutes are codified in this
chapter as Sections 502.162 and 502.172, respectively,
and the revised law is drafted accordingly.

Revised Law

Sec. 502.278. CERTAIN SOIL CONSERVATION EQUIPMENT. (a) The owner of a truck-tractor, semitrailer, or low-boy trailer used on a highway exclusively to transport the owner's soil conservation machinery or equipment used in clearing real property, terracing, or building farm ponds, levees, or ditches may register the vehicle for a fee equal to 50 percent of the fee otherwise prescribed by this chapter for the vehicle.

(b) An owner may register only one truck-tractor and only one semitrailer or low-boy trailer under this section.

(c) An owner applying for registration under this section must submit a statement that the vehicle is to be used only as provided by Subsection (a).

(d) The registration receipt issued for a vehicle registered under this section shall state the nature of the operation for which the vehicle may be used. The receipt must be carried at all times in or on the vehicle to permit ready inspection.

(e) A vehicle to which this section applies that is operated on a public highway in violation of this section is considered to be operated while unregistered and is immediately subject to the registration fees and penalties otherwise prescribed by this chapter. (V.A.C.S. Art. 6675a-2, Subsec. (h).)

Source Law

(h)(1) Owners of truck tractors, semitrailers, or low-boy trailers used exclusively in the transporting on the highways of their own soil conservation machinery or equipment used in clearing land, terracing, building farm ponds, levees or ditches may register, at a reduced license fee, not more than one such truck or truck tractor, and one semitrailer or low-boy trailer, the license fee for which shall be fifty per cent (50%) of the amount usually charged for such a vehicle having the same gross weight; provided that such owner shall not be eligible for the reduced fee unless he submits along with his application for registration a statement that the vehicle is to be used only for the stated purposes.

(2) The registration certificate issued for such vehicle shall clearly indicate the nature of the operation for which such vehicle shall be used and the registration shall be carried at all times in or on
the vehicle in such a manner as to permit ready
inspection.

(3) Any vehicle exempt from regular fees
under this Subsection and operated and moved upon the
public highways of this State in violation of this
Subsection shall be deemed to be operated or moved
unregistered and shall immediately be subject to the
regular registration fees and penalties prescribed by
law.

Revisor's Note
Subsection (h)(3), V.A.C.S. Article 6675a-2,
refers to "the public highways of this State." The
reference to "of this State" is omitted from the
revised law for the reason stated in Reviser's Note (2)
under Section 502.001 of this code.

Revised Law
Sec. 502.279. CERTAIN LOG-LOADER VEHICLES. (a) An owner
who obtains a distinguishing license plate from the department may
without payment of the registration fee otherwise prescribed by
this chapter temporarily operate on a public highway, during
daylight hours only, a vehicle on which is mounted machinery used
only for loading logs on other vehicles.

(b) An owner may obtain the distinguishing license plate
under Subsection (a) by:

(1) applying to the department through the county
assessor-collector of the county in which the owner resides; and
(2) paying a fee of $62.50 for each registration year
or portion of a registration year.

(c) A vehicle having a distinguishing license plate under
Subsection (a) is exempt from the inspection requirements of
Chapter 548.

(d) This section does not apply to a vehicle used to haul
logs.

(e) A vehicle to which this section applies that is operated
on the public highways in violation of this section is considered
to be operated or moved while unregistered and is immediately
subject to the fees and penalties otherwise prescribed by this
chapter. (V.A.C.S. Art. 6675a-2, Subsecs. (g) (part), (l).)

Source Law

(g) Any vehicle exempt ... from regular fees
under Subsection ... (l) hereof and operated and
moved upon the public highways of this State in
violation of this Section shall be deemed to be
operated or moved unregistered and shall immediately be
subject to the regular registration fees and penalties
as prescribed by law.

(1) The owner of a vehicle that is not used to
haul logs and on which is mounted machinery used only
for loading logs on other vehicles may, in daylight
hours only, operate or move the vehicle temporarily on
the public highways without the payment of the regular
registration fee prescribed by law, if the owner of the
vehicle secures for a fee of $62.50 for each year or
portion of a year a distinguishing license plate from
the department through the County Tax Collector. A
vehicle exempted under this subsection from payment of
the regular registration fee is exempt from the
inspection requirements of Article XV, Uniform Act
Regulating Traffic on Highways (Article 6701d, Vernon's
Texas Civil Statutes).

Reviser's Note

Subsection (l), V.A.C.S. Article 6675a-2, refers
to Article XV, Uniform Act Regulating Traffic on
Highways (Article 6701d, Vernon's Texas Civil
Statutes). That statute is codified in this code as
Chapter 548, and the revised law is drafted
accordingly.

Revised Law

Sec. 502.280. FORESTRY VEHICLES. (a) The department shall
issue specially designed license plates for forestry vehicles.
(b) License plates issued under this section must include
the words "forestry vehicle."
(c) The department shall issue license plates under this
section to a person who:
(1) applies to the department on a form prescribed by
the department;
(2) pays a fee in an amount prescribed by the
department as necessary to recover the costs of administering this
section, in addition to the registration fee otherwise prescribed
by this chapter; and

(3) submits proof that the person is eligible to receive the license plates.

(d) The department shall collect any additional fee that a county imposes under this chapter for registration of a forestry vehicle and shall send the fee to the appropriate county for disposition as provided by this chapter.

(e) In this section, "forestry vehicle" means a vehicle used exclusively for transporting untreated ties, stave bolts, plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss, bark, wood shavings, and property used in production of those products.

(V.A.C.S. Art. 6675a-5p (as added Ch. 534, Acts 73rd Leg., R.S., 1993), Subsecs. (a), (b), (c), (d) (part).)

Source Law

Art. 6675a-5p. (a) In this section, "forestry vehicle" means a vehicle used exclusively for transporting untreated ties, stave bolts, plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss, bark, wood shavings, and property used in production of those products.

(b) The department shall design and provide for the issuance of special license plates for a forestry vehicle. The license plates shall bear the words "forestry vehicle."

(c) The department shall issue license plates under this section to a person who:

(1) applies to the department on a form prescribed by the department;

(2) pays the fee prescribed under Subsection (d) of this section; and

(3) submits with the application proof, acceptable to the department, that the person is eligible to receive the license plates.

(d) The department shall prescribe a fee for issuance of special plates under this section at an amount necessary to recover the cost of administering this section. This fee is in addition to any other fee imposed by this Act. The department shall collect any additional fee that a county imposes under this Act for registration of the forestry vehicle and shall forward the fee to the appropriate county for disposition as provided by this Act. ...

Revised Law

Sec. 502.281. TOW TRUCKS. (a) The department shall issue specially designed license plates for commercial motor vehicles used as tow trucks.
(b) License plates issued under this section must include the words "Tow Truck."

(c) The department shall issue license plates under this section to a person engaged in the business of using a tow truck who:

(1) applies on a form prescribed by the department to the county assessor-collector of the county in which the person resides;

(2) pays a fee of $15, in addition to the fee prescribed by Section 502.162; and

(3) submits a certified copy of the certificate of registration issued by the Railroad Commission of Texas for the tow truck.

(d) Registration under this section is valid for one registration year.

(e) In this section, "tow truck" means a motor vehicle adapted or used to tow, winch, or otherwise move another motor vehicle. (V.A.C.S. Art. 6675a-5i, Subsecs. (a), (b), (c), (d), (e).)

Source Law

Art. 6675a-5i. (a) In this section:

(1) "Tow truck" means a motor vehicle or mechanical device adapted or used to tow, winch, or otherwise move motor vehicles.

(2) "Tow truck owner" means a person engaged in the business of using a tow truck to tow, winch, or otherwise move a motor vehicle.

(b) The department shall design and provide for the issuance of license plates for commercial motor vehicles used as tow trucks. The license plates shall bear the words "Tow Truck."

(c) The department shall issue license plates under this section to a tow truck owner who:

(1) applies to the county tax collector in the county of the owner's residence on a form approved by the department;

(2) submits with the application a certified copy of the certificate of registration issued by the commissioner of licensing and regulation for that tow truck; and

(3) pays the fee prescribed by Subsection (e) of this section.

(d) Registration under this section is valid for one year and expires in the same manner as regular motor vehicle registrations.

(e) The fee for license plates issued under this section is $15, in addition to the fee imposed by
Section 6 of this Act.

Revisor's Note

(1) Subsection (a)(1), V.A.C.S. Article 6675a-5i, defines "tow truck" as a "motor vehicle or mechanical device." The reference to "mechanical device" is omitted from the revised law because Article 6675a-5i deals only with the registration of motor vehicles.

(2) Subsection (c)(2), V.A.C.S. Article 6675a-5i, refers to a certificate of registration for a tow truck issued by the commissioner of licensing and regulation. Chapter 1135, Acts of the 70th Legislature, Regular Session, 1987 (Article 6687-9b, Vernon's Texas Civil Statutes), which governs the registration of tow trucks, was amended by Chapter 710, Acts of the 73rd Legislature, Regular Session, 1993. Under the 1993 amendment, the authority to register tow trucks was transferred from the commissioner of licensing and regulation to the Railroad Commission of Texas. The revised law is drafted accordingly.

(3) Subsection (e), V.A.C.S. Article 6675a-5i, refers to "Section 6 of this Act," meaning V.A.C.S. Article 6675a-6. That statute is codified in this chapter as Section 502.162, and the revised law is drafted accordingly.

