

Chapter 721

S.B. No. 1001

AN ACT

1
2 relating to vehicle safety inspections, including vehicles exempt
3 from those inspections.

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

5 SECTION 1. Subchapter A, Chapter 502, Transportation Code,
6 is amended by adding Section 502.012 to read as follows:

7 Sec. 502.012. NOTICE REGARDING WHETHER CERTAIN TRAILERS ARE
8 SUBJECT TO INSPECTION. The department shall include in each
9 registration renewal notice for a vehicle that is a trailer,
10 semitrailer, or pole trailer a statement regarding whether the
11 vehicle is subject to inspection under Chapter 548.

12 SECTION 2. Section 548.005, Transportation Code, is amended
13 to read as follows:

14 Sec. 548.005. INSPECTION ONLY BY CERTAIN [~~STATE-CERTIFIED~~
15 ~~AND SUPERVISED~~] INSPECTION STATIONS [~~STATION~~]. A compulsory
16 inspection under this chapter may be made only by an inspection
17 station, except that the department may:

18 (1) permit inspection to be made by an inspector under
19 terms and conditions the department prescribes;

20 (2) authorize the acceptance in this state of a
21 certificate of inspection and approval issued in another state
22 having a similar inspection law; [~~and~~]

23 (3) authorize the acceptance in this state of a
24 certificate of inspection and approval issued in compliance with 49

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1 C.F.R. Part 396 to a motor bus, as defined by Section 502.001, that
2 is registered in this state but is not domiciled in this state; and

3 (4) authorize the acceptance in this state of a
4 certificate of inspection and approval issued:

5 (A) by an inspector qualified under 49 C.F.R.
6 Part 396 acting as an employee or authorized agent of the owner of a
7 commercial fleet, as defined in Section 502.001; and

8 (B) to a motor vehicle or trailer that is:

9 (i) part of the fleet; and

10 (ii) registered or in the process of being
11 registered in this state.

12 SECTION 3. Section 548.052, Transportation Code, is amended
13 to read as follows:

14 Sec. 548.052. VEHICLES NOT SUBJECT TO INSPECTION. This
15 chapter does not apply to:

16 (1) a trailer, semitrailer, pole trailer, or mobile
17 home moving under or bearing a current factory-delivery license
18 plate or current in-transit license plate;

19 (2) a vehicle moving under or bearing a paper dealer
20 in-transit tag, machinery license, disaster license, parade
21 license, prorated tab, one-trip permit, vehicle temporary transit
22 permit, antique license, custom vehicle license, street rod
23 license, temporary 24-hour permit, or permit license;

24 (3) a trailer, semitrailer, pole trailer, or mobile
25 home having an actual gross weight or registered gross weight of
26 7,500 [~~4,500~~] pounds or less;

27 (4) farm machinery, road-building equipment, a farm

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1 trailer, or a vehicle required to display a slow-moving-vehicle
2 emblem under Section 547.703;

3 (5) a former military vehicle, as defined by Section
4 504.502;

5 (6) a vehicle qualified for a tax exemption under
6 Section 152.092, Tax Code; or

7 (7) a vehicle for which a certificate of title has been
8 issued but that is not required to be registered.

9 SECTION 4. Subchapter H, Chapter 548, Transportation Code,
10 is amended by adding Section 548.510 to read as follows:

11 Sec. 548.510. FEE FOR CERTAIN VEHICLES NOT SUBJECT TO
12 INSPECTION; COLLECTION OF FEE DURING REGISTRATION. (a) A vehicle
13 described by Section 548.052(3) that has an actual gross weight or
14 registered gross weight of more than 4,500 pounds is subject to a
15 fee in the amount of \$7.50.

16 (b) The Texas Department of Motor Vehicles or a county
17 assessor-collector that registers a vehicle described by
18 Subsection (a) shall collect at the time of registration of the
19 vehicle the fee prescribed by Subsection (a). The Texas Department
20 of Motor Vehicles or the county assessor-collector, as applicable,
21 shall remit the fee to the comptroller. Each fee remitted to the
22 comptroller under this section shall be deposited as follows:

23 (1) \$3.50 to the credit of the Texas mobility fund;

24 (2) \$2 to the credit of the general revenue fund; and

25 (3) \$2 to the credit of the clean air account.

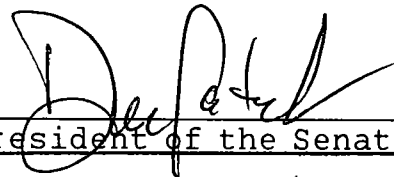
26 (c) The fee collected under Subsection (a) is not a motor
27 vehicle registration fee and the revenue collected from the fee is

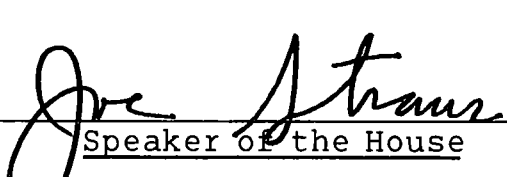
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1 not required to be used for a purpose specified by Section 7-a,
2 Article VIII, Texas Constitution.

