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Motor Vehicle Registration Manual

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TITLE 7. VEHICLES AND TRAFFIC
CHAPTER 502. REGISTRATION OF VEHICLES
SUBCHAPTER A. GENERAL PROVISIONS

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 or 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.

I. Classifications of vehicles that are restricted by Transportation Code Section 502.276 to temporary operation or movement upon the highways include:

A. Vehicles that are exempt from registration by Transportation Code Section 502.276:

1. Farm tractors.
2. Farm trailers and farm semitrailers with a gross weight not exceeding 4,000 pounds.
3. Implements of husbandry.

Note: Transportation Code Section 545.361 stipulates that an operator of self-propelled machinery designed or adapted for applying plant food materials or agricultural chemicals and not designed or adapted for the sole purpose of transporting the materials or chemicals may not drive at a speed of more than 30 miles per hour unless the machinery is registered under Chapter 502. Refer to Transportation Code Section 502.276 for further discussion of implements of husbandry.

4. Fertilizer and cottonseed trailers, supplied to farmers without charge, with a gross weight not exceeding 4,000 pounds.

B. Vehicles which are exempt from regular registrations, but are required to display a distinguishing \$5.30 "flat fee" license plate. (Refer to Section 502.177 and Section 502.170.)

1. A farm trailer or semitrailer with a gross weight exceeding 4,000 pounds but not exceeding 34,000 pounds.
2. A farm fertilizer trailer or cottonseed trailer with a gross weight in excess of 4,000 pounds but not exceeding 34,000 pounds.

Other types of vehicles are restricted to temporary operation or movement upon the highways, but the movement differs from those vehicles used in association with farming activities. Unladen vehicles displaying the \$5.30 distinguishing Machinery License Plate may move from the principle base of operation to the assigned job site and from such site to subsequent job locations. Such vehicles may also be moved to places of service or repair and returned.

Transportation Code Section 545.361(d) stipulates that no person may operate on a public highway at a speed greater than 30 miles-per-hour any 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, unless the machinery is properly registered. Refer to Transportation Code Section 502.276 for a complete discussion on implements of husbandry.

- II. Vehicles included in and restricted to movements include:
 - A. Vehicles having water well drilling machinery permanently mounted thereon and used exclusively for the purpose of drilling water wells. (Refer to Transportation Code Section 502.276.)
 - B. Construction machinery that is not designed to transport persons or property.

(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.

- III. "Owner" shall mean the person who holds legal title to the vehicle or, for registration purposes, that person who has the legal right of possession or legal right of control of such vehicle.
 - A. If the vehicle is subject to a lien, the lienholder is considered the legal owner; or if the vehicle is free and clear of all liens, the person who is named on the title is the legal owner.
 - B. The terms "legal right of possession" and "legal right of control" mean something more than the actual physical possession by an agent or servant. The terms imply such possession or control to be with a degree of permanency throughout the greater part of the registration year and not merely temporary possession. (Attorney General's Opinion No. 0-2105.)
 - 1. "A person who can be classified as having either legal right of possession or legal right of control would be one who could be entrusted with the vehicle's care. Said terms would preclude a person who has only the physical control of a motor vehicle, but would include a person who has all rights in the motor vehicle as to its control, operation, use and management, but who does not have legal title. Such possession or control would have to be of a permanent nature and not one that is subject to being divested at anytime the legal title holder within the reasonable expectation of the parties at the time of the registration of the motor vehicle."
 - a. "A local ticket agent of a bus company would not have legal right of possession or legal right of control over the buses, which regularly pass through his town. The exception to this would be where by some instrument in the form of a lease or bailment said ticket agent would be given such legal right of control or legal right of possession. In this connection, however, such an instrument drawn up for the purpose of evasion of the motor vehicle

registration law would not of itself suffice to make such person the owner within the meaning of the registration statute.”

- b. “The same rule that applies to a local agent of a bus company would also be applicable to the local agent of a freight line. However, the local agent of a freight line would be considered an owner, for registration purposes, of vehicles permanently stationed in his county over which he is given legal right of control or legal right of possession.”
- c. “A district or branch manager of an oil refining company or wholesale grocery concern could be an owner for his company for the vehicles definitely assigned to that district or branch for registration purposes.”

Note: Paragraphs 1, a, b, and c are quotes from the Attorney General's Opinion No. 0-2105.

- 2. Leased Vehicles - The lessor's name (person or firm who actually owns the vehicle) must be shown in the name of owner space on the registration receipt. To enable the leasing company to receive the negotiable title yet allow the lessee to receive all subsequent registration renewal notices, the name and address of the lessee may be shown in Box 14a (Registrant's Names, Renewal Notice Receipt) on the Application for Texas Certificate of Title, Form 130-U, and should be shown as the “Renewal Recipient.”
 - a. Either the lessor or lessee may renew Texas registration, provided the renewal is filed in the county of residence of the applicant.
 - b. When a vehicle has been leased, it is not necessary for the party applying for registration to present the lease agreement.
- 3. The registration of a company owned vehicle in the possession and control of an employee of such company is accomplished in the same manner as leased vehicles.

(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.

A highway shall include the entire width between property lines of any road, street, way, thoroughfare or bridge in the State of Texas not privately owned or controlled, when any part of such highway is open to the public for vehicular traffic and 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 vehicle designed for the purpose of mowing the right-of-way of a public highway or 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.

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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.*
- (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 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.*

- I. "Owner" means the person who holds legal title to the vehicle or, for registration purposes, that person who has the legal right of possession or legal right of control of such vehicle.
 - A. If the vehicle is subject to a lien, the lienholder is considered the legal owner; or if the vehicle is free and clear of all liens, the person who is named on the title is the legal owner.
 - B. The terms "legal right of possession" and "legal right of control" mean something more than the actual physical possession by an agent or servant. The terms imply such possession or control to be with a degree of permanency throughout the greater part of the registration year and not merely temporary possession. (Attorney General's Opinion No. 0-2105.)
 - 1. "A person who can be classified as having either legal right of possession or legal right of control would be one who could be entrusted with the vehicle's care. Said terms would preclude a person who has only the physical control of a motor vehicle, but would include a person who has all rights in the motor vehicle as to its control, operation, use and management, but who does not have legal title. Such possession or control would have to be of a permanent nature and not one that is subject to being divested at anytime the legal title holder within the reasonable expectation of the parties at the time of the registration of the motor vehicle."
 - a. "A local ticket agent of a bus company would not have legal right of possession or legal right of control over the buses that regularly pass through

his town. The exception to this would be where, by some instrument in the form of a lease or bailment, said ticket agent would be given such legal right of control or legal right of possession. In this connection, however, such an instrument drawn up for the purpose of evasion of the motor vehicle registration law would not of itself suffice to make such person the owner within the meaning of the registration statute.”

- b. “The same rule, which applies to a local agent of a bus company, would also be applicable to the local agent of a freight line. However, the local agent of a freight line would be considered an owner, for registration purposes, of vehicles permanently stationed in his county over which he is given legal right of control or legal right of possession.”
 - c. “A district or branch manager of an oil refining company or wholesale grocery concern could be an owner for his company for the vehicles definitely assigned to that district or branch for registration purposes.”
2. Leased Vehicles - The lessor's name (person or firm who actually owns the vehicle) must be shown in the name of owner space on the registration receipt. To enable the leasing company to receive the negotiable title yet allow the lessee to receive all subsequent registration renewal notices, the name and address of the lessee may be shown in Box 14a (Registrant's Names, Renewal Notice Receipt) on the Application for Texas Certificate of Title, Form 130-U, and should be shown as the “Renewal Recipient.”
- a. When a vehicle has been leased, it is not necessary for the party applying for registration to present the lease agreement.
 - b. Either the lessor or lessee may renew Texas registration, provided the renewal is filed in the county of residence of the applicant.
 - c. When a vehicle has been leased, it is not necessary for the party applying for registration to present the lease agreement.
3. The registration of a company owned vehicle in the possession and control of an employee of such company is accomplished in the same manner as leased vehicles.

- II. Transportation Code, Sec. 501.0275 (effective September 1, 1999) mandates that an applicant may obtain a negotiable certificate of title without obtaining Texas registration.
- A. A Request to Issue a Negotiable Certificate of Title Without Registration (VTR-131) and an application for title shall be completed by the applicant before issuance of a title without registration. (See Sec. 501.0275 in the Title Manual for more detailed instructions for completing the VTR-131).
 - B. Title without registration may not be issued on a vehicle that is currently suspended or revoked. If the vehicle record is marked with a notation indicating suspension or revocation, title without registration may not be issued. Applicants should be advised of the nature of the suspension and that the suspension or revocation must be cleared before issuance of a title without registration may be made.
 - C. The applicant does not have to provide proof of insurance at the time of application for title without registration.

- D. Vehicles with a Texas title obtained without registration are not subject to inspection under Transportation Code, Section 548.052.

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Sec. 502.0021. Rules and Forms.

- (a) *The department may adopt rules to administer this chapter.*
- (b) *The department shall:*
 - (1) *prescribe forms determined by the department to be necessary for the administration of this chapter; and*
 - (2) *provide each county assessor-collector with an adequate supply of each form necessary for the performance of a duty under this chapter by the assessor-collector.*

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Sec. 502.0022. Consolidated Registration of Fleet Vehicles.

- (a) *The department shall develop and implement a system of registration so that an owner of a fleet of motor vehicles may consolidate the registration of the motor vehicles in the fleet as an alternative to the separate registration of each motor vehicle in the fleet.*
- (b) *A system of consolidated registration under this section must allow the owner of a fleet of motor vehicles to register:*
 - (1) *An entire fleet of motor vehicles in the county of the owner's residence or principal place of business; or*
 - (2) *Those vehicles in a fleet of vehicles that are operated most regularly in the same county by registering the vehicles in that county.*
- (c) *The department by rule shall define "fleet" for purposes of this section.*
- (d) *The department may adopt rules to administer this section.*

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Sec. 502.0025. Effect of Certain Military Service on Registration Requirement.