Revised Law

Sec. 502.282. VEHICLES CARRYING MOBILE AMATEUR RADIO EQUIPMENT. (a) A resident of this state who holds an amateur radio station license issued by the Federal Communications Commission and who operates receiving and transmitting mobile amateur radio equipment in a passenger car or a light truck commonly known as a pickup truck may obtain specially designed license plates that may include the person's amateur call letters.
as assigned by the Federal Communications Commission. A person may
register more than one vehicle equipped with mobile amateur radio
equipment under this section, and the department shall issue
license plates that include the same amateur call letters for each
vehicle.

(b) An applicant for license plates under this section must:
   (1) apply to the department;
   (2) pay a fee of $2 for the first year of registration
or $1 for each subsequent year of registration as applicable, in
addition to the fee otherwise prescribed by this chapter;
   (3) submit proof that the person owns the amateur
radio station license; and
   (4) furnish the applicant's call letters to the
department.

(c) The department shall furnish license plates that include
the applicant's call letters to the appropriate county
assessor-collector. The assessor-collector shall:
   (1) keep on file a copy of the registration receipt
issued to the applicant; and
   (2) give the license plates and registration receipt
to the applicant for the registration year.

(d) If the owner of a vehicle registered under this section
disposes of the vehicle during the registration year, the owner
shall return the special license plates to the county
assessor-collector and receive replacement plates for a fee
prescribed by law. (V.A.C.S. Art. 6701c-2, Secs. 1, 2, 3 (part),
4, 5.)

Source Law

Art. 6701c-2
Sec. 1. Residents of the State of Texas who hold
an unrevoked and unexpired official amateur radio
station license issued by the Federal Communications
Commission and who operate receiving and transmitting
mobile amateur radio equipment in passenger cars or in
trucks, commonly known as pickup trucks, with a
manufacturer's rated carrying capacity not to exceed
2,000 pounds, upon application, accompanied by proof of
ownership of such amateur license, complying with the
State motor vehicle laws relating to registration and

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licensing of motor vehicles, and upon payment of the
regular license fee for tags and the payment of an
additional fee of Two ($2) Dollars for the first year
of such registration and One ($1) Dollar for each
annual registration thereafter, shall be issued license
plates, upon which may be inscribed the official
amateur call letters of such applicant as assigned by
the Federal Communications Commission.

Sec. 2. Applicants shall furnish proof of the
Federal Communications Commission authority and their
call letters to the State Highway Department, on or
before the 1st day of October, preceding each
registration year, and the State Highway Department
shall furnish their respective Tax Assessors and
Collectors license plates bearing the call letters of
the applicant.

Sec. 3. It shall be the duty of the County Tax
Assessors and Collectors to keep on file a copy or
copies of the license receipts issued for such call
letter license plates. At the regular registration
period the Tax Collector shall give the applicant the
call letter tags and corresponding receipts. . . .

Sec. 4. If during the registration year the
applicant shall sell, trade, give, or in any way
dispose of the vehicle upon which the call letter
license tags are affixed, he shall turn such tags into
the County Tax Assessor and Collector and receive from
him replacement license tags for a fee as prescribed by
law.

Sec. 5. An owner may register under this Act
more than one vehicle equipped with mobile amateur
radio equipment. The State Department of Highways and
Public Transportation shall issue license plates
inscribed with the same official amateur call letters
to each vehicle registered under this Act by the same
owner.

Reviser's Note

(1) Section 1, V.A.C.S. Article 6701c-2, refers
to a person holding an "unrevoked and unexpired
official" license and to "official" amateur call
letters. The revised law omits "unrevoked,"
"unexpired," and "official" as unnecessary. For
example, a document purporting to be a license is no
longer a license if it is expired and is not a license
if it is a forgery.

(2) Section 1, V.A.C.S. Article 6701c-2, refers
to "trucks, commonly known as pickup trucks, with a
manufacturer's rated carrying capacity not to exceed
2,000 pounds." The revised law substitutes "light
truck" for "[truck] . . . with a manufacturer's rated
carrying capacity not to exceed 2,000 pounds" for the
reason stated in Revisor's Note (2) under Section 502.253 of this code.

(3) Section 2, V.A.C.S. Article 6701c-2, provides in part that an applicant for license plates under that article must provide evidence of eligibility "on or before the 1st day of October, preceding each registration year." The revised law omits the quoted language for the reason stated in Revisor's Note (2) under Section 502.002 of this code.

(4) Section 3, V.A.C.S. Article 6701c-2, provides in part that license plates issued under that article are "the legal registration insignia for the registration year for which issued, on the vehicle containing the mobile amateur radio equipment." The revised law omits this provision as unnecessary; Section 502.180 of this code provides that a license plate, set of license plates, or symbol issued by the Texas Department of Transportation is the registration insignia for the period for which it is issued. Section 3 also provides that the license plates are the registration insignia "while applicant is the bona fide owner of said vehicle." The revised law omits this provision as unnecessary because Section 4, V.A.C.S. Article 6701c-2 (revised as Subsection (d) of this section) requires an owner of a vehicle for which license plates are issued under this section to return the plates to the county assessor-collector if the owner disposes of the vehicle. If the owner returns the plates, they can no longer be the registration insignia for the vehicle. The omitted law reads:

Such call letter license tags shall be the legal registration insignia for the registration year for which issued, on the vehicle containing the mobile amateur radio equipment, while applicant is the bona fide owner of said vehicle.
(5) Section 4, V.A.C.S. Article 6701c-2, refers to an applicant who shall "sell, trade, give, or in any way dispose of" a vehicle. The references to "sell," "trade," and "give" are omitted from the revised law because those terms are included within the meaning of "dispose of."

Revised Law
Sec. 502.283. PARADE VEHICLES OWNED BY NONPROFIT SERVICE ORGANIZATIONS. (a) A motor vehicle owned and operated by a nonprofit service organization and designed, constructed, and used primarily for parade purposes is subject to registration as provided by this chapter but is exempt from the fee otherwise prescribed by this chapter.
(b) Subsection (a) does not apply to a vehicle for which a registration fee has been paid under other law. (V.A.C.S. Art. 6675a-5b.)

Source Law
Art. 6675a-5b
Sec. 1. A motor vehicle owned and operated by a nonprofit service organization and designed, constructed and used primarily for parade purposes is subject to registration as provided by Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), but is exempt from the annual fee for registration.
Sec. 2. The provisions of this Act shall not apply to any motor vehicle on which an annual license fee for registration has been paid pursuant to other laws of this state.

Revisor's Note
Section 1, V.A.C.S. Article 6675a-5b, refers to Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon's Texas Civil Statutes). That statute is codified in this code as this chapter, and the revised law is drafted accordingly.
Sec. 502.284. GOLF CARTS. An owner of a golf cart driven to and from a golf course is not required to register the golf cart. (V.A.C.S. Art. 6675a-2, Subsec. (k)(2).)

Sec. 502.285. MANUFACTURED HOUSING. Manufactured housing, as defined by the Texas Manufactured Housing Standards Act (Article 5221f, Vernon's Texas Civil Statutes), is not a vehicle subject to this chapter. (V.A.C.S. Art. 6675a-1, Subsec. (u), as added Ch. 817, Acts 68th Leg., R.S., 1983.)

Sec. 502.286. POWER SWEEPERS. (a) An owner of a power sweeper is not required to register the power sweeper. (b) In this section, "power sweeper" means an implement, with or without motive power, designed for the removal by broom, vacuum, or regenerative air system of debris, dirt, gravel, litter, or sand from asphaltic concrete or cement concrete surfaces, including surfaces of parking lots, roads, streets, highways, and warehouse floors. The term includes a vehicle on which the implement is permanently mounted if the vehicle is used only as a power sweeper. (V.A.C.S. Arts. 6675a-1, Subsec. (w) (as added Ch. 336, Acts 70th Leg., R.S., 1987); 6675a-2, Subsec. (b-1).)
dirt, gravel, litter, or sand from asphaltic concrete
or cement concrete surfaces, including surfaces of
parking lots, roads, streets, highways, and warehouse
floors. The term includes any vehicle on which the
implement has been permanently mounted if the vehicle
is used only as a power sweeper.

[Art. 6675a-2]
(b-1) Owners of power sweepers are not required
to register the power sweepers.

Revised Law
Sec. 502.287. VEHICLES OPERATED ON PUBLIC HIGHWAY SEPARATING
REAL PROPERTY UNDER VEHICLE OWNER'S CONTROL. Where a public
highway separates real property under the control of the owner of a
motor vehicle, the operation of the motor vehicle by the owner or
the owner's agent or employee across the highway is not a use of
the motor vehicle on the public highway. (V.A.C.S. Art. 6675a-2,
Subsec. (a) (part).)

Source Law
(a) . . . provided, that where a public highway
separates lands under the dominion or control of the
owner, the operation of such a motor vehicle by such
owner, his agent or employee, across such highway shall
not constitute a use of such motor vehicle upon a
public highway of this State. . . .

Revisor's Note
(1) Subsection (a), V.A.C.S. Article 6675a-2,
refers to the "dominion or control" of land. The
reference to "dominion" is omitted from the revised law
because "dominion" is included within the meaning of
"control."

(2) Subsection (a), V.A.C.S. Article 6675a-2,
refers to a "public highway of this State." The
reference to "of this State" is omitted from the
revised law for the reason stated in Revisor's Note (2)
under Section 502.001 of this code.