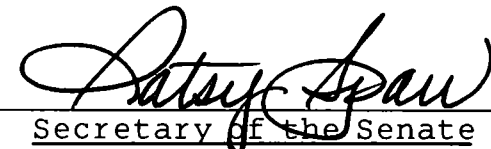
3 SECTION 5. This Act takes effect September 1, 2017.

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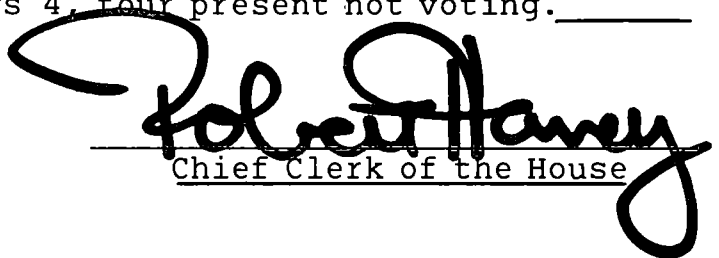

President of the Senate


Speaker of the House

I hereby certify that S.B. No. 1001 passed the Senate on May 1, 2017, by the following vote: Yeas 31, Nays 0; May 26, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0. _____


Secretary of the Senate

I hereby certify that S.B. No. 1001 passed the House, with amendments, on May 21, 2017, by the following vote: Yeas 140, Nays 1, one present not voting; May 27, 2017, House granted request of the Senate for appointment of Conference Committee; May 28, 2017, House adopted Conference Committee Report by the following vote: Yeas 140, Nays 4, four present not voting. _____



Chief Clerk of the House

Approved:

6 - 9 - 2017
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

JUN 12 2017

Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 27, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1001 by Taylor, Larry (Relating to vehicle safety inspections, including vehicles exempt from those inspections.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to exempt from required safety inspections certain vehicles with a gross weight of 4,500 pounds to 7,500 pounds. The bill would require a fee of \$7.50 for each such vehicle exempted, and would dedicate this new fee in the following manner:

- 1) \$3.50 fee is dedicated to the Texas Mobility Fund;
- 2) \$2.0 is dedicated to the Clean Air Account. Texas Emissions Reduction Plan (\$2 x 138,623);
- 3) \$2.0 is dedicated to the General Revenue Fund.

It is assumed this new fee would eliminate any revenue loss resulting from the bill's exemption of certain vehicles with a gross weight of 4,500 pounds to 7,500 pounds from safety inspections.

The bill would require the Department of Public Safety (DPS) to include notification in registration renewal notices for certain trailer vehicles whether the trailer vehicle is subject to inspection.

The bill would also authorize the acceptance by the state of a vehicle's certificate of inspection issued by an inspector qualified under Title 49 of the Code of Federal Regulations, Part 396, who is also an employee or authorized agent of the owner of a commercial vehicle fleet, provided the vehicle is part of the owner's fleet, and is registered or in the process of being registered in the state. The Comptroller has indicated that because this provision would only expand the list of individuals DPS could authorize to perform inspections, and would not exempt those vehicles from state registration fees, the provision would have no fiscal impact on the state.

It is assumed any costs associated with implementing the bill could be absorbed within current resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601
Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, JAW, AG, AI, TG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 22, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1001 by Taylor, Larry (Relating to vehicles exempt from vehicle safety inspections),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to exempt from required safety inspections certain vehicles with a gross weight of 4,500 pounds to 7,500 pounds. The bill would require a fee of \$7 50 for each such vehicle exempted, and would dedicate this new fee in the following manner:

- 1) \$3.50 fee is dedicated to the Texas Mobility Fund;
- 2) \$2.0 is dedicated to the Clean Air Account Texas Emissions Reduction Plan (\$2 x 138,623);
- 3) \$2.0 is dedicated to the General Revenue Fund

It is assumed this new fee would eliminate any revenue loss resulting from the bill's exemption of certain vehicles with a gross weight of 4,500 pounds to 7,500 pounds from safety inspections.

The bill would require the Department of Public Safety (DPS) to include notification in registration renewal notices for certain trailer vehicles whether the trailer vehicle is subject to inspection. The bill would also proscribe DPS from limiting the number of limited emissions inspections of a vehicle that may be conducted by an inspection station

The bill would also authorize the acceptance by the state of a vehicle's certificate of inspection issued by an inspector qualified under Title 49 of the Code of Federal Regulations, Part 396, who is also an employee or authorized agent of the owner of a commercial vehicle fleet, provided the vehicle is part of the owner's fleet, and is registered or in the process of being registered in the state. The Comptroller has indicated that because this provision would only expand the list of individuals DPS could authorize to perform inspections, and would not exempt those vehicles from state registration fees, the provision would have no fiscal impact on the state.