- (a) *This section applies only to a motor vehicle that is owned by a person who:*
- (1) *is a resident of this state;*
 - (2) *is on active duty in the armed forces of the United States;*
 - (3) *is stationed in or has been assigned to another nation under military orders; and*
 - (4) *has registered the vehicle or been issued a license for the vehicle under the applicable status of forces agreement by:*
 - (A) *the appropriate branch of the armed forces of the United States; or*
 - (B) *the nation in which the person is stationed or to which the person has been assigned.*
- (b) *Unless the registration or license issued for a vehicle described by Subsection (a) is suspended, canceled, or revoked by this state as provided by law:*
- (1) *Section 502.002(a) does not apply; and*
 - (2) *the registration or license issued by the armed forces or host nation remains valid and the motor vehicle may be operated in this state under that registration or license for a period of not more than 90 days after the date on which the vehicle returns to this state.*

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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 registration certificate from the department or a permit from the federal Surface Transportation Board.*
- (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 a motor vehicles used to transport passengers for compensation.*

- I. In cases where a public highway separates lands under the dominion or control of the owner of a motor vehicle, the operation of the vehicle by the owner, his agent or employees across the public highway does not constitute a use of the vehicle. Therefore, the vehicle need not be currently registered in order to move to and from the owner's land on either side of the highway.
 - A. If an owner's land on one side of the highway is not directly across from his land on the other side of the highway, then the owner may operate his unregistered vehicle along the highway in order to gain access to his separated lands; provided the owner's land on each side of such highway is within a reasonable distance of each other.
 - B. The privilege to operate an unregistered vehicle compliant with the above applies not only to lands separated by a public highway, but also applies to land or property within a city or town which is separated by a public street. For example, it is permissible for unregistered company owned vehicles to move, either laden or unladen, across or along a public street for a reasonable distance between establishments owned or controlled by the same company.
- II. Cities, counties or any other political subdivisions of this State are denied the authority to require owners of vehicles to purchase license plates from such municipality, county or subdivision.

Refer to Transportation Code Section 502.257 for additional information concerning initial registration.

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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*
- (3) a county assessor-collector or a deputy county assessor-collector*

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Sec. 502.005. Refusal to Register Unsafe Vehicle.

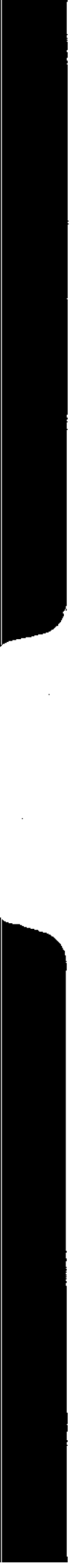
- (a) The department may refuse to register a motor vehicle and may revoke a registration if the department determines that a motor vehicle is unsafe, improperly equipped, or otherwise unfit to be operated on a public highway.*
- (b) The department may refuse to register a motorcycle and may suspend or revoke the registration of a motorcycle if the department determines that the motorcycle's braking system does not comply with §547.408.*

- I. Miniature automobiles, miniature motorcycles (mini bikes), golf carts, etc., are not designed for operation on the public streets or highways of this State since they usually do not meet safety requirements. Slow-moving vehicles designed to operate at a maximum speed of twenty-five miles per hour or less are exempt from the safety inspection requirement but must display a "slow-moving vehicle emblem" if operated on the public streets.
- II. Slow-moving vehicles which meet this criteria may be registered if a statement of fact for a slow-moving vehicle, "Affidavit of Fact to Support an Application for Certificate of title for 'Slow Moving Vehicle,' such as Golf Carts or other Miniature Vehicles," Form VTR-471, can be completed and attached to the application for title and registration.
- III. Golf carts are not required to be registered, titled, or display a "Slow moving vehicle emblem" only if the operation:
 - A. occurs during daylight hours, and
 - B. does not exceed a distance of two miles from the point of origin to the destination if driven to and from a golf course; or
 - C. occurs entirely within a master planned community with a uniform set of restrictive covenants that has had a plat approved by a county or municipality; or
 - D. occurs on a public or private beach.

However, Section 502.284(b) provides for the registration of golf carts under certain conditions. Currently, only those golf carts in Grayson County meet these criteria.

- IV. When the department receives a photograph of a rebuilt vehicle in support of an application for title and the photograph indicates the vehicle obviously will not meet the safety requirements, the application shall be rejected for a Standard of Safety Statement, Form VTR-470. Furthermore, the department may revoke any registration that has already been issued to the vehicle.
- V. If a sand buggy, dune buggy, racecar, or any other vehicle cannot meet the safety inspection requirements, the vehicle cannot be registered. Therefore, if moved to a place of off-highway operation, the vehicle must be transported upon a properly registered truck, trailer, or semitrailer. If the vehicle is being towed, it must display a One-Trip Permit.

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Chapter 2

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Sec. 502.006. All-Terrain Vehicle.

- (a) *Except as provided by Subsection (b), a person may not register an all-terrain vehicle, with or without design alterations, for operation on a public highway.*
 - (b) *The state, a county, or a municipality may register an all-terrain vehicle for operation on a public beach or highway to maintain public safety and welfare.*
 - (c) *The owner of an all-terrain vehicle that is not authorized to operate on a public beach or highway and that is used or to be used on public property shall apply each year to the department, though the assessor-collector of the county in which the person resides, for off-highway registration of the vehicle for the registration year in which the application is made or the succeeding registration year.*
 - (d) *For off-highway registration of an all-terrain vehicle, the department shall issue;*
 - (1) *a registration certificate; and*
 - (2) *a number decal or sticker of appropriate size and design as determined by the department, in lieu of a license plate.*
 - (e) *Section 502.172 does not apply to an all-terrain vehicle.*
-
- I. Three and four-wheel all-terrain vehicles used or to be used upon public property of this State are required to be registered with off-highway all-terrain vehicle registration.
 - A. The annual fee for the registration of an all-terrain vehicle is a flat fee of \$6.30. In addition to the registration fee, a \$6 all-terrain vehicle safety fee is required.
 - B. A special all-terrain vehicle registration sticker is issued for display on the handle bars of the vehicle or a location at the front of the vehicle so that the year of expiration and the registration number are visible. This sticker is an annual sticker expiring March 31st of each year.
 - C. All-terrain vehicles registered with Exempt License Plates by a State, county, or municipal exempt agency shall apply directly to the department. Refer to Transportation Code Section 502.201.
 - II. A person operating an all-terrain vehicle on public property is required to carry an all-terrain vehicle safety certificate. This certificate is issued by the Texas Department of Public Safety and certifies that the operator has completed a Safety Education and Certification Program.
 - III. If during the registration year the owner of an all-terrain vehicle wishes to sell the vehicle, it is transferred in the same manner as any vehicle displaying annual registration. It is not necessary to collect another all-terrain vehicle safety fee as this is an annual fee and is transferable. It is the responsibility of the purchaser to obtain the required safety certificate for operation of the all-terrain vehicle on public property.
 - IV. If an all-terrain vehicle registration sticker becomes lost, stolen, or mutilated, the owner may secure a replacement sticker from the tax collector in their county of residence for a fee of \$5.30.

- V. Transportation Code Section 663.037 provides that the operator or an all-terrain vehicle may drive the vehicle on a public street, road, or highway that is not an interstate or limited access highway if:
- A. the transportation is in connection with the production, cultivation, care, harvesting, preserving, drying, processing, canning, storing, handling, shipping, marketing, selling, or use of agricultural products, as defined by Section 52.002, Agriculture Code;
 - B. the operator attaches to the back of the vehicle on top of a eight-foot-long pole a triangular orange flag;
 - C. the vehicles headlights and taillights are illuminated;
 - D. the operator holds a driver's license, as defined by Transportation Code Section 521.001;
 - E. the operation of the all-terrain vehicle occurs in the daytime; and
 - F. the operation of the all-terrain vehicle does not exceed a distance of 25 miles from the point of origin to the destination.

Note: All-terrain vehicles covered by Section 663.037 are not required to display the ATV registration sticker.

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 distinctive lettering designation and include the word "moped."*

- I. A moped is defined as a motor-driven cycle whose speed attainable in one mile is not more than 30 mph and that is equipped with a motor that produces not more than two-brake horsepower. If an internal combustion engine is used, the piston displacement may not exceed 50cc and the power drive system may not require the operator to shift gears.
 - A. The Texas Department of Public Safety publishes a list of vehicles which have been certified as mopeds and vehicles previously classified as motor-assisted bicycles. Vehicles included on the list must be registered with a Moped License Plate, and the applicant must apply for an application for certificate of title.
 - B. When the owner of a certified moped applies for registration or renewal of registration, a distinctive Moped License Plate shall be issued. The month of expiration is determined by the registration period assigned, which is one year from the date of application, as in the case of motorcycles.
- II. In the event an individual installs a motor on a bicycle, the motor must be certified by the Department of Public Safety before the vehicle can be classified as a moped. If the motor has been certified, the license receipt and application for title should show the make as the trade name of the bicycle; or if no trade name, "Assembled;" and the frame number should be shown as the vehicle identification number. If an acceptable frame number is not available, an assigned vehicle identification number must be obtained from the department.

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Sec. 502.0075. Electric Bicycles.

- (a) *In this section, "electric bicycle" has the meaning assigned by Section 542.301.*
- (b) *This chapter does not require the owner of an electric bicycle to register the electric bicycle.*

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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:*
 - (A) *tax purposes; or*
 - (B) *the purpose of determining eligibility for a state public assistance program.*
- (c) *The department shall provide a dedicated line to its vehicle registration record database for use by other state agencies. The access to or transmission of information under this subsection does not affect whether the information is subject to disclosure under Chapter 552, Government Code.*
- (d) *This section does not authorize the release of information that is prohibited from disclosure under Chapter 730.*

- I. The Department of Transportation and the county tax collectors are prohibited from releasing motor vehicle registration information to the public in response to telephone inquiries by license number.
- II. If an individual wishes to obtain registration information by license number, they may do so by submitting a completed request for Texas Motor Vehicle Information, Form VTR-275, to a Vehicle Titles and Registration Division Regional Office or the Headquarters Office in Austin.
- III. Personal information from a Motor vehicle record may only be released in accordance with Transportation Code, Chapter 730. (See Chapter 730 for detailed information.)
- IV. Chapter 552, Government Code. Public Information Act (formerly Open Records Act). The Texas Public Information Act provides that information "...this is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body or for a governmental body..." is public information and must be made available to the public (Section 552.021). However, Chapter 552 also provides exceptions for certain types of requests and certain information.

A. *Government Code Section 552.027. Requests for Information from Incarcerated Individuals.*

House Bill 949, Acts of the 74th Legislature, 1995, amended Chapter 552, Government Code, in relation to requests for information from incarcerated individuals. This legislation does encompass personal information contained in the Vehicle Titles and Registration records, such as a request for license plate verification or a title history.

If one is able to determine that a request for information is from an individual who is imprisoned or confined in a correctional facility, the request is to be denied, UNLESS it is for personal information specifically pertaining to that individual. Determination of whether that requestor is an inmate may be based on, but is not limited to, a return address or the content of the request. One may not, under any circumstances, ask whether the requestor is imprisoned or confined in a correctional facility.

Note: "Correctional facility" is defined as "a place designed by law for the confinement of a person arrested for, charged with, or convicted of a criminal offense." The term correctional facility includes municipal or county jails, a confinement facility operated by, or under contract with, any division of the Texas Department of Criminal Justice, and a community corrections facility operated by a community supervision and corrections department.