Revised Law
Sec. 502.288. VEHICLES OPERATED BY CERTAIN NONRESIDENTS.
(a) A nonresident owner of a motor vehicle, trailer, or
A semitrailer that is registered in the state or country in which the person resides may operate the vehicle to transport persons or property for compensation without being registered in this state, if the person does not exceed two trips in a calendar month and each trip does not exceed four days.

(b) A nonresident owner of a privately owned vehicle that is not registered in this state may not make more than five occasional trips in any calendar month into this state using the vehicle. Each occasional trip into this state may not exceed five days.

(c) A nonresident owner of a privately owned passenger car that is registered in the state or country in which the person resides and that is not operated for compensation may operate the car in this state for the period in which the car's license plates are valid. In this subsection, "nonresident" means a resident of a state or country other than this state whose presence in this state is as a visitor and who does not engage in gainful employment or enter into business or an occupation, except as may otherwise be provided by any reciprocal agreement with another state or country.

(d) This chapter does not prevent:

(1) a nonresident owner of a motor vehicle from operating the vehicle in this state for the sole purpose of marketing farm products raised exclusively by the person; or

(2) a resident of an adjoining state or country from operating in this state a privately owned and registered vehicle to go to and from the person's place of regular employment and to make trips to purchase merchandise, if the vehicle is not operated for compensation.

(e) The privileges provided by this section may be allowed only if, under the laws of the appropriate state or country, similar privileges are granted to vehicles registered under the laws of and owned by residents of this state.

(f) This chapter does not affect the right or status of a vehicle owner under any reciprocal agreement between this state and another state or country. (V.A.C.S. Art. 6675a-6e, Secs. 1 (part), 74C263 JD-D 2397
"Occasional trip" means not to exceed five (5) trips into this State during any calendar month nor to exceed five (5) days on any one (1) trip.

"Nonresident" means every resident of a State or Country other than the State of Texas whose sojourn in this State is as a visitor and does not engage in gainful employment or enter into business or an occupation, except as may be otherwise provided in any reciprocal agreement with any other State or Country.

Sec. 2. A nonresident owner of a motor vehicle, trailer, or semi-trailer which has been duly registered for the current year in the State or Country of which the owner is a resident and in accordance with the laws thereof, may be allowed to operate said vehicles for the transportation of persons or property for compensation or hire without being registered in this State, provided the owner thereof does not exceed two (2) trips during any calendar month and remains on each of said trips within the State not to exceed four (4) days. Provided, that nothing in this Act shall prevent a nonresident owner of a motor vehicle from operating at will such vehicle in this State for the sole purpose of marketing farm products raised exclusively by him, nor a resident of an adjoining State or Country from operating at will a privately owned and duly registered vehicle not operated for hire in this State for the purpose of going to and from his place of regular employment and the making of trips for the purpose of purchasing goods, wares, and merchandise. And provided, further, that any nonresident owner of a privately owned vehicle may be permitted to make an occasional trip into this State with such vehicle under this Act without being registered in this State. It is also provided that a nonresident owner of a privately owned passenger car not operated for compensation or hire may be allowed to operate said passenger car if duly registered in his resident State or Country for the length of time the license plates are valid, provided the owner is a visitor in this State and does not engage in gainful employment or enter into any kind of business or occupation. It is expressly provided, that the foregoing privileges may only be allowed in the event that under the laws of such other State or Country like exceptions are granted to vehicles registered under the laws of and owned by residents of this State. Provided further, that nothing in this Act shall affect the rights or status of any vehicle owner under any Reciprocal Agreement between this State and any other State or Foreign Country.

Reviser's Note

(1) Section 2, V.A.C.S. Article 6675a-6e, refers to a motor vehicle "duly registered for the current year . . . in accordance with the laws thereof,"
meaning of the state in which the owner resides. The revised law omits "duly," "for the current year," and "in accordance with the laws thereof" as unnecessary. For example, a motor vehicle is not registered if false information was given to the registering authority or if a former registration is expired.

(2) Section 2, V.A.C.S. Article 6675a-6e, refers to the operation of a motor vehicle for "compensation or hire." The reference to "hire" is omitted from the revised law for the reason stated in Reviser's Note (3) under Section 502.001 of this code.

(3) Section 2, V.A.C.S. Article 6675a-6e, refers to the purchase of "goods, wares, and merchandise." The references to "goods" and "wares" are omitted from the revised law because "goods" and "wares" are included within the meaning of "merchandise."

[Sections 502.289-502.350 reserved for expansion]

SUBCHAPTER G. TEMPORARY REGISTRATION

Revised Law

Sec. 502.351. FARM VEHICLES: EXCESS WEIGHT. (a) The owner of a registered commercial motor vehicle, truck-tractor, trailer, or semitrailer may obtain a short-term permit to haul loads of a weight more than that for which the vehicle is registered by paying an additional fee before the additional weight is hauled to transport:

(1) the person's own seasonal agricultural products to market or another point for sale or processing;

(2) seasonal laborers from their place of residence to a farm or ranch; or

(3) materials, tools, equipment, or supplies, without charge, from the place of purchase or storage to a farm or ranch exclusively for use on the farm or ranch.

(b) A permit may not be issued under this section for a
period that is less than one month or that:

(1) is greater than one year; or

(2) extends beyond the expiration of the registration year for the vehicle.

(c) A permit issued under this section for a quarter must be for a calendar quarter.

(d) The fee for a permit under this section is a percentage of the difference between the registration fee otherwise prescribed by this chapter for the vehicle and the annual fee for the desired weight, as follows:

<table>
<thead>
<tr>
<th>Duration</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>One month (30 consecutive days)</td>
<td>10%</td>
</tr>
<tr>
<td>One quarter</td>
<td>30%</td>
</tr>
<tr>
<td>Two quarters</td>
<td>60%</td>
</tr>
<tr>
<td>Three quarters</td>
<td>90%</td>
</tr>
</tbody>
</table>

(e) The department shall design, prescribe, and furnish a sticker, plate, or other means of indicating the additional weight and the registration period for each vehicle registered under this section. (V.A.C.S. Art. 6675a-6b.)

Source Law

Art. 6675a-6b
Sec. 1. When a commercial motor vehicle, truck tractor, trailer or semitrailer which has been registered by the owner, is used for the transportation of his own seasonal agricultural products to market, or to other points for sale or processing, or the transportation of seasonal laborers from their place of residence, and materials, tools, equipment and supplies, without charge, from the place of purchase or storage, to a farm or ranch exclusively for use on such farm or ranch, the owner may, by paying an additional fee, receive a short-term permit allowing him to haul loads of larger tonnage for a limited period of less than one (1) year. No such permit shall be issued for less than one (1) month, and no such permit shall extend beyond the expiration of the regular license. The fee shall be a percentage of the difference between the owner's regular annual registration fee and the annual fee for the desired tonnage, and shall be computed according to the following table:

<table>
<thead>
<tr>
<th>Duration</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-month (or 30 consecutive days)</td>
<td>10%</td>
</tr>
<tr>
<td>1-quarter (3 consecutive months)</td>
<td>30%</td>
</tr>
<tr>
<td>2-quarters (6 consecutive months)</td>
<td>60%</td>
</tr>
<tr>
<td>3-quarters (9 consecutive months)</td>
<td>90%</td>
</tr>
</tbody>
</table>

Sec. 2. No such permit shall be issued unless such registration fee has been paid for hauling of such larger tonnage prior to the actual hauling thereof. The quarters for which such additional permits are to be issued shall be calendar quarters, the first such
quarter to commence on April 1st of each year.

Sec. 3. The State Highway Department shall design, prescribe and furnish for each vehicle so registered, the necessary sticker, plate or other means of indicating the additional weight and period of time for which such additional registration is made.

Revised Law

Sec. 502.352. FOREIGN COMMERCIAL VEHICLES. (a) The department may issue a temporary permit for a commercial motor vehicle, trailer, semitrailer, or motor bus that:

(1) is owned by a resident of the United States or Canada;

(2) is subject to registration in this state; and

(3) is not authorized to travel on a public highway because of the lack of registration in this state or the lack of reciprocity with the state or province in which the vehicle is registered.

(b) A permit issued under this section:

(1) is in lieu of registration; and

(2) is valid for the period stated on the permit, effective from the date and time shown on the receipt issued as evidence of registration under this section.

(c) A person may obtain a permit under this section by:

(1) applying to the county assessor-collector or the department; and

(2) paying a fee, in cash or by postal money order or certified check, of:

(A) $25 for a 72-hour permit; or

(B) $50 for a 144-hour permit.

(d) A county assessor-collector shall report and send a fee collected under this section in the manner provided by Sections 502.102 and 502.105.

(e) The department may:

(1) adopt rules to administer this section; and

(2) prescribe an application for a permit and other forms under this section.
(f) A vehicle issued a permit under this section is subject to Subchapters B and F, Chapter 548, unless the vehicle:

(1) is registered in another state of the United States or in a province of Canada; or

(2) is mobile drilling or servicing equipment used in the production of gas, crude petroleum, or oil, including a mobile crane or hoisting equipment, mobile lift equipment, forklift, or tug.

(g) A commercial motor vehicle, trailer, semitrailer, or motor bus apprehended for violating a registration law of this state:

(1) may not be issued a permit under this section; and

(2) is immediately subject to registration in this state.

(h) A person who operates a commercial motor vehicle, trailer, or semitrailer with an expired permit issued under this section is considered to be operating an unregistered vehicle subject to each penalty prescribed by law. (V.A.C.S. Art. 6675a-6d, Secs. 1, 2, 3, 4, 5 (part), 6.)