It is assumed any costs associated with implementing the bill could be absorbed within current resources

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601
Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, JAW, AG, AI, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 10, 2017

TO: Honorable Geanie W. Morrison, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1001 by Taylor, Larry (Relating to vehicles exempt from vehicle safety inspections.),
As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to exempt from required safety inspections certain vehicles with a gross weight of 4,500 pounds to 7,500 pounds. The bill would require a fee of \$7.50 for each such vehicle exempted, and would dedicate this new fee in the following manner:

- 1) \$3.50 fee is dedicated to the Texas Mobility Fund;
- 2) \$2.0 is dedicated to the Clean Air Account. Texas Emissions Reduction Plan (\$2 x 138,623);
- 3) \$2.0 is dedicated to the General Revenue Fund.

It is assumed this new fee would eliminate any revenue loss resulting from the bill's exemption of certain vehicles with a gross weight of 4,500 pounds to 7,500 pounds from safety inspections.

The bill would also authorize the acceptance by the state of a vehicle's certificate of inspection issued by an inspector qualified under Title 49 of the Code of Federal Regulations, Part 396, who is also an employee or authorized agent of the owner of a commercial vehicle fleet, provided the vehicle is part of the owner's fleet, and is registered or in the process of being registered in the state. The Comptroller has indicated that because this provision would only expand the list of individuals DPS could authorize to perform inspections, and would not exempt those vehicles from state registration fees, the provision would have no fiscal impact on the state.

It is assumed any costs associated with implementing the bill could be absorbed within current resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601 Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AG, AI, JAW, TG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 28, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1001 by Taylor, Larry (Relating to vehicles exempt from vehicle safety inspections.),
As Introduced

Estimated Two-year Net Impact to General Revenue Related Funds for SB1001, As Introduced: a negative impact of (\$554,492) through the biennium ending August 31, 2019. Additionally, there would be a negative impact to the Texas Mobility Fund of (\$970,362) and to the Clean Air Account of (\$554,492) through the biennium ending August 31, 2019.

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

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	(\$277,246)
2019	(\$277,246)
2020	(\$277,246)
2021	(\$277,246)
2022	(\$277,246)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from <i>General Revenue Fund</i> 1	Probable Revenue (Loss) from <i>Texas Mobility Fund</i> 365	Probable Revenue (Loss) from <i>Clean Air Account</i> 151
2018	(\$277,246)	(\$485,181)	(\$277,246)
2019	(\$277,246)	(\$485,181)	(\$277,246)
2020	(\$277,246)	(\$485,181)	(\$277,246)
2021	(\$277,246)	(\$485,181)	(\$277,246)
2022	(\$277,246)	(\$485,181)	(\$277,246)

Fiscal Analysis

The bill would amend the Transportation Code to increase the maximum gross weight under which a trailer, semitrailer, pole trailer or mobile home would be exempt from vehicle safety inspections from 4,500 pounds to 7,500 pounds.

It is assumed any costs associated with implementing the bill could be absorbed within current resources. However, the bill is estimated to have negative revenue implications to the General Revenue Fund, the Texas Mobility Fund, and the Clean Air Account.

Note: The bill would reduce, rescind, or repeal the dedication of a specific source or portion of revenue dedicated to the Texas Mobility Fund. Article 3, Section 49-k, of the Texas Constitution, specifies that while money in the Texas Mobility Fund is pledged for the payment of any outstanding debt obligations, the Legislature may not reduce, rescind, or repeal the dedication of a specific source or portion of revenue dedicated to the Texas Mobility Fund unless the Legislature by law dedicates a substitute or different source of revenue that is projected by the Comptroller to be of a value equal to or greater than the source or amount being reduced, rescinded, or repealed.

The bill would take effect September 1, 2017.

Methodology

The Department of Motor Vehicles estimates the bill could result in a 138,623 decrease to the number of vehicle safety inspections conducted each year. Since portions of the vehicle safety inspection fee are dedicated to the General Revenue Fund, Texas Mobility Fund, and Clean Air Account, it is assumed the bill would have a corresponding negative revenue impact on these funds.

Revenue Impact to the General Revenue Fund - \$2 of each vehicle safety inspection fee is dedicated to the General Revenue Fund as a Texas.gov fee. This fiscal note assumes a decrease in fiscal year 2018 and in each fiscal year thereafter of 138,623 safety inspections, resulting in an estimated \$277,246 revenue decrease to the General Revenue Fund ($\$2 \times 138,623$).

Revenue Impact to the Texas Mobility Fund - \$3.50 of each vehicle safety inspection fee is dedicated to the Texas Mobility Fund. This fiscal note assumes a decrease in fiscal year 2018 and in each fiscal year thereafter of 138,623 safety inspections, resulting in an estimated \$485,181 revenue decrease to the Texas Mobility Fund ($\$3.50 \times 138,623$).

Revenue Impact to the Clean Air Account - \$2 of each vehicle safety inspection fee is dedicated to the Clean Air Account. This fiscal note assumes a decrease in fiscal year 2018 and in each fiscal year thereafter of 138,623 safety inspections, resulting in an estimated \$277,246 revenue decrease to the Texas Emissions Reduction Plan ($\$2 \times 138,623$).

Based on information submitted by the Department of Motor Vehicles, it is assumed any costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 601
Department of Transportation, 608 Department of Motor Vehicles

LBB Staff: UP, AG, AI, JAW, TG