B. *Government Code Section 552.130. Exception: Motor Vehicle Records.*

(a) *Information is excepted from the requirements of Section 552.021 if the information relates to:*

- (1) *a motor vehicle operator's or driver's license or permit issued by an agency of this state;*
- (2) *a motor vehicle title or registration issued by an agency of this state; or*
- (3) *a personal identification document issued by an agency of this state or a local agency authorized to issue an identification document.*

(b) *Information described by Subsection (a) may be released only if, and in the manner, authorized by Chapter 730, Transportation Code.*

If motor vehicle title or registration information is requested under the Public Information Act, it may only be released to the requestor in accordance with the provisions of Chapter 730, Motor Vehicle Records Disclosure Act. (For further information, see Chapter 43 in this manual).

- C. *Government Code Section 552.222. Permissible Inquiry by Governmental Body to Requestor.*
- (a) *The officer for public information and the officer's agent may not make an inquiry of a requestor except to establish proper identification or except as provided by Subsection (b) or (c).*
 - (b) *If the information requested is unclear to the governmental body, the governmental body may ask the requestor to clarify the request. If a large amount of information has been requested, the governmental body may discuss with the requestor how the scope of the request might be narrowed, but the governmental body may not inquire into the purpose for which the information will be used.*
 - (c) *If the information requested relates to a motor vehicle record, the officer for public information or the officer's agent may require the requestor to provide additional identifying information sufficient for the officer or the officer's agent to determine whether the requestor is eligible to receive the information under Chapter 730, Transportation Code. In this subsection, 'motor vehicle record' has the meaning assigned that term by Section 730.003, Transportation Code.*

This section provides the authority to request sufficient information from a requestor to determine if they are eligible to receive the motor vehicle record information under Chapter 730.

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Sec. 502.009. Motor Vehicle Emissions Inspection and Maintenance Requirements.

(a) *The Department of Public Safety shall ensure compliance with the motor vehicle emissions inspection and maintenance program through a vehicle inspection sticker-based enforcement system except as provided by this section. Subsections (b)-(e) apply only if the United States Environmental Protection Agency determines that the state has not demonstrated, as required by 40 C.F.R. Section 51.361, that sticker-based enforcement of the program is more effective than registration-based enforcement and gives the Texas Natural Resource Conservation Commission or the governor written notification that the reregistration-based enforcement of the program, as described by those subsections, will be required. If Subsections (b)-(e) are made applicable as provided by this subsection, the department shall terminate reregistration-based enforcement of the program under those subsections on the date the United States Environmental Protection Agency gives the Texas Natural Resource Conservation Commission or a person the commission designates written notification that reregistration-based enforcement is not required for the state implementation plan.*

The United States Environmental Protection Agency (EPA) has determined motorist compliance enforcement through registration of registration denial is required.

- (b) *The department may not register a motor vehicle if the department receives from the Texas Natural Resource Conservation Commission or the Department of Public Safety notification that the registered owner of the vehicle has not complied with Subchapter F, Chapter 548.*
- (c) *The county tax assessor-collector may not register a vehicle denied registration under Subsection (b) unless the tax assessor-collector has verification that the registered vehicle owner is in compliance with Subchapter F, Chapter 548.*
- (d) *The department, the Texas Natural Resource Conservation Commission, and the Department of Public Safety shall enter an agreement regarding the responsibilities for costs associated with implementing this section.*
- (e) *A county tax assessor-collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to provide verification of the person's compliance with Subchapter F, Chapter 548.*

- I. **Vehicles Subject To Program.** The inspection and maintenance program applies to any gasoline-powered vehicle that is:
 - A. required to be registered in and is primarily operated in affected counties; and
 - B. at least two and less than 25 years old.
- II. In addition, the program applies to:
 - A. a vehicle with United States governmental plates primarily operated in affected counties;
 - B. a vehicle operated on a federal facility in affected counties; and

- C. a vehicle primarily operated in affected counties that are exempt from motor vehicle registration requirements or eligible under Chapter 502, Transportation Code, to display an 'exempt' license plate.
- III. This program will apply to any vehicle that falls in the above categories within any county in Texas that is **currently classified** as an affected area, **or may be classified** as an affected area by the United States Environmental Protection Agency.
- A. If a vehicle has failed to comply with the vehicle emissions and inspection maintenance program, the Texas Commission on Environmental Quality (TCEQ) shall inform the Texas Department of Transportation of the failure and a notation will be placed on the vehicle record. This notation will be shown in the indicator box on the RTS Screen REG003. The TCEQ will notify the Texas Department of Transportation to remove the notation once the vehicle has complied with the emission inspection. The tax assessor may not issue registration or reregistration to any vehicle on which this notation is shown, unless the owner provides the prescribed form showing the vehicle has passed emissions testing, or that a waiver was issued to the vehicle. The notations are:
 - 1. "TCEQ-EMISSIONS PGRM NON-COMPLIANCE," or
 - 2. "DPS-EMISSIONS PGRM NON-COMPLIANCE."
 - B. If a notation is on the vehicle record that the vehicle has failed program compliance, the tax assessor-collector shall, as a prerequisite to issuing registration or reregistration, verify that the vehicle has subsequently passed the emissions testing. Verification will consist of a form issued by the Texas Department of Public Safety, signed by a certified vehicle inspector, that the vehicle has passed its emissions inspection. The form should have the date the vehicle passed the vehicle emissions inspection, as well as the vehicle identification number and description of the vehicle.
 - C. If the registered owner of a vehicle presents a certificate issued by the Texas Department of Public Safety that issues a waiver to the vehicle, the tax assessor-collector shall issue registration or reregistration for that vehicle.
- IV. If a vehicle registered in a county adjacent to an affected county is detected operating and exceeding acceptable emissions limitations in an affected county, the Department of Public Safety will provide notice to the registered owner of the vehicle.
- A. The notice will explain how the owner must proceed to obtain and pass a verification emissions inspection.
 - B. If the registered owner of the vehicle fails to comply, a notation will be placed on the vehicle record and reregistration of the vehicle must be denied until proof is provided that the vehicle has passed a verification emissions inspection.
- V. The program does not apply to a:
- A. motorcycle;
 - B. slow-moving vehicle, defined by Section 547.001, Transportation Code as:
 - 1. a motor vehicle designed to operate at a maximum speed of 25 MPH or less, or
 - 2. a vehicle, implement of husbandry, or machinery, including road construction machinery, that is towed by:

- a. an animal; or
- b. a motor vehicle designed to operate at a maximum speed of 25 MPH or less; or circus vehicles.

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Chapter 3

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SUBCHAPTER B. STATE ADMINISTRATION

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.

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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.*
-
- I. A 30-cent reflectorization fee shall be collected each time a metal license plate, set of plates, validation sticker, or plate and validation sticker is issued, regardless of the classification of vehicle to which such plates and/or sticker is issued. The 30-cent reflectorization fee has been incorporated into all registration fee schedules.
 - II. The 30-cent reflectorization fee does not apply to additional weight fees or temporary permit fees. (Also refer to Transportation Code Section 502.170).

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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 not be less than the profit received by the Texas Department of Corrections for manufacturing license plates for use in 1974.*

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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.*

The Texas Department of Transportation, acting through the Executive Director, is granted broad authority in entering reciprocal agreements with other States and Provinces of Canada. For information regarding the privileges agreed upon between Texas and other States, Mexico and Provinces of Canada refer to the Vehicle Titles and Registration Division publication entitled "Summary of Reciprocity Agreements between Texas and the other States." This publication also contains information pertaining to the following subjects:

Operation of Vehicles by Military Personnel

Operation of Vehicles displaying Foreign License Plates

Student Reciprocity

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Sec. 502.055. Determination of Weight.

- (a) *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.*
- (b) *The department may require an applicant for registration under this chapter to provide the department with evidence of:*
 - (1) *the manufacturer's rated carrying capacity for the vehicle;*
 - (2) *the nominal tonnage rating of the vehicle;*
 - (3) *the gross weight rating of the vehicle; or*
 - (4) *any combination of information described in Subdivisions (1)-(3).*

This section provides the department with the authority to request the above stated evidence to determine the appropriate weight, net weight, or gross weight of a vehicle being registered.

I. Rates shall be computed by utilizing the following schedules of registration fees:

- | | |
|---|-----------------------|
| A. Passenger cars, City Buses, and Private Buses | Refer to Fee Chart 1 |
| B. Truck, Truck Tractor, and Motor Bus | Refer to Fee Chart 2 |
| C. Farm Trucks and Farm Truck Tractors, Soil Conservation Trucks and Truck Tractors | Refer to Fee Chart 3 |
| D. Combination and Token Trailer | Refer to Fee Chart 4 |
| E. Trailer, Semitrailer, and Travel Trailer | Refer to Fee Chart 6 |
| F. Road Tractor | Refer to Fee Chart 12 |
| G. Fertilizer Truck | Refer to Fee Chart 13 |

II. The 30-cent reflectorization fees and the \$5 minimum fees are incorporated in all registration fee charts.

- A. The \$5 minimum fee represents the minimum fee to be collected when issuing a registration.
- B. The \$5 minimum fee does not apply when figuring credit for additional weight fees and exchanges nor to additional fees collected on Special Category License Plates issued on an exchange basis to currently registered vehicles. The prorated credit amounts shown immediately beneath the \$5 minimum fees should be used for these purposes.

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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.*

When there is doubt as to the proper classification of a vehicle, the department should be contacted, and all the details involved should be explained. A photograph of the vehicle must also be submitted when the department is requested to classify a vehicle. The department is the only State agency authorized by law to determine the classification of motor vehicles when doubts or disputes have arisen.

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Chapter 4

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SUBCHAPTER C. COUNTY ADMINISTRATION

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 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.*

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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*

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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*

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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.*

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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.

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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.

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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.*

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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.*

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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 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.*

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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.

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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.*

The department recommends that the deputies in a substation be bonded in the same manner as those in the main tax office. The amount of the bond should be commensurate with the volume of business handled.

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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.*

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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.*

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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.*

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Chapter 5

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SUBCHAPTER D. REGISTRATION PROCEDURES AND FEES

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 a 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.*

- I. The statute requiring motor vehicle owners to make application for registration was superseded by the Certificate of Title Act which provides, among other things, that an application for title must be filed with the County Tax Assessor-Collector for each motor vehicle that is required to be registered.