Source Law

Art. 6675a-6d
Sec. 1. To provide for the movement of commercial motor vehicles, trailers, semitrailers, and motor buses owned by residents of the United States, or Canada, which are subject to registration by the State of Texas and which are not authorized to travel on the public roads of the State for lack of registration or for lack of reciprocity with the State of the United States or Canadian Province in which such vehicles are registered, the Texas Highway Department is authorized to issue temporary permits which will be recognized in lieu of registration.

Sec. 2. A temporary permit shall be issued for a vehicle described in Section 1 of this Act. A permit valid for seventy-two (72) hours shall be issued to each such vehicle for the fee of Twenty-five Dollars ($25), and a permit valid for one hundred forty-four (144) hours shall be issued to each such vehicle for a fee of Fifty Dollars ($50). A permit issued under this subsection shall be valid for the period of time stated on the permit, beginning with the effective day and time as shown on the receipt issued as evidence of the registration. A vehicle with a permit issued under this section is subject to Sections 140 and 141, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), except:

(1) a vehicle currently registered in
another State of the United States or a Province of
Canada; and
(2) mobile drilling and servicing
equipment used in the production of gas, crude
petroleum, or oil, including, but not limited to,
mobile cranes and hoisting equipment, mobile lift
equipment, forklifts, and tugs.

Sec. 3. The Texas Highway Department may, from
time to time, promulgate such reasonable rules and
regulations as it may deem necessary to carry out the
orderly operation of this Act and may prescribe an
application for such permits and other forms as it may
deam proper.

Sec. 4. A permit under this Act shall not be
issued to commercial motor vehicles, trailers,
semitrailers, or motor buses apprehended for violating
the registration laws of this State; and, furthermore,
such apprehended vehicles shall be immediately subject
to Texas registration as prescribed by law.

Sec. 5. Such temporary registration permits
shall be issued by the County Tax Assessor-Collectors
or by the Texas Highway Department upon receipt of
proper application accompanied by the statutory fees,
as prescribed by Section 2 above, in cash, postal money
order, or certified check for each such vehicle to be
operated or moved upon the public highways . . . and
such fees collected by the County Tax
Assessor-Collectors shall be reported and deposited the
same as all registration fees as provided by Section
10, Chapter 88, Acts of the Forty-first Legislature,
Second Called Session, 1929, as amended by Section 2,
Chapter 301, Acts of the Fifty-fifth Legislature,
Regular Session, 1957 (codified in Vernon's Texas Civil
Statutes as Article 6675a-10).

Sec. 6. Any person operating a commercial motor
vehicle, trailer, or semitrailer with an expired permit
issued under this Act shall be deemed to be operating
an unregistered vehicle subject to the penalties as
prescribed by law.

Revisor's Note

(1) Section 1, V.A.C.S. Article 6675a-6d, refers
to "public roads of the State." The revised law
substitutes "public highway" for "public roads of the
State" because "public highway" is the defined term
under Section 502.001 of this code.

(2) Section 2, V.A.C.S. Article 6675a-6d, refers
to Sections 140 and 141, Uniform Act Regulating Traffic
on Highways (Article 6701d, Vernon's Texas Civil
Statutes). The relevant parts of those statutes are
codified in this code as Subchapters B and F, Chapter
548, and the revised law is drafted accordingly.

(3) Section 2, V.A.C.S. Article 6675a-6d, refers
to equipment "including, but not limited to" certain equipment. "But not limited to" is omitted as unnecessary because Section 311.005(13), Government Code (Code Construction Act) and Section 312.011(19), Government Code, provide that "includes" and "including" are terms of enlargement and not of limitation and do not create a presumption that components not expressed are excluded.

(4) Section 3, V.A.C.S. Article 6675a-6d, refers to "rules and regulations." The reference to "regulations" is omitted from the revised law for the reason stated in Reviser's Note (4) under Section 502.054 of this code.

(5) Section 5, V.A.C.S. Article 6675a-6d, refers to Section 10, Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-10, Vernon's Texas Civil Statutes). The relevant portions of that statute are codified in this chapter as Sections 502.102 and 502.105, and the revised law is drafted accordingly.

Revised Law

Sec. 502.353. FOREIGN COMMERCIAL VEHICLES IN COUNTIES BORDERING MEXICO; OFFENSE. (a) The department may issue a temporary permit to a commercial motor vehicle, trailer, or semitrailer that:

(1) is subject to registration in this state; and

(2) is not authorized to travel on a public highway because of the lack of registration in this state or the lack of reciprocity with the state or country in which the vehicle is registered.

(b) A permit issued under this section:

(1) is in lieu of registration;

(2) is valid for not more than 24 hours, effective
from the date and time shown on the receipt issued as evidence of registration under this section; and

(3) allows a vehicle to transport property between the United Mexican States, the county of entry, and a second contiguous county bordering the United Mexican States, as specified in the permit.

(c) A permit may not be issued under this section for the importation of citrus fruit into this state from a foreign country except for foreign export or processing for foreign export.

(d) A person may obtain a permit under this section by:

(1) applying to the county assessor-collector or the department;

(2) paying a fee of $5 in cash or by postal money order or certified check; and

(3) furnishing evidence that the motor vehicle is insured under an insurance policy that complies with Section 601.072 and that is written by an insurance company or surety company authorized to write motor vehicle liability insurance in this state.

(e) A county assessor-collector shall report and send a fee collected under this section in the manner provided by Sections 502.102 and 502.105.

(f) The department may:

(1) adopt rules to administer this section; and

(2) prescribe an application for a permit and other forms under this section.

(g) A person who violates this section commits an offense. An offense under this section is a misdemeanor punishable by a fine not to exceed $200. (V.A.C.S. Art. 6675a-6c, Secs. 1, 2, 3, 4 (part), 5, 6 (part).)

Source Law

Art. 6675a-6c
Sec. 1. To provide for the movement of commercial motor vehicles, trailers, and semitrailers subject to registration by the State of Texas, which are not authorized to travel on the public roads of the
State for lack of registration or for lack of reciprocity with the State or Country in which such vehicles are registered, the Texas Highway Department is authorized to issue temporary permits which shall be recognized as legal registration. However, such temporary permits shall not be issued for the importation of citrus fruit into Texas from a foreign country under the provisions of this Section except for foreign export or processing for foreign export.

Sec. 2. A temporary permit valid for twenty-four (24) hours shall be issued for the fee of Five Dollars ($5).

The twenty-four hour permit shall be valid for any period of time not to exceed twenty-four (24) hours from the effective date and time as shown on the receipt issued as evidence of such registration, and such permit shall provide only for the movement of each vehicle transporting property between Mexico and counties of this State which have a boundary contiguous with Mexico; provided that each such twenty-four hour permit shall be valid only within the county of entry and within one other county adjoining said county of entry as specified on said permit; providing, however, that each county involved must be contiguous to Mexico.

Such temporary permits shall not be issued for the importation of citrus fruit into Texas from a foreign country under the provisions of this Section except for foreign export or processing for foreign export.

Sec. 3. The Texas Highway Department may, from time to time, promulgate such reasonable rules and regulations as it may deem necessary to carry out the orderly operation of this Act and may prescribe an application for such permits and other forms as it may deem proper.

Sec. 4. Such temporary registration permits shall be issued by the County Tax Assessors-Collectors or by the Texas Highway Department upon receipt of proper application accompanied by the statutory fees, as prescribed by Section 2 above, in cash, postal money order, or certified check for each such vehicle to be operated or moved upon the public highways. . . . such fees collected by the County Tax Assessors-Collectors shall be reported and deposited the same as all other registration fees as provided by Section 10, Chapter 88, Acts of the Forty-first Legislature, Second Called Session, 1929, as amended by Section 2, Chapter 301, Acts of the Fifty-fifth Legislature, Regular Session, 1957 (codified in Vernon's Texas Civil Statutes as Article 6675a-10).

Sec. 5. Before the issuance of such temporary registration permits, the operator of any vehicle entering this State from another Country shall present to the County Tax Assessor-Collector or the Highway Department such evidence as shall indicate that such motor vehicle is protected by such insurance and in such amounts as may be prescribed in Section 5 of the Texas Motor Vehicle Safety Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes) as it is now written or as it may hereafter be amended, and such policies must be issued by an insurance company or surety company authorized to write Motor Vehicle Liability Insurance in this State.

Sec. 6. Any person violating any provisions of this Act shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in any sum not exceeding Two Hundred Dollars ($200); provided, however . . . .
Revisor's Note

(1) Section 1, V.A.C.S. Article 6675a-6c, refers to "public roads of the State." The revised law substitutes "public highway" for "public roads of the State" for the reason stated in Revisor's Note (1) under Section 502.352 of this code.

(2) Section 3, V.A.C.S. Article 6675a-6c, refers to "rules and regulations." The reference to "regulations" is omitted from the revised law for the reason stated in Revisor's Note (4) under Section 502.054 of this code.

(3) Section 4, V.A.C.S. Article 6675a-6c, refers to Section 10, Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-10, Vernon's Texas Civil Statutes). The relevant portions of that statute are codified in this chapter as Sections 502.102 and 502.105, and the revised law is drafted accordingly.

(4) Section 5, V.A.C.S. Article 6675a-6c, refers to insurance "in such amounts as prescribed in Section 5 of the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes)." The revised law is drafted accordingly. See Revisor's Note (3) to Section 601.154 of this code.