- A. One application is sufficient; the application for title will serve in lieu of the requirements as stated in the preceding statute.
 - B. The department maintains a master vehicle record in its computer system for each vehicle registered and/or titled in Texas. From these records, a License Plate Renewal Notice, Form 39A, is printed and mailed to each vehicle owner.
 - 1. Renewal notices may be presented to the tax assessor-collector for renewal of registration in lieu of a certificate of title.
 - 2. In the absence of a renewal notice or certificate of title, the applicant may present the previous year's license receipt, or verification of Texas title/registration as proof of ownership for registration renewal purposes under the conditions outlined in Section VII and VIII.
- II. When renewing registration, each vehicle owner is granted a two-month registration renewal period; the month in which the current registration expires and the month immediately preceding the expiration month. The two-month renewal period will allow sufficient time for an owner to renew his current registration before it expires. License Plate Renewal Notices will be mailed to each vehicle owner approximately six to eight weeks prior to the vehicle's registration expiration date.
- A vehicle's registration renewal date may come due at a time when the owner will be on an extended vacation, temporarily working out-of-state, etc., and it is not be possible to renew registration before it expires (unless the owner has a temporary mailing address to enable him to register by mail). Under such conditions, the tax collector is authorized to register the vehicle for the forthcoming year in advance of the owner's proposed trip. In no instance may the vehicle's registration expiration month be changed. The license receipt is the owner's proof of registration, and should be utilized to accomplish such renewals. The funds should be entered in to the RTS system by using the "Additional Collectors" event.
- III. When a License Plate Renewal Notice, Form 39A, is presented in person for renewal of registration, it is not necessary to retain the notice in order to complete the renewal. Once the vehicle record has been retrieved and appears on the RTS workstation screen, the Renewal Notice may be discarded.
- A. If the RTS system is not functioning properly or if there are long lines of customers, the Registration Renewal Notice may be utilized to complete the renewal. In these cases, the validation sticker number labels and license plate number labels (if necessary) may be affixed to the Renewal Notice, and the transactions entered into RTS later during the same business day.
 - B. Renewal notices become valid license receipts when:
 - 1. The proper registration fee is collected;
 - 2. The renewal label is properly attached to the correct portions of the renewal notice; and
 - 3. Each copy of the renewal is dated.

- C. License Plate Renewal Notices are prepared for all classes of vehicles except:
1. Vehicles last registered with temporary registration permits, such as 72-Hour Permits, 144-Hour Permits, Temporary Agricultural Permits, etc.
 2. Trailers and semitrailers with gross weights in excess of 4,000 pounds that have no title number or serial number as part of their master record. If the vehicle record indicates that regular registration is displayed on such vehicle, the RTS system will not allow the registration to be renewed because such vehicle must be titled.
 3. If the vehicles are farm vehicles and the vehicle record indicates farm registration is displayed, the registration renewal may be completed. All farm trailers and semitrailers are exempt from the Certificate of Title Act, provided the vehicles are used solely for the transportation of farm products and such farm products are not transported for hire. However, farm semitrailers with a gross weight over 4,000 pounds may be issued a title by the department under Transportation Code, Section 502.276.

Note: HB 2217, 77th Texas Legislature, effective 09/01/01, amended Subchapter B, Chapter 501, Transportation Code, by adding Section 501.036. This Section provides that the department may issue a title for a farm semitrailer with a gross weight over 4,000 pounds if: (a) in accordance with Transportation Code, Section 502.276, the farm semitrailer is eligible for registration; (b) the owner applies for a certificate of title under Transportation Code, Section 501.023; and (c) the owner pays the required fees under Transportation Code, Section 501.138.

4. Those classifications of vehicles for which relatively few license plates are issued annually.
- D. The information appearing on the License Plate Renewal Notice is printed from the master vehicle record maintained at headquarters in Austin.
1. The fees shown on the renewal notice are annual fees.
 2. Regular additional weights (not temporary) purchased during the current registration year become a part of that vehicle's master record. Consequently, when the annual fees are calculated for the forthcoming registration year, the total accumulated weight is indicated on the License Plate Renewal Notice, and the annual fee shown on the renewal notice is calculated on the basis of such accumulated gross weight.
- E. When the License Plate Renewal Notice is utilized, (such as at a subcontractor's office) care must be exercised to ensure that the correct labels are applied to it. When an incorrect label is applied to a renewal notice and cannot be removed without being destroyed, it should remain on the renewal notice. The correct label which corresponds to the sticker or plates being issued should than be applied over the incorrect label. The remaining validation sticker or license plates for which there is not label should later be issued when not utilizing the renewal notice.
- F. The copy of the License Plate Renewal Notice contains areas to update incorrect addresses. The address of the owner should always be the resident street address. If resident mail delivery is not available or the owner does not wish his residence

address to appear when the vehicle record is accessed, a P. O. Box number is acceptable. If a "P.O. Box" address is used as the owner's address or the renewal recipient address, counties should show the "P.O. Box" address in the "Owner Address" or "Renewal Recipient" fields and the resident street address in the "Vehicle Location Information" fields on the RTS "Owner Address" screen.

Note: Owners of fleet vehicles may show a post office box number in lieu of a street address.

- G. If an owner's multi-year license plates are over five years old and new plates are needed because the current plates are no longer serviceable, new plates may be issued at no additional charge upon request by the owner at the time of registration renewal. This limited reissuance of new multi-year license plates is referred to as the "Needs" program.
- H. The reflective value of license plate sheeting begins to deteriorate dramatically after eight years. Therefore, a mandatory recall program has been initiated to remove license plates from service which have reached or exceeded an eight year period and to issue new license plates which provide the necessary reflective qualities. The department began recalling and reissuing license plates effective with the registration year that expired May 31, 1988. This is referred to as the "License Plate Recall and Re-Issuance" program.

The License Plate Renewal Notice has been designed to indicate the age of the license plates on the County Copy of the form. In addition, the wording "NEW PLATES REQUIRED" will appear on those renewal notices which reflect a plate age of "7" or more.

1. If the block records an "7" or higher number, new license plates must be issued.
 2. If the block records a "4" or higher number, the applicant qualifies for new license plates under the "Needs" program. The plates may be issued at no additional charge.
 3. If the block records a "3" or lower number, the applicant does not qualify for new license plates under the "Needs" program (in this situation, the owner would be required to pay the \$5.30 replacement fee if new license plates are issued).
- IV. The tax assessor-collector is authorized by Transportation Code Section 502.101, to accept applications for registration and renewal of registration by mail. In addition to the regular registration fee, the statute provides that the tax collector may collect an additional service charge from each applicant to defray the cost of handling and postage to mail the registration receipt and insignia to the applicant.

The "cut-off" date for securing renewal or registration by mail is fifteen days prior to the vehicle's registration expiration date. This will allow the tax collectors approximately two weeks in which to process the mail-order renewal and mail the plates and/or sticker to the applicant before the current registration expires.

- V. If a license plate and/or validation sticker is lost in the mail, a "no charge" replacement may be issued provided the tax collector can verify the plate and/or sticker was actually mailed to the applicant. The owner is required to submit a Replacement application to the

tax collector, or the owner may sign the Replacement application on the back of the receipt. It is imperative that tax assessor-collectors maintain records on mail-order registration to determine that a registration was actually issued and mailed to the applicant.

- VI. If a renewal notice is presented to the tax collector more than one month subsequent to the expiration date of the previous registration, and the renewal notice is used to issue the registration and/or as verification of ownership, the applicant must also present some type of personal identification, such as a driver license, to ensure that the applicant is the owner whose name appears on the renewal form. If the applicant is not the person whose name appears on the renewal form, registration should be denied until the applicant presents a certificate of title to verify that ownership of the vehicle is recorded in the applicant's name.
- VII. If an owner advises that the renewal notice was not received and, further, that the owner's certificate of title has been lost or not received, the title has a lien recorded, or the registrant has been issued a Registration Purposes Only receipt, the tax collector may renew the registration if :
 - A. the owner presents evidence of title in the form of the previous renewal receipt issued in the owner's name for the preceding year; or
 - B. a title application receipt issued in the owner's name for the preceding year; or
 - C. a Registration Purposes Only receipt, if issued in the owner's name for the preceding year.

In this instance the tax collector should require identification (driver license) to verify the person applying for renewal is, in fact, the same person whose name appears on the receipt.

- VIII. In some instances an owner who has applied for a Texas Certificate of Title may not have received the title (if no lien is recorded) or renewal notice prior to the renewal period because the information has not yet been issued/processed by the department.

Information on the owner's Title Application Receipt, VTR-500-RTS or Form 31-RTS may be used to retrieve the vehicle record, which should have a "Title Awaiting Release" remark in the remarks box. The tax office must call the local VTR Regional Office for issuance of a "VTR Authorization Code," which allows the renewal transaction to be processed. Persons who have not received their title within three weeks of the date of application should contact the department for information on the status of their title application.

- IX. Renewals Not Received Due to Fraudulent/Questionable CCOs
 - A. According to the Texas Department of Public Safety, Motor Vehicle Theft Service (DPS, MVTS), there have been an increase in the amount of titles that are transferred with Certified Copies of Texas Titles that were obtained by fraudulent/questionable means without the true owner's consent.

- B. These situations are normally discovered when the actual owner attempts to renew the registration and the actual owner's record has been superseded due to a later title transfer. In instances such as this, an inspection of the vehicle identification number (VIN) must be performed.
- C. The inspection of the VIN can be performed by county personnel, Regional Office personnel, or by a law enforcement agency.
 - 1. If the inspection is performed at the county, the county will complete a statement of fact showing the VIN, year, make, owner, and date of inspection with a sentence indicating that the VIN matches the VIN on the vehicle. Upon completion of the VIN inspection, the counties will instruct the customer that the Regional Office will order a title history for their vehicle and they will be contacted by the Regional Office personnel regarding further action when the title history is received.
 - 2. The vehicle inspection can also be performed by any law enforcement agency. If the inspection is done by law enforcement, the agency performing the inspection must sign the bottom portion of the Form 68-A. The customer will surrender the Form 68-A to the Regional Office. If a title history has not previously been ordered on the vehicle in question, the Regional Office will then order a title history.
 - 3. If a VIN inspection has not been performed at either the county or by a law enforcement agency, the Regional Office personnel will conduct an inspection of the VIN of the vehicle.
 - 4. If a customer comes to the Regional Office about a vehicle they own that no longer shows them as the owner in our records or such documentation is received from the county, the Regional Office personnel will immediately order a title history on the vehicle in question. Upon receipt of the title history, the Regional Office will determine if the vehicle was transferred to a new owner using a Certified Copy of Texas Title as evidence of ownership supposedly signed by the true owner of the vehicle.
- D. The title history may reveal that a fraudulent or questionable Certified Copy of Texas Title was surrendered to transfer the title for the current record in the system. The certified copy is questionable because the owner of the vehicle who is the customer that has possession of the vehicle supposedly signed it. If the VIN number on the vehicle matches the VIN number on the title and on the VIN inspection form (affidavit or Form 68-A), the Regional Office personnel will notify VDM to reinstate the true owner's title record and record the notation "VIN IN ERROR" on the later title record. The Regional Office personnel will contact the owner if the inspection was performed at the county or law enforcement agency to instruct them that registration can be purchased when the record has been reinstated. In addition, the Regional Office personnel will notify the county of the results of the investigation.

- E. The Regional Office will also notify the Texas Department of Public Safety (DPS) Motor Vehicle Theft Service (MVTs) about this title problem/situation. Notifications can be sent to the following address, or the notifications may be faxed:

Texas Department of Public Safety, Motor Vehicle Theft Service
5806 N. Lamar Blvd.
Austin, Texas 78773-0440
Fax (512) 424-2348
Attention: Commander David Griffith.

This notification should include a computer printout of the vehicle in question; a copy of the title history for the vehicle; a copy of the customer's title reflecting their ownership; and a statement that the inspection is due to the issuance of a possible fraudulent/questionable Certified Copy of Texas Title used as evidence for a title transfer.

- F. DPS, MVTs will conduct their investigation regarding the fraudulent/questionable CCO used to complete the title transaction. The Regional Office will hold the file containing the paperwork on the questionable Certified Copy of Texas Title until contacted by DPS, MVTs regarding the results of their investigation. If the Regional Office is instructed to revoke the title issued due to the title transfer supported by the fraudulent Certified Copy of Texas Title, the Regional Office will mail the file to the Customer Information Services Branch (CIS) for revocation of the title.
- G. If the title history reveals that the title was transferred due to a human error (such as the incorrect VIN or license plate number being accessed during the transfer), the customer will be instructed to bring their vehicle and ownership documents (title, receipt for application of title, and/or registration receipt) to the Regional Office for inspection if an inspection has not been performed at the county or by a law enforcement agency.
- H. If the VIN on the vehicle matches the VIN on the owner's title, the Regional Office will notify VDM to reinstate the title record and place a "VIN IN ERROR" on the subsequent title record. After the record is reinstated, the owner can renew their vehicle registration through their county tax office. If the vehicle inspection was performed at the county or law enforcement agency, the Regional Office personnel will notify them that once the vehicle record is reinstated, vehicle registration can be purchased at the county. The Regional Office personnel will also notify the county regarding the reinstatement of the title record.
- X. Messages printed out on remote inquiry terminals (operated by the VTR or offices of the County Tax Assessor-Collectors) will be acceptable as verification of title and current registration, provided they are validated with the date and name of the issuing agency.
- XI. When an applicant presents a title or license receipt, or other verification of title as evidence of ownership for registration renewal purposes, the County Tax Assessor-Collectors are requested to require the applicant to present the applicant's driver license or other satisfactory personal identification before issuing registration.
- XII. When renewing registration without the aid of a renewal notice, it is the applicant's responsibility to furnish evidence of his previous registration.

- XIII. An owner of a motor vehicle previously registered out-of-state must present to the tax assessor-collector proper evidence of ownership and file application for title before the vehicle can be registered and new plates issued.
- A. If an owner requires a negotiable title but has lost the proper evidence of ownership to the vehicle, the owner must apply to the Motor Vehicle Authorities of the state in which the vehicle was last titled, (or registered, if from a nontitle state) for duplicate ownership papers before the vehicle can be registered or the application for title accepted.
 - B. Registration Purposes Only title receipts are issued to both residents and nonresidents who do not possess the necessary evidence to obtain negotiable Texas Certificate of Title and to nonresidents who do not wish to relinquish such evidence provided that in all cases the vehicle involved was last registered or titled out-of-state. (Refer to the Vehicle Title Manual, Section 501.029 for a complete discussion of Registration Purposes Only title receipts.)
 - C. Under no condition may a Registration Purposes Only title receipt be issued to a new vehicle, which has not previously been registered or titled.
- XIV. Effective September 1, 1999 a person may apply for a negotiable Texas Certificate of Title for a motor vehicle without applying for registration under certain conditions. Refer to Sec. 502.002 (II) in this Manual for a detailed explanation.

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 or another jurisdiction.*
- (b) *This section does not apply to an automobile that was purchased new before January 1, 1936.*

A certificate of title is a prerequisite for registration for any vehicle for which a certificate of title is required under Transportation Code Section 501.022. This section does not apply to automobiles that were purchased new before January 1, 1936.

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Sec. 502.153. Evidence of Financial Responsibility.

- (a) *Except as provided by subsection (j), 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) *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 or an electronic submission.*
- (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;*
 - (3) *a photocopy of a document described by Subdivision (1) or (2); or*
 - (4) *an electronic submission of a document or the information contained in 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 or electronic submission.*

- (i) *To be valid under this section, an electronic submission must be in a format that is:*
 - (1) *submitted by electronic means, including a telephone, facsimile machine, or computer;*
 - (2) *approved by the department; and*
 - (3) *authorized by the commissioners court for use in the county.*
- (j) *This section does not apply to a vehicle registered pursuant to Section 501.0234.*

I. Registrants of motor vehicles must provide valid proof of financial responsibility in the minimum amounts required by law at the time of initial registration, renewal of registration or transfer of registration. However, effective May 28, 1999, Texas licensed motor vehicle dealers are no longer required to provide proof of financial responsibility when the dealer is applying for title and registration for the purchaser.

In addition, there are a few types of transactions where proof of financial responsibility is not required.

- A. A county tax collector is not liable to any person for refusing to register a motor vehicle subject to these provisions because of the person's failure to submit acceptable proof of financial responsibility. Additionally, 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 are not liable to any person for registering a motor vehicle subject to these provisions. If unsure in regard to the acceptability of a document presented as proof of financial responsibility, the county tax collector should contact the Texas Department of Insurance.
- B. The proof of financial responsibility should be examined to determine if it complies with the items acceptable as evidence. The tax assessor-collector is not precluded from registering a vehicle if the registrant presents evidence other than the items listed below, if such evidence appears to be valid proof of financial responsibility for the vehicle being registered.
- C. Original documents are to be returned to the registrant regardless of whether registration is accomplished in person or by mail. However, photocopies are not required to be returned.
- D. Whenever proof of financial responsibility is required for registration of a vehicle, a separate document must be provided to the registrant. The Form D12-402, contains a statement regarding the operation of motor vehicles in this State with the minimum amounts of liability insurance coverage required by law.
- E. Proof of financial responsibility will not be required in the following cases:
 - 1. A Form 130-U filed in the name of an insurance company due to the payment of a total loss on an unrecovered vehicle
 - 2. A Form 130-U filed to transfer the security interest in a motor vehicle ("LIEN TRANSFER/NCO") with **no change in ownership**,

3. A Form 130-U filed to correct the vehicle description or to add or delete a lien with **no change in ownership**,
 4. A Form 130-U filed on a motor vehicle to be registered with Apportioned License Plates (proof required when plates are obtained at a Vehicle Titles and Registration Division Regional Office.
 5. A Form 130-U (or Form 31-RTS) and Form VTR-131 filed on a motor vehicle to be titled, but not registered. (See Sec. 502.002 in this Manual.)
 6. A request for replacement plates;
 7. The surrender of current license plates to be replaced by special license plates such as Collegiate, State Capitol, Armed Forces Reserve, etc., or
 8. An application for initial issuance or renewal of Antique License Plates supported by a copy of an Affidavit Relating to Mandatory Liability Insurance Exemption for Certain Antique Vehicles under Transportation Code Section 601.152, which has been filed with the Texas Department of Public Safety.
 9. When an application is made for issuance of the following:
 - a. All-terrain vehicle sticker,
 - b. Dealer License Plate,
 - c. Disaster Relief License Plate,
 - d. Exempt License Plate,
 - e. Trailer License Plate (any type),
 - f. In-transit License Plate,
 - g. Log Loader License Plate,
 - h. Machinery License Plate,
 - i. Parade License Plate,
 - j. Permit License Plate,
 - k. Manufacturer's License Plate,
 - l. Single Tow Truck License Plate.
- II. Evidence of financial responsibility or a photocopy of the evidence satisfies the requirement of proof at the time of initial registration, renewal of registration, or transfer of registration provided it is valid. Such evidence shall include, but is not limited to:
- A. A liability insurance policy or liability self-insurance or pool coverage document issued in at least the minimum amounts required by law;
 - B. A standard proof of liability form issued by a liability insurer that includes:
 1. the name of the insurer,
 2. the insurance policy or other coverage document number,
 3. the policy or other coverage document showing coverage period,
 4. the name and address of each insured or covered person,

5. the policy or other coverage document limits or statement that the coverage of the policy complies with at least the minimum amounts of liability insurance required by law, and
6. the vehicle identification number, make and model of each covered vehicle.

Note: Other liability insurance cards that may not contain all the information specified in items (A) through (F) are also acceptable.

- C. 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 law;
 - D. 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;
 - E. 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 an amount not less than \$55,000;
 - F. 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; and
 - G. 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 an amount not less than \$55,000.
 - H. When a Texas Automobile Insurance Plan Association Insurance Binder is issued to an applicant, the binder is legitimate proof of the automobile liability insurance required under the Texas Motor Vehicle Safety Responsibility Act. According to the Texas Department of Insurance the new electronic insurance binder is acceptable as proof of financial responsibility at the time of registration.
- III. The Texas Transportation Commission adopted rules that provide an alternative to the normal proof of liability insurance for motor carriers. A motor carrier with operating authority issued by the Motor Carrier Division may submit a current vehicle registration listing or a current international stamp, either of which should be considered equal to valid evidence of financial responsibility or liability insurance. The listing or the stamp will be acceptable when the motor carrier applies for a motor vehicle registration or a temporary registration permit.
- IV. "No fault" insurance is not acceptable as proof of financial responsibility.
- V. Proof of financial responsibility from out-of-state or out-of-country is acceptable provided the insurance coverage is at least the minimum amounts required by the Texas Motor Vehicle Safety-Responsibility Act (Transportation Code Section 601.052). Such proof must contain the information required in II above.
- VI. Transportation Code Section 502.157, maintains that acceptable proof of financial responsibility upon initial registration or transfer of registration of a motor vehicle at the time of title application to include:
- A. Valid proof on any vehicle the title applicant owns, or
 - B. Valid proof of a vehicle owned by the title applicant and used as a trade-in on the vehicle to be registered and titled.

Note: This means of acceptable proof of financial responsibility is valid provided it is submitted with the application for title within 30 days of the date of purchase. If such proof is a personal automobile policy, it must be written for a term of 30 days or more.

- VII. Only valid proof of financial responsibility for a motorcycle is acceptable to support an application for transfer of a motorcycle. Valid proof must be on the motorcycle being registered and titled in the applicant's name, on a motorcycle used as a trade-in on the new motorcycle, or on any motorcycle owned by the title applicant.
- VIII. Additionally, the definition of the term "owner" includes a person who represents the owner for purposes of obtaining registration to a vehicle.

and the financial responsibility

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Sec. 502.1535. Evidence of Vehicle Emissions Inspection.