(5) Section 6, V.A.C.S. Article 6675a-6c, provides that that article does not exempt the operator of a motor vehicle from complying with all other laws regulating the operation of motor vehicles in this state. The revised law omits this provision as unnecessary because an exemption from those laws is not implied in the absence of an express statement of an exemption. The omitted provision reads:

... nothing in this Act shall exempt the operator of a motor vehicle from complying with all other laws regulating the operation of motor vehicles in this...
State.

Revised Law

Sec. 502.354. SINGLE OR 30-DAY TRIP PERMITS; OFFENSE. (a) The department may issue a temporary permit for a vehicle that:

(1) is subject to registration in this state; and

(2) is not authorized to travel on a public highway because of the lack of registration in this state or the lack of reciprocity with the state or country in which the vehicle is registered.

(b) A permit issued under this section:

(1) is in lieu of registration; and

(2) is valid for:

(A) one trip, as provided by Subsection (c); or

(B) 30 days, as provided by Subsection (d).

(c) A one-trip permit is valid for one trip between the points of origin and destination and those intermediate points specified in the application and registration receipt. Unless the vehicle is a bus operating under charter that is not covered by a reciprocity agreement with the state or country in which the bus is registered, a one-trip permit is for the transit of the vehicle only, and the vehicle may not be used for the transportation of any passenger or property. A one-trip permit may not be valid for longer than 15 days from the effective date of registration.

(d) A 30-day permit may be issued only to a passenger vehicle, a private bus, a trailer or semitrailer with a gross weight of not more than 10,000 pounds, a light truck, or a light commercial vehicle with a manufacturer's rated carrying capacity of more than one ton that will operate unladen. A person may obtain multiple 30-day permits. The department may issue a single registration receipt to apply to all of the periods for which the vehicle is registered.

(e) A person may obtain a permit under this section by:

(1) applying on a form provided by the department to:
(A) the county assessor-collector of the county in which the vehicle will first be operated on a public highway; or

(B) the department in Austin; and

(2) paying a fee, in cash or by postal money order or certified check, of:

(A) $5 for a one-trip permit; or

(B) $25 for each 30-day period.

(f) A registration receipt and temporary tag shall be issued on forms provided by the department. The temporary tag must contain all pertinent information required by this section and must be displayed in the rear window of the vehicle so that the tag is clearly visible and legible when viewed from the rear of the vehicle. If the vehicle does not have a rear window, the temporary tag must be attached on or carried in the vehicle to allow ready inspection. The registration receipt must be carried in the vehicle at all times during the period in which it is valid.

(g) The department may refuse and may instruct a county assessor-collector to refuse to issue a temporary registration for any vehicle if, in the department's opinion, the vehicle or the owner of the vehicle has been involved in operations that constitute an abuse of the privilege granted by this section. A registration issued after notice to a county assessor-collector under this subsection is void.

(h) A person issued a temporary registration under this section who operates a vehicle in violation of Subsection (f) commits an offense. An offense under this subsection is a Class C misdemeanor. (V.A.C.S. Art. 6675a-6e, Secs. 3(a), (b), (c), (d), (e), (f), (g).)

Source Law

Sec. 3. (a) To provide for the movement of any vehicle subject to license by the State of Texas which is not authorized to travel on the public roads of the State for lack of registration or for lack of reciprocity with the state or country in which it is registered, the Department is authorized to temporarily register such vehicle upon application of the owner thereof. Such registration shall be for thirty-day (30) periods or for one (1) trip.
(b) One-trip (1) registration may be issued for a fee of Five Dollars ($5) and is valid for one (1) trip only between the points of origin and destination and such intermediate points as may be set forth in the application and registration receipt; and, except where the vehicle is a bus operating under charter which is not covered by a reciprocity agreement with the state or country in which it is registered, such registration shall be for the transit of the vehicle only, and the vehicle shall not at the time of the transit be used for the transportation of any passenger or property whatsoever, for compensation or otherwise. In no case shall a one-trip (1) registration be valid for a period longer than fifteen (15) days from the effective date of the registration.

(c) Thirty-day (30) registration may be issued for single or multiple thirty-day (30) periods for a fee of Twenty-five Dollars ($25) for each thirty-day (30) period. Eligibility for thirty-day (30) registration is limited to passenger vehicles, private buses, trailers and semitrailers with a gross weight not exceeding ten thousand (10,000) pounds, and light commercial vehicles not exceeding a manufacturer's rated carrying capacity of one (1) ton. A light commercial vehicle exceeding a rating of one (1) ton may purchase temporary registration but must operate unladen. The Department may issue one (1) registration receipt, as provided in Subsection (d) of this section, to apply to all of the periods for which the vehicle is registered.

(d) Temporary registration authorized by this section may be obtained by submitting application therefor on a form prescribed and furnished by the Department, to the County Tax Collector of the county in which the vehicle is first to be operated on the public roads of this State, or to the Department in Austin, and by accompanying such application with the applicable fee in cash, post office money order or certified check. A registration receipt and temporary tag shall be issued on forms prescribed and furnished by the Department, which shall be recognized as legal registration and which shall contain all pertinent information required by this law.

(e) The registration receipt issued under Subsection (d) of this section shall be carried in the vehicle at all times during its period of validity, and the temporary tag shall be displayed in the rear window of the vehicle in a manner that it is clearly visible and legible when viewed from the rear of the vehicle. If the vehicle is not equipped with a rear windshield, the temporary tag shall be attached on or carried in the vehicle to allow ready inspection.

(f) The Department may refuse, and notify the County Tax Collectors to refuse, to issue temporary registration for any vehicle, when, in its opinion, the vehicle or the owner thereof has been involved in operations which constitute an abuse of the privilege herein granted. Any registration issued after such notice to the County Tax Collectors shall be void.

(g) Any person issued temporary registration under this section who shall operate or move any vehicle in violation of Subsection (e) of this section commits an offense. An offense under this subsection is a Class C misdemeanor.
(1) Section 3(a), V.A.C.S. Article 6675a-6e, refers to "public roads of the State." Section 3(d), V.A.C.S. Article 6675a-6e, refers to "public roads of this State." The revised law substitutes "public highway" for "public roads of the State" for the reason stated in Revisor's Note (1) under Section 502.352 of this code.

(2) Section 3(c), V.A.C.S. Article 6675a-6e, refers to "light commercial motor vehicles not exceeding a manufacturer's rated carrying capacity of one (1) ton." The revised law substitutes "light truck" for "light commercial motor [vehicle] not exceeding a manufacturer's rated carrying capacity of one (1) ton" for the reason stated in Revisor's Note (2) under Section 502.253 of this code.

(3) Section 3(h), V.A.C.S. Article 6675a-6e, provides that that article does not exempt the operator of a motor vehicle from complying with all other laws regulating the operation of motor vehicles in this state. The revised law omits this provision for the reason stated in Revisor's Note (5) under Section 502.353 of this code. The omitted provision reads:

(h) This Act applies to registration of vehicles only, and nothing herein shall be construed to authorize the operation or movement of any vehicle in this State in violation of any other laws of this State.

Revised Law

Sec. 502.355. NONRESIDENT-OWNED VEHICLES USED TO TRANSPORT FARM PRODUCTS; OFFENSE. (a) The department may issue to a nonresident owner a permit for a truck, truck-tractor, trailer, or semitrailer that:

(1) is registered in the owner's home state or country; and
will be used to transport:

(A) farm products produced in this state from the place of production to a place of market or storage or a railhead that is not more than 75 miles from the place of production;

(B) machinery used to harvest farm products produced in this state; or

(C) farm products produced outside this state from the point of entry into this state to a place of market, storage, or processing or a railhead or seaport that is not more than 80 miles from the point of entry.

(b) The department shall issue a distinguishing insignia for a vehicle issued a permit under this section. The insignia must be attached to the vehicle in lieu of regular license plates and must show the permit expiration date. A permit issued under this section is valid until the earlier of:

(1) the date the vehicle's registration in the owner's home state or country expires; or

(2) the 30th day after the date the permit is issued.

(c) A person may obtain a permit under this section by:

(1) applying to the department on a form prescribed by the department;

(2) paying a fee equal to 1/12 the registration fee prescribed by this chapter for the vehicle;

(3) furnishing satisfactory evidence that the motor vehicle is insured under an insurance policy that complies with Section 601.072 and that is written by:

(A) an insurance company or surety company authorized to write motor vehicle liability insurance in this state; or

(B) with the department's approval, a surplus lines insurer that meets the requirements of Article 1.14-2, Insurance Code, and rules adopted by the commissioner of insurance under that article, if the applicant is unable to obtain insurance
from an insurer described by Paragraph (A); and

(4) furnishing evidence that the vehicle has been
inspected as required under Chapter 548.

(d) A nonresident owner may not obtain more than three
permits under this section during a registration year.

(e) A vehicle for which a permit is issued under this
section may not be operated in this state after the permit expires
unless the owner:

(1) obtains another temporary permit; or

(2) registers the vehicle under Section 502.162,
502.165, 502.166, or 502.167, as appropriate, for the remainder of
the registration year.

(f) A vehicle for which a permit is issued under this
section may not be registered under Section 502.163.

(g) A mileage referred to in this section is a state highway
mileage.

(h) A person operating a vehicle under a permit issued under
this section commits an offense if the person:

(1) transports farm products to a place of market,
storage, or processing or a railhead or seaport that is farther
from the place of production or point of entry, as appropriate,
than the distance provided for in the permit; or

(2) follows a route other than that prescribed by the
Texas Transportation Commission.