A county assessor-collector may not register a motor vehicle subject to Section 548.3011 unless proof that the vehicle has passed a vehicle emission test as required by that section, in a form authorized by that section, is presented to the county assessor-collector with the application for registration.

If a vehicle registered in a county adjacent to an affected (non-attainment) county is detected operating and exceeding acceptable emissions limitations in an affected county, the Department of Public Safety will provide notice to the registered owner of the vehicle.

1. The notice will explain how the owner must proceed to obtain and pass a verification emissions inspection.
2. If the registered owner of the vehicle fails to comply, a notation will be placed on the vehicle record and reregistration of the vehicle must be denied until proof is provided that the vehicle has passed a verification emissions inspection.

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Sec. 502.154. Report by County Assessor-Collector.

A county assessor-collector shall submit an annual report to the Texas Natural Resource Conservation Commission and the department that shows:

- (1) the number of registrations denied because of the applicant's failure to provide an original emissions inspection certificate or a valid waiver;*
- (2) the number of registrations denied because of the failure to provide proof of residency; and*
- (3) an itemized accounting of the costs to the county of administering Sections 502.002 and 502.006(a), (b), and (c)*

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Sec. 502.155. Proof of Residency Required in Certain Counties.

Repealed by Acts 1997, 75th Leg., ch. 165, § 30.44(d), eff. Sept. 1, 1997

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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.

A rebuilt vehicle is one that is constructed from the three main component parts of other vehicles. These component parts are the motor, frame and body. Such vehicles must be titled as a prerequisite to registration. (For a complete discussion of rebuilt vehicles, refer to the Certificate of Title Manual.)

Note: If registration is required, the rebuilt vehicle must be registered with new license plates. Under no conditions may license plates issued for another vehicle be transferred to the rebuilt vehicle.

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Chapter 6

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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.*

I. Every person who holds legal title or has the legal right of possession or control of a vehicle that is required to be registered must purchase annually the registration for the vehicle in the county in which the individual resides. Therefore, it is the responsibility of the tax assessor-collectors and their deputies to establish the applicant's residence prior to the issuance of registration.

A. For motor vehicle registration purposes, the residence of an individual is the place of domicile or permanent abode.

1. The residence of a single person is where that individual sleeps at night; that of a married person is where that individual's spouse resides, or if permanently separated, the residence is where the individual sleeps at night.
2. It is the place where the family dwells or where the person makes the chief seat of the individual's affairs and interests.
3. If an person owns a farm or ranch in a county other than the individual's county of legal residence, and owns vehicles which are permanently stationed at such farm or ranch, the vehicles may be registered in the county in which they are located, provided the vehicles are registered by an agent who resides in that county and maintains legal possession of such vehicles.
4. Persons residing in one county and traveling to and from a place of regular employment in another county must register their vehicles in the county in which they reside.
5. If a person abandons all evidence of residency in a county, the individual should not be allowed to return to that county solely for registering vehicles.
6. Persons coming to Texas from out of state are not allowed to register their vehicles in any county as a matter of choice. Rather, each case should be determined on the basis of the county in which the individuals establish residency.

7. The residence of an officer or employee of the government of this State shall be construed to be where the individual's home was before the state employment or service unless the individual has become a bona fide resident of the location of government service.
8. A transient family living in any type of dwelling (including mobile homes) may register their vehicles in the county in which the family resides at the time they apply for registration, provided the family is, in fact, transient and does not have a permanent residence established in another county.
- B. A corporation, whether domestic or foreign, which has established residence in this State should register all vehicles owned by the corporation in the county of the corporation's principle place of business. However, if a domestic or foreign corporation owns motor vehicles that are permanently located in various counties of this State, the vehicles may be registered in the county in which the vehicles are headquartered.
- C. A partnership owned by two or more individuals having residence in different counties in this State may register their vehicles in the county of residence of either of the partners or the registration may be divided between the counties of residence of all the partners.
- D. A construction company may register the company's vehicles in the county where the company is involved in a construction project provided the work continues through the major portion of the registration year.
- E. Purchasers of new or used unregistered vehicles, when acquired outside the purchaser's county of residence, may file an application for title and registration (if required to be registered) in:
 1. the county where the vehicle was purchased;
 2. the county where the lienholder is located; or
 3. the purchaser's home county.
- F. Vehicles currently registered when purchased out-of-county must be registered for the forthcoming registration year in the purchaser's home county. However, an application for title may be filed in any one of the three counties as stated above.
- G. Registrations are a subterfuge when owners temporarily leave the county of their legal residence and remain in another county for a few days during the "Motor Vehicle Registration Year" for the purpose of registering motor vehicles without the intent of establishing a permanent residence.
- H. The penalty for owners registering in a county other than the owner's county of legal residence (except under the conditions as explained in paragraphs B, C, D, E and F) may be a fine in any sum not exceeding \$200, plus court cost. Also, each owner must reregister in the owner's home county from the date of the purchase of the out-of-county registration and pay a penalty equal to 20% of the applicable fee.
- I. An applicant may designate a new registration expiration month at the time of initial registration only under certain circumstances. Refer to Section 502.1585 in this Manual for a detailed explanation.

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:*
 - (1) *with the consent of the department, an owner may pay registration fees for a designated period of more than 12 months; and*
 - (2) *an owner of a vehicle may pay registration fees for a designated period of 12, 24, or 36 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) *The department shall issue the applicant for registration who pays registration fees for a designated period of 24 or 36 months a registration receipt and registration insignia that are valid until the expiration of the designated period.*

- I. Texas implemented a year-round (staggered) registration system on January 1, 1978. Under the staggered registration system, registration expiration dates in different months throughout the year are assigned to passenger cars, light trucks with manufacturer's rated carrying capacities of one ton or less, motorcycles, farm trucks, farm trailers, travel trailers, and trailers and semitrailers registered with regular trailer license plates.
 - A. When multi-year license plates are to be issued, a universal windshield sticker is issued that identifies the month and year of expiration. "Month" and "year" license plate stickers are issued to vehicles without windshields. An applicant may designate a new registration expiration month under certain circumstances. Refer to Section 502.1585 in this Manual for a detailed explanation.

In cases of delinquent registration when the County Tax Assessor-Collector determines there is a valid reason for being delinquent, the vehicle will be registered for a 12-month period. A new registration expiration month is established, which will end on the last day of the 11th month following the month of registration. "Month" and "year" license plate stickers will be issued for vehicles without windshields.

- B. All "annual" license plate classifications have the established expiration dates. The expiration month (MAR or JUN) and the appropriate expiration year is embossed on the license plates. Upon reregistration each year, a new plate or set of plates is issued. Validation stickers are not issued for "annual" license plates. A vehicle registered with an annual plate is not eligible to have its expiration month changed under Section 502.1585.

In cases of delinquent registration for a plate issued under Transportation Code, Sections 502.164 (Fertilizer), 502.167 (Truck-Tractor/Commercial/Semitrailer), 502.203 (Disaster Relief), 502.255 (Congressional Medal of Honor), 502.267 (Honorary Consuls), 502.277 (Cotton Vehicles), 502.278 (Soil Conservation), 502.293 (County Judges), and 502.295 (State Officials), the registration period will remain the same, and the fees will be prorated. The registration expiration month will not change.

- II. Every vehicle classification that displays multi-year license plates is eligible to register for a 12, 24, or 36-month registration period.
 - A. Current or preceding year model vehicles that have never been registered in this state or another state can now register for a 12, 24, or 36-month registration period through the Registration and Title system (RTS). All other multi-year registration periods will be processed according to existing procedures.
 - B. Vehicle classifications that display annual license plates will not be eligible to register for a multi-year period (24 or 36 months).
- III. The following paragraphs list the vehicle classifications that have the established expiration date of March 31st and June 30th. The lists also distinguish between multi-year and annual plates.
 - A. Multi-year License Plate Classification with March 31st Expiration Date:
 - 1. Antique Cars and Trucks
 - 2. Antique Motorcycles
 - B. Multi-year License Plate Classifications with June 30th Expiration Date:
 - 1. Armed Forces Reserve
 - 2. Texas Guard
 - C. Annual License Plate Classifications with March 31st Expiration Date:
 - 1. Combination
 - 2. Congressional Medal of Honor
 - 3. County Judge
 - 4. Disaster Relief
 - 5. Fertilizer Truck
 - 6. Soil Conservation
 - 7. State Judge
 - 8. State Official
 - 9. U.S. Congress (House, Senate)
 - 10. U.S. Judge

Note: Congressional Medal of Honor License Plates are issued exclusively by the department.

- IV. Registration renewal dates are staggered as evenly as possible in different months throughout the year. Each registration period assigned by this department consists of 12 consecutive months beginning on the first day of a calendar month and expiring on the last day of the last calendar month in that period. The procedure for assigning registration periods and collecting registration fees is as follows:
- A. New and out-of-state passenger cars, light trucks, motorcycles, and farm trucks, as well as farm trailers, travel trailers, token trailers, trailers, and semitrailers (registered with regular trailer license plates) shall be registered from the date of application for a period of 12 months, inclusive of the month in which the applicant applies for registration. For example, if an applicant applies for registration during the month of June, the annual license fee is collected for the 12-month period extending from June 1 through May 31 of the succeeding year. The applicant is issued multi-year license plates with a "May" expiration month and the appropriate year of expiration.
 - B. Texas titled vehicles retain the registration period originally assigned to them with the exception of the designation of a new expiration month allowed under certain circumstances. Refer to Transportation Code Section 502.1585 for a detailed explanation.
 - C. For new and out-of-state vehicles which come under the miscellaneous classifications with March 31 expiration dates, if registration is applied for during the months of January, February, or March, only the forthcoming year's validation sticker and/or plates should be issued; and the fee should be collected for 13, 14, or 15 months. However, if the owner elects to register for only the balance of the current year, the current year's validation sticker and/or plates should be issued and the fee collected for only 1, 2, or 3 months.
 - D. Unregistered Texas titled vehicles which have not been registered in Texas since prior to January 1, 1978, and thus, have never been assigned a registration expiration month under the year-round registration system, shall be registered in the same manner as prescribed for new and out-of-state vehicles in paragraphs A, B, and C above.
- V. A Department of Public Safety (DPS) verification form is required to support an application for Texas title and registration covering a vehicle that was last registered and titled or registered outside the State of Texas. The verification form, issued by a State approved Safety Inspection Station, is required by law to insure that the out-of-state vehicle has passed the Texas Safety Inspection and to verify the vehicle identification number appearing on the vehicle.

Military personnel will be required to submit a verification form in support of an application for Texas title and registration covering a vehicle that was last registered and titled or registered outside of Texas. For a complete discussion of the DPS verification form, refer to the Certificate of Title Manual.

- VI. Once a vehicle has been registered under the year-round registration system and the owner applies for renewal of registration at a subsequent date, the tax collector shall issue only a new universal windshield or license plate sticker, as applicable.

- A. If an owner fails to renew registration prior to midnight of the fifth working day after the last day of the month in which the owner's registration expires, the vehicle shall not be operated thereafter until the proper registration fee has been paid and a new universal windshield or license plate sticker or annual license plate(s), as applicable, has been issued and affixed to the vehicle.
- B. If an application for registration is filed more than one month subsequent to the date the previous year's registration expired, and the Tax Assessor-Collector determines there is a valid reason for being late, the Tax Assessor-Collector will register the vehicle for a full 12-month period that ends on the last day of the 11th month after the month in which the registration occurs. (A non-use affidavit or penalty is not required.)

If an application for registration is filed more than one month subsequent to the date the previous year's registration expired, and the Tax Assessor-Collector determines that there is not a valid reason for being delinquent, the Tax Assessor-Collector shall register the vehicle for a 12-month period without change to the initial month of registration. No registration penalty is charged.

- VII. Any person apprehended for operating an unregistered vehicle or a vehicle with expired registration shall be subject to a fine in any sum not to exceed \$200. In addition, such person is required to purchase Texas registration and pay a penalty equal to 20% of the prescribed fee. The prescribed registration fee for such apprehended vehicles is as follows:
 - A. Texas titled vehicles retain the registration period originally assigned to them. If apprehended unregistered or with expired registration, the registration fee is collected for the entire year or from the date of transfer if the vehicle was transferred to the present owner within the current registration period. Registration penalty is due.
 - B. New and out-of-state passenger cars, light trucks, motorcycles, farm trucks, farm trailers, travel trailers, and trailers and semitrailers registered with regular trailer license plates are registered from the date of apprehension for a 12-month period inclusive of the month in which the registration is to be issued.
 - C. New and out-of-state vehicles in the miscellaneous classifications with March 31 registration expiration dates are registered as of the date of apprehension through March 31 of the current registration period.
 - D. Refer to the Registration Guide in the Figures for additional information relative to apprehended vehicles.

VIII. Reregistration Under Different Registration Classification

After a vehicle has been registered under the year-round registration system and assigned a registration expiration month, the owner shall continue to reregister the vehicle within that registration period each year thereafter. However, if a vehicle's classification should change and the owner applies for reregistration under a different classification during a subsequent year, the registration period may be affected, depending on the classification change involved.

In such instances, the classification of the new license plates being issued shall dictate the registration expiration month assigned to the vehicle. For example, if the classification change involves the issuance of passenger plates for truck plates for a light truck (one ton or less), then the same expiration month that was originally assigned to the vehicle is retained. If the classification change involves the issuance of license plates that have the established registration expiration date of March 31, then the registration expiration month is March, regardless of the expiration month of the previous registration.

A. The proper renewal procedure for currently registered vehicles is as follows:

1. Passenger Vehicle Reregistered as Truck or Vice Versa: The registration expiration month will remain unchanged if the vehicle is currently registered, has a vehicle class of Pass/Trk, and the tonnage is shown on the record. Issue new passenger or truck plates and collect 12-month's registration fee.
2. Truck Reregistered as Farm Truck or Soil Conservation Truck: If a currently registered vehicle is reregistered as farm truck, the registration expiration month will remain the same. Issue new farm truck plates and the universal windshield sticker with the appropriate month and year. If reregistered with soil conservation plates, the registration expiration month must be changed to March; and the soil conservation license fee will be prorated for the unexpired portion of the current registration period ending March 31st.
3. Trailer Reregistered as Farm Trailer: The registration expiration month will remain unchanged since both classifications have year-round expiration dates. Collect the five dollar and thirty cent (\$5.30) "flat fee" and issue new plate. The appropriate "year" sticker and a "March" month sticker must be affixed to the plate by the deputy.

B. The following examples outline the procedures used when a vehicle displaying "reduced fee" or "flat fee" license plates, (such as Farm Plates, Disaster Relief Plates, etc.), is to be reregistered with regular commercial registration. Since these special plates are restricted in use, the applicant must be qualified to obtain the exemption from regular registration fees.

Situations requiring a vehicle displaying "reduced fee" or "flat fee" license plates to be reregistered with regular commercial registration occur when the vehicle has been transferred and the purchaser (who is not qualified for such plates) attempts to reregister the vehicle for the forthcoming year and transfer it into the purchaser's name at the same time.

1. Soil Conservation Truck Reregistered as Truck: The "March" expiration month on the soil conservation plates is retained as the expiration month for the new truck license plates. However, since soil conservation license plates are restricted "reduced fee" license plates, the truck plates must be issued as of the date of application; and credit will be allowed for the unexpired portion of the farm truck or soil conservation license fee. For example, if a Soil Conservation (March 31 expiration date) is reregistered with truck plates during the month of February, the truck fee will be collected for 14 months, and 2 month's credit will be allowed for the unexpired portion of the farm truck license fee.

2. Disaster Relief Vehicle Reregistered as Truck: Disaster Relief License Plates expire in March, and truck plates are staggered for 12 months. The truck plates must be issued as of the date of application, and no credit may be allowed for the disaster relief plates since they are restricted plates which are issued for a nonprorated "flat fee" of \$5.30. For example, if application for reregistration is filed in February, the truck fee shall be collected for 12 months (February through January 31 of following year), and no credit is allowed for the Disaster Relief License Plate.
 3. Farm Trailer: Reregistered as Regular Trailer: Issue the trailer plate with the appropriate month and year sticker and collect 12 months trailer license fee as of the date of application. No credit is allowed for the farm trailer plate.
- C. If a vehicle is being reregistered under a different registration classification which has a staggered registration expiration date (passenger, light truck, trailer, etc.) and the owner does not apply for reregistration until sometime after the old registration has expired, and a valid reason cannot be determined, the owner shall retain the same registration expiration date that was assigned under the previous registration.

IX. Wrong "Year" Sticker Issued By County

If a wrong "year" sticker is issued by the county and the applicant later discovers the error and returns the incorrect sticker to the tax office, it will be necessary for the county to exchange the incorrect sticker for the proper "year" sticker.

- A. Wrong "year" sticker issued but not affixed to the windshield or license plate: For example, a deputy issued a registration receipt showing a "July - 03" expiration date and collected the proper fee, but through error, the applicant was issued a "02" sticker. Later, the applicant returned to the tax office with the unused "02" sticker and pointed out the error. In this case, a "03" sticker must be issued on a no charge "even exchange" basis using the replacement events in RTS.
1. Require the owner to surrender his copy of the license receipt along with the returned "02" year sticker.
 2. Examine the license receipt to verify that the proper fee was collected.
 3. Attach the "03" sticker to the owner's copy of the replacement license receipt and give it to the owner.
- B. Wrong "year" sticker issued and affixed to the windshield or license plate: For example, a deputy issued a registration receipt showing a "December - 02" expiration date and collected the proper fee; but through error, the applicant was issued a "03" sticker instead of a "02" sticker. In this instance, the owner had already affixed the "03" sticker to his windshield or license plate before the discrepancy was noticed. Under these circumstances, a "02" year sticker must be issued on a no charge "even exchange" basis. The procedure is the same as stated in the preceding paragraphs, with the following exceptions.
1. The owner must bring the windshield sticker or license plate with the incorrect "year" sticker affixed to it and his license receipt to the tax office.

2. A new "02" year sticker must be issued by the deputy. If a plate sticker, affixed to the license plate over the incorrect "year" sticker.
3. The new license receipt is prepared and given to the customer. The incorrect sticker returned by the applicant, is attached to the owner's copy of the old license receipt and retained by the Tax Office for the normal retention period.

X. Wrong "Month" License Plate Sticker Issued By County

If the county issues the wrong "month" sticker, the applicant may obtain the proper "month" sticker by returning the incorrect sticker to the tax office along with his copy of the license receipt.

- A. The deputy must examine the license receipt to insure that the proper fee has been collected; and then the correct "month" sticker, as indicated on the license receipt, may be issued at no charge.
- B. It is not necessary to execute any type of license receipt or make any type of special notations. If the incorrect "month" sticker has already been affixed to the license plate, the applicant must bring his license plate and license receipt to the tax office; and the correct "month" sticker is issued and affixed over the incorrect "month" sticker by the deputy.

Important: The owner's copy of the license receipt is required to determine the correct expiration month assigned to the vehicle and to insure that the proper fee has been paid. The receipt should be returned to the applicant when the new "month" sticker is issued.

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Sec. 502.1585. Designation of Registration Period by Owner.

- (a) *This section applies only to a person who owns more than one motor vehicle or trailer that is subject to registration under this chapter.*
 - (b) *Notwithstanding Section 502.158, the owner of a motor vehicle or a trailer may designate an initial or a renewal registration period for that vehicle so that the registration period for the vehicle or trailer expires on the same date as the registration period for another vehicle or trailer previously registered by that owner.*
 - (c) *A registration period designated under this section must begin on the first day of a calendar month and end on the last day of a calendar month and may not be for less than 12 months.*
 - (d) *The registration fee for a registration period designated under this section is computed at a rate of one-twelfth the annual registration fee multiplied by the number of months in the designated registration period.*
 - (e) *The department shall issue an applicant for registration who pays registration fees for a designated period under this section a registration receipt and registration insignia that are valid until the expiration of the designated period.*
- I. Effective September 1, 1999 an owner of a motor vehicle or trailer has the option to change the vehicle's current registration expiration month to coincide with the month of another vehicle owned by the applicant. The tax office shall process the request only if the following criteria are met:
 - A. the owner owns at least one additional vehicle or trailer currently registered;
 - B. the expiration date chosen is in the same month as another vehicle currently registered by the applicant; and
 - C. the expiration date chosen is a minimum of 12 months from the time of registration.
 - II. An applicant may change the expiration month of a vehicle during initial registration or at the time of renewal.
 - III. The tax office should compute the registration fee as one-twelfth the annual registration fee multiplied by the number of months (minimum of 12) in the designated registration period.
 - IV. The tax office will provide a valid windshield sticker or other registration insignia until the end of the period designated by the applicant.

Example: An applicant's registration expires in June, and they wish to change the expiration month to August.

- A. Because a registration period cannot be less than twelve months, an owner must initially pay a minimum of twelve months registration plus the number of months needed to arrive at the designated month. The applicant would be required to pay for fourteen months of registration.

- B. When a request to change the expiration month is made, the tax office should request a license plate number of another vehicle owned by the applicant and which has a registration expiration month of August. After verification, the tax office should provide a registration validation sticker for the 14-month period. All subsequent renewals for the vehicle would be for a 12-month period.

Sec. 502.1586. Registration Period for Truck-Tractor or Commercial Motor Vehicle Transporting Seasonal Agricultural Product.