(i) An offense under Subsection (h) is a misdemeanor
punishable by a fine of not less than $25 or more than $200.
(V.A.C.S. Art. 6675a-6e, Sec. 2A (part).)

Source Law

Sec. 2A. To expedite and facilitate, during the
harvesting season, the harvesting and marketing of farm
products produced in this State, the Department is
authorized to issue to a nonresident owner a 30-day
temporary registration permit for any truck, truck
tractor, trailer or semitrailer to be used in the
movement of such farm commodities from the place of
production to market, storage or railhead, not more
than seventy-five (75) miles distant from such place of
production, or to be used in the movement of machinery
used to harvest any of the commodities named in this
To expedite and facilitate, during the harvesting season, the harvesting and movement of farm products produced outside of Texas but marketed or processed in Texas or moved to points in Texas for shipment, the Department is authorized to issue to a nonresident owner a 30-day temporary registration permit for any truck, truck tractor, trailer or semitrailer to be used in the movement of such farm commodities from the point of entry into Texas to market, storage, processing plant or seaport not more than eighty (80) miles distant from such point of entry into Texas. All mileages and distances referred to herein are State Highway mileages. Before such temporary registration provided for in this paragraph may be issued, the applicant must present satisfactory evidence that such motor vehicle is protected by such insurance and in such amounts as may be described in Section 5 of the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes) as it is now written or as it may hereafter be amended, and such policies must be issued by an insurance company or surety company authorized to write Motor Vehicle Liability Insurance in this State unless the applicant is unable to obtain the insurance coverage from an insurance company authorized to write the coverage in this State, in which case, the applicant, with the Department's approval, may obtain the coverage from a surplus lines insurer that meets the requirements of Article 1.14-2, Insurance Code, and rules adopted by the State Board of Insurance under that article; and that such vehicle has been inspected as required under the Uniform Act Regulating Traffic on Highways in Texas (Article XV of Article 6701d, Vernon's Texas Civil Statutes) as it is now written or as it may hereafter be amended.

The Department is authorized to prescribe the form of the application and the information to be furnished therein for such temporary registration permits. If the application is granted, the Department shall issue a special distinguishing insignia which must be attached to such vehicle in lieu of the regular Texas Highway registration plates. Such special insignia shall show its expiration date. The temporary registration permit fee shall be one-twelfth (1/12) of the annual Texas registration fee for the vehicle for which the special permit is secured.

The temporary permits herein authorized shall be issued only when the vehicle for which said permit is issued is legally registered in the nonresident owner's home state or country for the current registration year; and said permit will remain valid only so long as the home state or country registration is valid; but in any event the Texas temporary registration permit will expire 30 days from the date of issuance. Not more than three (3) such temporary registration permits may be issued to a nonresident owner during any one (1) vehicle registration year in the State of Texas. A vehicle registered under the terms of this Act may not be operated in Texas after the expiration of the temporary permit unless the nonresident owner secures a second temporary permit as provided above, or unless the nonresident owner registers the vehicle under the appropriate Texas vehicular registration statutes, applicable to residents, for the remainder of the registration year. No such vehicle may be registered with a Texas farm truck license.

Any person who shall transport any of the
commodities described in this Act, under a temporary permit provided for herein, to a market, place of storage, processing plant, railhead or seaport, which is a greater distance from the place of production of such commodity in this State, or the point of entry into the State of Texas than is provided for in said temporary permit, or shall follow a route other than that prescribed by the Highway Commission, shall be punished by a fine of not less than Twenty-five Dollars ($25), nor more than Two Hundred Dollars ($200).

Revisor's Note

(1) Section 2A, V.A.C.S. Article 6675a-6e, refers to "such farm commodities" and "the commodities described in this Act." As originally enacted in 1949, the first sentence of Section 2A referred to "the harvesting and marketing of wheat and/or other similar grains." Subsequent amendments in 1953 and 1965 expanded the list of commodities. A 1971 amendment (Chapter 184, Acts of the 62nd Legislature, Regular Session, 1971) substituted "farm products" for the list of commodities. Accordingly, the revised law substitutes "farm products produced in this state" for "such farm commodities" and "the commodities described in this Act."

(2) Section 2A, V.A.C.S. Article 6675a-6e, refers to insurance "in such amounts as may be described in Section 5 of the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes)." The revised law is drafted accordingly. See Revisor's Note (3) to Section 601.154 of this code.

(3) Section 2A, Article 6675a-6e, refers to rules adopted by the State Board of Insurance. Article 1, Chapter 685, Acts of the 73rd Legislature, Regular Session, 1993, abolished the State Board of Insurance. Under Article 1.03A, Insurance Code, as amended by Section 1.03 of that act, the commissioner of insurance
adopts rules for the conduct and execution of the duties and functions of the Texas Department of Insurance. The revised law is drafted accordingly.

(4) Section 2A, V.A.C.S. Article 6675a-6e, refers to Article XV, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes). That statute is codified in this code as Chapter 548, and the revised law is drafted accordingly.

(5) Section 2A, V.A.C.S. Article 6675a-6e, provides that that section does not authorize the operation of a motor vehicle "in violation of Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 911b, Vernon's Texas Civil Statutes) or any of the other laws of this State." The revised law omits this provision for the reason stated in Revisor's Note (5) under Section 502.353 of this code. The omitted provision reads:

Nothing in this Act shall be construed to authorize such nonresident owner or operator to operate or cause to be operated any of such vehicles in this State in violation of Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 911b, Vernon's Texas Civil Statutes) or any of the other laws of this State.

[Sections 502.356-502.400 reserved for expansion]

SUBCHAPTER H. OFFENSES AND PENALTIES

Revised Law

Sec. 502.401. GENERAL PENALTY. (a) A person commits an offense if the person violates a provision of this chapter and no other penalty is prescribed for the violation.


(c) An offense under this section is a misdemeanor
punishable by a fine not to exceed $200. (V.A.C.S. Art. 6675a-16a, Subsec. (a).)

Source Law

Art. 6675a-16a. (a) Except as provided by Subsection (b) of this section, a person violating any provisions of this Act for the violation of which no other penalty is prescribed shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in any sum not exceeding Two Hundred ($200.00) Dollars.

Revisor's Note

Subsection (a), V.A.C.S. Article 6675a-16a, refers to a person violating any provisions of "this Act," meaning V.A.C.S. Article 6675a-1 et seq. This chapter was derived from several statutes in addition to Article 6675a-1 et seq.; Subsection (a) does not apply to those statutes. Accordingly, the revised law adds references to several sections of this chapter that are not derived from Article 6675a-1 et seq., that set a standard of conduct that a person might violate, and that do not contain a specific penalty provision.

Revised Law

Sec. 502.402. OPERATION OF UNREGISTERED MOTOR VEHICLE. (a) A person commits an offense if the person operates a motor vehicle that has not been registered as required by law. An offense under this subsection is a misdemeanor punishable by a fine not to exceed $200.

(b) In a county in which a vehicle emissions inspection and maintenance program is required by the Texas air quality state implementation plan, the owner of a motor vehicle that has not been registered as required by law commits an offense if the vehicle is operated or parked on a public highway. An offense under this subsection is a misdemeanor punishable by a fine of not less than $100 or more than $200.

(c) In a county in which a vehicle emissions inspection and maintenance program is required, a vehicle that has not been
registered as required by law and that is operated or parked on a
government highway may be impounded by a peace officer or other
authorized employee of this state or of the political subdivision
of this state in which the vehicle is operated or parked.

(V.A.C.S. Arts. 6675b-1, 6675b-4.)

Source Law
Art. 6675b-1. Whoever operates upon any public
highway a motor vehicle which has not been registered
as required by law shall be fined not to exceed two
hundred dollars.

Art. 6675b-4. (a) In a county covered by a
vehicle emissions inspection and maintenance program as
required by the Texas air quality state implementation
plan, the owner of a motor vehicle that has not been
registered as required by law commits an offense if the
vehicle is operated or parked on a public roadway. An
offense under this subsection is punishable by a fine
of not less than $100 or more than $200.

(b) In a county covered by a vehicle emissions
inspection and maintenance program, a vehicle that has
not been registered as required by law and that is
operated or parked on a public roadway may be impounded
by a peace officer or other authorized employee of the
state or the political subdivision of the state in
which the vehicle is operated or parked.

Revised Law
Sec. 502.403. OPERATION OF VEHICLE UNDER IMPROPER
REGISTRATION. (a) A person commits an offense if the person
operates on a public highway a motor vehicle registered for a class
other than that to which the vehicle belongs.

(b) An offense under this section is a misdemeanor
punishable by a fine not to exceed $200. (V.A.C.S. Art. 6675b-2.)

Source Law
Art. 6675b-2. Whoever operates upon a public
highway a motor vehicle under a license, however
obtained, for a class other than that to which such
vehicle properly belongs, shall be fined not exceeding
two hundred dollars.

Revised Law
Sec. 502.404. OPERATION OF VEHICLE WITHOUT LICENSE PLATE OR
REGISTRATION INSIGNIA. (a) A person commits an offense if the
person operates on a public highway during a registration period a
passenger car or commercial motor vehicle that does not display two license plates, at the front and rear of the vehicle, that have been:

1. assigned by the department for the period; or
2. validated by a registration insignia issued by the department that establishes that the vehicle is registered for the period.

(b) A person commits an offense if the person operates on a public highway during a registration period a passenger car or commercial motor vehicle, other than a vehicle assigned license plates for the registration period, that does not properly display the registration insignia issued by the department that establishes that the license plates have been validated for the period.

(c) A person commits an offense if the person operates on a public highway during a registration period a road tractor, motorcycle, trailer, or semitrailer that does not display a license plate, attached to the rear of the vehicle, that has been:
1. assigned by the department for the period; or
2. validated by a registration insignia issued by the department that establishes that the vehicle is registered for the period.

(d) Subsections (a) and (b) do not apply to a dealer operating a vehicle as provided by law.

(e) An offense under this section is a misdemeanor punishable by a fine not to exceed $200. (V.A.C.S. Art. 6675a-3e, Secs. 5(a), (b), (d), 6 (part), 8 (part).)
period, that does not properly display the symbol, tab, or other device issued by the department that establishes that the license plates have been validated for the current registration period.

(d) Subsections (a), (b), and (c) of this section do not apply to dealers operating vehicles under present provisions of law.

Sec. 6. Any person who operates a road-tractor, motorcycle, trailer or semi-trailer upon the public highways of this State at any time without having attached thereto and displayed on the rear thereof, a license number plate duly and lawfully assigned therefor for the current period or validated by the attachment of a symbol, tab, or other device showing that the vehicle is currently registered, shall be guilty of a misdemeanor.

Sec. 8. Any person convicted of a misdemeanor for violation of Section 5, Section 6 or [Section 7] of this Act shall be fined in any sum not exceeding Two Hundred Dollars ($200.00).

Reviser's Note

(1) Section 6, V.A.C.S. Article 6675a-3e, refers to the "public highways of this State." The reference to "this State" is omitted from the revised law for the reason stated in Reviser's Note (2) under Section 502.001 of this code.

(2) Sections 5(a) and (b) and Section 6, V.A.C.S. Article 6675a-3e, refer to a "symbol, tab, or other device." The revised law substitutes "registration insignia" for "symbol, tab, or other device" for the reason stated in Reviser's Note (2) under Section 502.053 of this code.

(3) Section 6, V.A.C.S. Article 6675a-3e, provides in part that nothing in that section is to be construed as changing or repealing any law with reference to a requirement to pay a registration fee or the amount of a registration fee. The revised law omits the provision as unnecessary because Section 6 deals only with the display of a current license plate or registration validation and not with registration fees. The omitted provision reads:
Nothing herein contained shall be construed as changing or repealing any law with reference to any requirement to pay or not to pay a license or registration fee or the amount thereof not expressly enumerated in Sections 1, 2 and 3 hereof.

Revised Law
Sec. 502.405. OPERATION OF MOTORCYCLE WITHOUT SEAL. (a) A person commits an offense if the person operates, or as the owner permits another to operate, on a public highway during a registration period a motorcycle that does not have attached a registration seal for the period.

(b) An offense under this section is a misdemeanor punishable by a fine not to exceed $200. (V.A.C.S. Art. 6675b-3.)

Source Law
Art. 6675b-3. Any person operating, or as owner permitting to be operated, on any public highway any motorcycle during any calendar year to which there is not attached a registration seal assigned to said motorcycle, shall be fined not exceeding two hundred dollars.

Revised Law
Sec. 502.406. OPERATION OF ALL-TERRAIN VEHICLE WITHOUT STICKER. (a) A person commits an offense if the person operates on public property during a registration period an all-terrain vehicle, other than a vehicle owned by a nonresident and registered under the laws of the owner's home state, that does not have a number sticker or decal that is valid for the period attached to the vehicle at the location specified by the department.

(b) This section does not apply to the operation of an all-terrain vehicle owned by this state, a county, or a municipality by a person authorized to operate the vehicle.

(c) An offense under this section is a Class C misdemeanor. (V.A.C.S. Art. 6675a-3e, Secs. 6a(b), (c).)

Source Law
(b) A person commits an offense if the person operates an all-terrain vehicle, other than a vehicle that is owned by a nonresident and that is currently registered under the laws of the owner's home state, on
public property without having a number sticker or decal that is valid for the current registration period attached to the vehicle at the location specified by the Department. An offense under this subsection is a Class C misdemeanor.

(c) This section does not apply to the operation or driving of an all-terrain vehicle owned by this State, a county, or a municipality by a person authorized to operate or drive the vehicle.

Revisor's Note

Section 6(c), V.A.C.S. Article 6675a-3e, refers to the "operation or driving" of an all-terrain vehicle. The reference to "driving" is omitted from the revised law because "driving" is included within the meaning of "operating."

Revised Law

Sec. 502.407. OPERATION OF VEHICLE WITH EXPIRED LICENSE PLATE. (a) A person commits an offense if, after the fifth day after the date the registration for the vehicle expires:

(1) the person operates on a public highway during a registration period a motor vehicle, trailer, or semitrailer that has attached to it a license plate for the preceding period; and

(2) the license plate has not been validated by the attachment of a registration insignia for the registration period in effect.

(b) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge of driving with an expired motor vehicle registration if the defendant:

(A) remedies the defect not later than the 10th working day after the date of the offense; and

(B) establishes that the fee prescribed by Section 502.176 has been paid; and

(2) assess an administrative fee not to exceed $10 when the charge is dismissed.

(c) An offense under this section is a misdemeanor punishable by a fine not to exceed $200. (V.A.C.S. Art. 6675a-3e,
Sec. 7. (a) After the fifth day after the date a registration for a motor vehicle, trailer, or semi-trailer expires, any person operating the motor vehicle, trailer, or semi-trailer upon the highways of this State with a license plate or plates for any preceding period which have not been validated by the attachment of a symbol, tab, or other device for the current registration period, shall be deemed guilty of a misdemeanor.

(b) A justice of the peace or municipal court judge who has jurisdiction of the offense, at his discretion, may dismiss the charge of driving with an expired motor vehicle registration if the defendant remedies this defect within 10 working days and establishes that the additional charge under Section 3a, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-3a, Vernon's Texas Civil Statutes), has been paid. Additionally, the judge, at his discretion, may assess an administrative fee not to exceed $10 when the charge of driving with an expired motor vehicle registration has been remedied.

Sec. 8. Any person convicted of a misdemeanor for violation of [Section 5, Section 6 or] Section 7 of this Act shall be fined in any sum not exceeding Two Hundred Dollars ($200.00).

Reviser's Note

(1) Section 7(a), V.A.C.S. Article 6675a-3e, refers to "highways of this State." The revised law substitutes "public highway" for "highways of this State" for the reason stated in Reviser's Note (1) under Section 502.352 of this code.

(2) Section 7(a), V.A.C.S. Article 6675a-3e, refers to a "symbol, tab, or other device." The revised law substitutes "registration insignia" for "symbol, tab, or other device" for the reason stated in Revisor's Note (2) under Section 502.053 of this code.

(3) Section 7(b), V.A.C.S. Article 6675a-3e, refers to Section 3a, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-3a, Vernon's Texas Civil Statutes). That statute is codified in this chapter as Section 502.176, and the revised law is drafted accordingly.
Sec. 502.408. OPERATION OF VEHICLE WITH WRONG LICENSE PLATE.

(a) A person commits an offense if the person operates, or as the owner permits another to operate, on a public highway a motor vehicle that has attached to it a number plate or registration insignia issued for a different vehicle. An offense under this subsection is a misdemeanor punishable by a fine not to exceed $200.

(b) In a county in which a vehicle emissions inspection and maintenance program is required by the Texas air quality state implementation plan, an owner of a motor vehicle commits an offense if the vehicle:

(1) has attached to it or displays a number plate or registration insignia issued for a different vehicle; and

(2) is operated or parked on a public highway.

(c) An offense under Subsection (b) is a misdemeanor punishable by a fine of not less than $100 or more than $200, unless the owner knows that the number plate or registration insignia is for a different vehicle, in which case the offense is a Class B misdemeanor.

(d) In a county covered by a vehicle emissions inspection and maintenance program, a motor vehicle to which is attached or on which is displayed a number plate or registration insignia issued for a different vehicle and that is operated or parked on a public highway may be impounded by a peace officer or other authorized employee of this state or of the political subdivision of this state in which the vehicle is operated or parked. (V.A.C.S. Arts. 6675b-4A, 6675b-6.)
a fine of not less than $100 or more than $200.

(c) An offense under this article is a Class B misdemeanor if the owner knows that the number plate or seal is for a different vehicle.

(d) In a county covered by a vehicle emissions inspection and maintenance program, a motor vehicle to which is attached or on which is displayed a number plate or seal issued for a different vehicle and that is operated or parked on a public roadway may be impounded by a peace officer or other authorized employee of the state or the political subdivision of the state in which the motor vehicle is operated or parked.

Art. 6675b-6. Whoever shall operate, or as owner permit to be operated upon a public highway a motor vehicle with a number plate or seal issued for a different motor vehicle attached thereto shall be fined not exceeding two hundred dollars.

Revised Law

Sec. 502.409. WRONG, FICTITIOUS, OR UNCLEAN LICENSE PLATE.

(a) A person commits an offense if the person attaches to or displays on a motor vehicle a number plate or registration insignia that:

(1) is assigned to a different motor vehicle;

(2) is assigned to the vehicle under any other motor vehicle law other than by the department;

(3) is assigned for a registration period other than the registration period in effect;

(4) is fictitious; or

(5) has letters, numbers, or other identification marks that because of blurring matter are not plainly visible at all times during daylight.

(b) An offense under Subsection (a) is a misdemeanor punishable by a fine of not more than $200, unless it is shown at the trial of the offense that the owner knowingly altered or made illegible the letters, numbers, and other identification marks, in which case the offense is a Class B misdemeanor.

(c) In a county in which a vehicle emissions inspection and maintenance program is required by the Texas air quality state implementation plan, an owner of a motor vehicle commits an offense if the vehicle:
(1) is operated or parked on a public highway; and

(2) displays a number plate or registration insignia that:

(A) is assigned to the vehicle for a registration period other than the registration period in effect;

or

(B) is fictitious.

(d) An offense under Subsection (c) is a misdemeanor punishable by a fine of not less than $100 or more than $200, unless the owner knows the number plate or registration insignia is not assigned for the registration period in effect or is fictitious, in which case the offense is a Class B misdemeanor.

(e) In a county in which a vehicle emissions inspection and maintenance program is required, a motor vehicle that displays a number plate or registration insignia that is prohibited by Subsection (c) and that is operated or parked on a public highway may be impounded by a peace officer or other authorized employee of this state or of the political subdivision of this state in which the vehicle is operated or parked. (V.A.C.S. Arts. 6675b-4B, Subsecs. (a), (c), (d), (e); 6675b-7.)
display on any motor vehicle any number plate or seal assigned to a different motor vehicle or assigned to it under any other motor vehicle law other than by the State Highway Department, or any registration seal other than that assigned for the current year, or a homemade or fictitious number plate or seal. All letters, numbers and other identification marks shall be kept clear and distinct and free from grease or other blurring matter so that they may be plainly seen at all times during daylight. Whoever violates any provision of this article shall be fined not exceeding two hundred dollars, unless it is shown on the trial of the offense that the person intentionally or knowingly altered or made illegible the numbers, letters, or other identifying marks, in which event the offense is punishable as a Class B misdemeanor.

Revisor's Note

(1) V.A.C.S. Article 6675b-1 refers to "intentionally or knowingly" altering numbers, letters, or other marks. The revised law omits the reference to "intentionally" because under Section 6.02, Penal Code, "intentionally" is a higher degree of culpability than "knowingly," and proof of the lowest required degree of culpability suffices to establish criminal responsibility.

(2) Subsection (b), V.A.C.S. Article 6675b-4B, provides that in a county covered by a vehicle emissions inspection and maintenance program as required by the Texas air quality state implementation plan, the letters, numbers, and other identification marks on a vehicle license plate must be kept clear and free from grease or other blurring matter so that they are plainly visible at all times during daylight. Subsection (b) does not make failure to comply with this provision an offense. However, under V.A.C.S. Article 6675b-7, which applies to all counties, the failure to keep a license plate clear and free from grease or other blurring matter so that it is plainly visible at all times during daylight is an offense. Accordingly, the revised law omits Subsection (b) as unnecessary. The omitted provision reads:
(b) All letters, numbers, and other identification marks shall be kept clear and distinct and free from grease or other blurring matter so that they may be plainly seen at all times during daylight.

Revised Law
Sec. 502.410. FALSIFICATION OR FORGERY. (a) A person commits an offense if the person knowingly provides false or incorrect information or without legal authority signs the name of another person on a statement or application filed or given as required by this chapter.

(b) An offense under this section is a felony of the third degree. (V.A.C.S. Art. 6675a-16a, Subsec. (b).)

Source Law
(b) A person commits an offense if a person knowingly gives, inscribes, registers, inserts, enters, or writes false or incorrect information or signs the name of another person without legal authority to do so, on any statement or application filed or given as required by this Act. An offense under this subsection is a felony of the third degree.

Revisor's Note
Subsection (b), V.A.C.S. Article 6675a-16a, refers to a person who "gives, inscribes, registers, inserts, enters, or writes" false or incorrect information. The revised law substitutes "provides" for "gives, inscribes, registers, inserts, enters, or writes" because each of those terms is included within the meaning of "provides."

Revised Law
Sec. 502.411. BRIBERY OF COUNTY OFFICER OR AGENT. (a) A person commits an offense if the person directly or indirectly agrees with the commissioners court of a county or an officer or agent of the commissioners court or county that the person will register or cause to be registered a motor vehicle, trailer, or semitrailer in that county in consideration of:

(1) the use by the county of the funds derived from
the registration in the purchase of property; or

(2) an act to be performed by the commissioners court or an agent or officer of the commissioners court or the county.

(b) The registration of each separate vehicle in violation of Subsection (a) is a separate offense. The agreement or conspiracy to register is a separate offense.

(c) A person who makes or seeks to make an agreement prohibited by Subsection (a) shall be restrained by injunction on application by the district or county attorney of the county in which the vehicle is registered or the attorney general.

(d) An offense under this section is punishable in the same manner as an offense under Section 36.02, Penal Code. (V.A.C.S. Art. 6675a-3e, Sec. 5a.)

Source Law

Sec. 5a. Any person who shall directly or indirectly enter into any agreement with a Commissioners' Court of any county in the State of Texas, or any officer or agent of said Court or county, that he will register or cause to be registered any motor vehicle, trailer or semi-trailer, in said county in consideration of the use by said county of the funds derived from said registration in the purchase of any property of any kind or character, or in consideration of anything or any act to be done or performed by the Commissioners' Court, or any of its agents or officers or any county officer, shall be guilty of a bribery and shall be subject to the same penalty as provided by law for the offense of bribery. The registration of each separate vehicle shall constitute a separate offense. The agreement and/or conspiracy to register shall constitute a separate offense. Any person, firm or corporation who shall make agreements as provided herein, or seek to make such agreements, shall be restrained by injunction by the county or district attorney of the county in which said motor vehicle is registered, or upon application of the Attorney General of the State of Texas.

Reviser's Note

(1) Section 5a, V.A.C.S. Article 6675a-3e, refers to "property of any kind or character." The reference to "any kind or character" is omitted from the revised law as unnecessary because Section 311.005(4), Government Code (Code Construction Act), defines property to mean real and personal property.
(2) Section 5a, V.A.C.S. Article 6675a-3e, refers to a "person, firm or corporation." The references to "firm" and "corporation" are omitted from the revised law because those entities are included within the meaning of "person" as defined by Section 311.005(2), Government Code (Code Construction Act), applicable to the revised law.

(3) Section 5a, V.A.C.S. Article 6675a-3e, provides in part that a person who commits an offense under that section "shall be subject to the same penalty as provided by law for the offense of bribery."

The revised law substitutes a reference to Section 36.02, Penal Code, which defines the offense of bribery, for "the same penalty as provided by law for the offense of bribery."

Revised Law

Sec. 502.412. OPERATION OF VEHICLE AT WEIGHT GREATER THAN STATED IN REGISTRATION APPLICATION. (a) A person commits an offense if the person operates, or permits to be operated, a motor vehicle registered under this chapter that has a weight greater than that stated in the person's application for registration. Each use of the vehicle is a separate offense.

(b) Venue for a prosecution under this section is in any county in which the motor vehicle is operated with a gross weight greater than that stated in the person's application for registration.

(c) An offense under this section is a misdemeanor punishable by a fine not to exceed $200. (V.A.C.S. Art. 6695.)

Source Law

Art. 6695. If any person shall operate, or permit to be operated, any motor vehicle, licensed under this law, of a greater weight than stated in his declaration or application for license, he shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not exceeding Two Hundred ($200.00) Dollars, and each use of such vehicle shall constitute a separate offense; and venue for prosecutions
hereunder shall lie in any county in which any motor
vehicle is operated with a greater gross weight than
that stated in the declaration or application for a
license for such motor vehicle.

Revisor's Note

V.A.C.S. Article 6695 refers to the "declaration
or application" for registration. The reference to
"declaration" is omitted from the revised law because
in this context "declaration" is included within the
meaning of "application."

CHAPTER 503. DEALER'S AND MANUFACTURER'S
VEHICLE LICENSE PLATES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 503.001. DEFINITIONS

Sec. 503.002. RULES

Sec. 503.003. DISPLAY OR SALE OF NONMOTORIZED VEHICLE

Sec. 503.004. BUYING, SELLING, EXCHANGING, OR

MANUFACTURING VEHICLES

Sec. 503.005. NOTICE OF SALE OR TRANSFER

Sec. 503.006. NOTICE OF CHANGE OF ADDRESS

Sec. 503.007. FEES FOR GENERAL DISTINGUISHING NUMBER

Sec. 503.008. FEES FOR LICENSE PLATES

[Sections 503.009-503.020 reserved for expansion]

SUBCHAPTER B. GENERAL DISTINGUISHING NUMBER

Sec. 503.021. DEALER GENERAL DISTINGUISHING NUMBER

Sec. 503.022. WHOLESALE MOTOR VEHICLE AUCTION GENERAL

DISTINGUISHING NUMBER

Sec. 503.023. DRIVE-A-WAY OPERATOR LICENSE

Sec. 503.024. EXCLUSIONS FOR DEALER

Sec. 503.025. WHOLESALE MOTOR VEHICLE AUCTION EXCEPTION

Sec. 503.026. REQUIREMENT FOR EACH TYPE OF DEALER VEHICLE

Sec. 503.027. REQUIREMENTS RELATING TO DEALER LOCATION

Sec. 503.028. REQUIREMENTS RELATING TO WHOLESALE MOTOR

VEHICLE AUCTION LOCATION

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