- (a) *The department shall provide for a monthly registration period for a truck-tractor or commercial motor vehicle that:*
 - (1) *is used exclusively to transport a seasonal agricultural product; and*
 - (2) *would otherwise be registered for a vehicle registration year.*
 - (b) *The department shall adopt forms for registration under this section. An applicant must indicate the number of months registration is applied for.*
 - (c) *The department shall design, prescribe, and furnish a registration receipt that is valid until the expiration of the designated registration period.*
 - (d) *The registration fee for a registration under this section is computed at a rate of one-twelfth the annual registration fee under Section 502.162, 502.163, or 502.167, as applicable, multiplied by the number of months in the registration period specified in the application for the registration.*
 - (e) *A person issued a registration under this section commits an offense if the person, during the registration period for the truck-tractor or commercial motor vehicle, uses the truck-tractor or commercial motor vehicle for a purpose other than to transport a seasonal agricultural product.*
 - (f) *A truck-tractor or commercial motor vehicle may not be registered under this section for a registration period that is less than one month or longer than six months.*
 - (g) *For purposes of this section, "to transport a seasonal agricultural product" includes any transportation activity necessary for the production, harvest, or delivery of an agricultural product that is produced seasonally.*
- I. A truck-tractor or commercial motor vehicle that is used exclusively to transport a seasonal agricultural product may be registered for a period of less than twelve months. The phrase, "to transport a seasonal agricultural product," includes any transportation activity necessary for the production, harvest, or delivery of an agricultural product that is produced seasonally.
- II. A vehicle registered under this section will display the standard Truck, Farm Truck, or Farm Truck-tractor License Plates. A standard windshield or plate sticker will be issued. Combination vehicles are currently issued embossed license plates. Therefore, when a combination vehicle is registered with Seasonal Agricultural Registration, they will be issued a Seasonal Permit License Plate.
- III. An applicant for registration under this section must complete Form VTR-626, Application for Seasonal Permit License Plate.
- A. The following information must be included on the application:
- 1. The name, address, and Texas county of residence of the applicant.
 - 2. Year, Make, Body Style, VIN, Empty Weight, Carrying Capacity, Gross Weight, and current Texas license plate number of the vehicle.

3. The number of months' registration desired (one, two, three, four, five, or six months).
 4. Signature of applicant.
- B. A vehicle registered with Seasonal Agricultural Registration should be registered in the county of residence.
- C. The original Form VTR-626 should be retained by the county until the expiration of the "Seasonal Agricultural Registration" or for as long as deemed administratively valuable. A photocopy of the application may be given to the applicant if requested.
- IV. The fee for registration under this section is computed at a rate of one-twelfth the standard annual registration fee for the vehicle, multiplied by the number of months in the requested registration period.
- A. Commercial motor vehicle fees are based on Fee Chart 2 (Truck – Less/Equal to 1 Ton, Truck Greater Than 1 Ton, and Motor Bus Classifications).
 - B. Fees for truck-tractors to be used in combination are based on Fee Chart 4 (Combination and Token Trailer Classifications).
 - C. Fees for farm trucks and farm truck tractors are based on Fee Chart 3.
 - D. The tax office deputy must determine the correct month of expiration based on the number of months' registration requested.
 1. The expiration month is determined in the same manner as is used for other registration classifications (the current month must be included in the calculation).
 - a. Example 1: If an applicant requests six months' registration in the month of March, then the expiration month will be August.
 - b. Example 2: If an applicant requests one month of registration in the month of June, then the expiration month will be June (the same month).
 - c. Example 3: If an applicant requests three months' registration in the month of November, then the expiration month will be January (of the following year).
 2. Registration fees are collected in whole-month increments only.
 3. The correct expiration month should be punched on the windshield sticker or the correct expiration "month" and "year" sticker should be affixed to the license plate, which ever is applicable.
 4. The registration will expire on the last day of the month of the month punched out on the windshield sticker or the last day of the month of the "month" sticker that is affixed to the license plate. There is no 5-day grace period for expired registration for vehicles registered with Seasonal Agricultural Registration.
 - E. Any optional local fees collected by the county, such as Road and Bridge fees and Child Safety Fund fees, must be collected each time Seasonal Agricultural Registration is issued or renewed.
 - F. If applicable, the \$1 RTS Enhancement fee must be collected.

- G. The Young Farmer Loan Guarantee fee is not collected in conjunction with the issuance of Seasonal Agricultural Registration for trucks and combination motor vehicles.
- H. The Young Farmer Loan Guarantee fee is collected in conjunction with the issuance of Seasonal Agricultural Registration for farm trucks and farm truck-tractors.
- I. It is not necessary to verify payment of Heavy Vehicle Use Tax for vehicles registered with Seasonal Agricultural Registration.
- V. Seasonal Agricultural Registration may be purchased for a truck, farm truck, farm truck-tractor, or combination vehicles only. Seasonal Agricultural Registration may not be issued for a trailer or passenger vehicle.
 - A. A truck registered with Seasonal Agricultural Registration for which "TRUCK" fees were paid (refer to Transportation Code §502.162) may pull the same types of trailers that a truck displaying "TRUCK" license plates is eligible to pull (such vehicles may not pull a semitrailer displaying a "TOKEN TRAILER" license plate).
 - B. A truck-tractor registered with Seasonal Agricultural Registration for which Combination fees were paid (refer to Transportation Code Section 502.167) may pull the same types of trailers that a truck-tractor displaying a "COMBINATION" license plate is eligible to pull.
- VI. Combination vehicles are currently issued embossed license plates. Therefore, when a combination vehicle is registered with Seasonal Agricultural Registration, they will be issued a Seasonal Permit License Plate. Combination is the only vehicle classification that will be issued Seasonal Permit License Plates
- VII. If the windshield sticker and/or plate sticker for a vehicle registered with Seasonal Agricultural registration is lost, stolen, or mutilated; a replacement may be issued for the standard replacement fee of \$5.30, using the RTS Replacement Event.
- VIII. Customers should be encouraged to complete exchanges at renewal time only. However, if an exchange involving Season Agricultural Registration is processed, it is accomplished as follows:
 - A. The county tax office may exchange Seasonal Agricultural Registration for Truck, Farm Truck, Farm Truck-tractor, or Combination registration, whichever is applicable, for a period of 12 months.
 - 1. If current valid Seasonal Agricultural Registration is exchanged for Truck, Farm Truck, or Farm Truck-tractor Registration, the expiration month and year of the new registration will be the same as the expiration month and year of the Seasonal Agricultural Registration. Applicants will retain their existing license plates with the exception of Combination vehicles. Those registrants will turn in their Seasonal Permit Plate and be issued Combination tags. Additional fees will be collected to cover the additional fees of Combination registration through the March expiration date.
 - 2. If an expired Seasonal Agricultural Registration is exchanged for regular Truck, Farm Truck, Farm Truck-Tractor or Combination registration (using the RTS "Change Registration" event), the expiration month of the new registration will be 12 months from the date of the exchange.

3. If a currently valid Seasonal Agricultural Registration is exchanged for a Truck, Farm Truck, Farm Truck-tractor, or Combination registration, a credit is allowed for the unexpired portion of the Seasonal Agricultural Registration fee.
 4. A refund will not be authorized if the credit for the Seasonal Agricultural Registration fee is greater than the new registration fee, however, any remaining credit may be used to raise the gross weight of the vehicle.
- B. Truck, Farm Truck, Farm Truck-Tractor or Combination registration may be exchanged for a Seasonal Agricultural Registration provided the customer wants the Seasonal Agricultural Registration to be effective immediately. At present, the exchange is processed manually using a Form 31-RTS. If the customer wants the Seasonal Agricultural Registration to become effective at some point in the future, then the exchange may not be processed and the customer should be advised to return whenever they want the Seasonal Agricultural Registration to be effective.
1. If an exchange is processed, no refund will be authorized for any portion of the Truck or Combination fee that is in excess of the Seasonal Agricultural Registration fee.
 2. The owner may use that portion of the credit that is in excess of the Seasonal Agricultural Registration fee to raise the gross weight of the vehicle.
- C. Any previously issued month/year sticker or windshield validation sticker that is still valid must be surrendered to the tax office at the time of the exchange.
- IX. A vehicle must be titled in Texas to be eligible for Seasonal Agricultural Registration. A Registration Purposes Only receipt will satisfy this requirement. Refer to the Vehicle Title Manual, Section 501.029 for further information regarding Registration Purposes Only applications.
- X. Proof of liability insurance must be provided at the time Seasonal Agriculture Registration is issued or renewed.
- XI. Seasonal Agricultural Registration may be renewed for another registration period. To renew, the applicant must complete a new Form VTR-626, Application for Seasonal Agricultural Registration and pay the required fee. The renewed registration may have the same expiration month or a different expiration month, depending upon when the renewal is processed and the number of months of registration requested.
- XII. The owner of a vehicle displaying Seasonal Agricultural Registration commits an offense if the person, during the registration period for the vehicle, uses the vehicle for a purpose other than to transport a seasonal agricultural product.



Chapter 7

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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.

This statute specifies that the term "Motor Vehicle Registration Year" means a 12-month period as designated by this department and provides for the collection of registration renewal fees during the two-month period immediately proceeding the registration year. The fee to be paid during this two-month renewal period is the fee in effect the first day of the motor vehicle registration year.

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Sec. 502.160. Fee: Motorcycle.

The Fee for a Registration Year for Registration of a Motorcycle is \$30.

- I. All motorbikes, motorscooters, and three-wheeled vehicles are classified for registration purposes as motorcycles and must be registered if operated upon the public streets or highways of this State.
 - A. The annual license fee for a motorcycle is prorated over a 12-month period.
 - B. A specially designed multi-year license plate is issued for motorcycles. Motorcycle License Plates are smaller than regular multi-year license plates, but the standard universal month and year license plate stickers are used to validate such plates.
- II. New and out-of-state motorcycles are registered on a staggered basis for a period of 12 consecutive months. The registration period assigned to a new or out-of-state motorcycle shall begin on the first day of the month in which the application for registration is filed.
- III. Motorcycles designed and used exclusively as "off-highway" vehicles are not required to be registered; however, all such vehicles must be titled.
- IV. Three-wheeled motorcycle golf carts, which are designed and used exclusively on golf courses, are not required to be registered or titled. If a golf cart is to be operated on the highways and it displays a "Slow-Moving Vehicle Emblem," the owner must register and title the vehicle.
- V. Golf carts are not required to be registered, titled, or display a "slow moving vehicle emblem" if the operation:
 - A. occurs during daylight hours, and
 - B. does not exceed a distance of two miles from the point of origin to the destination if driven to and from a golf course; or
 - C. occurs entirely within a master planned community with a uniform set of restrictive covenants that has had a plat approved by a county or municipality; or
 - D. occurs on a public or private beach.
- VI. A moped is defined as a motor-driven cycle whose speed attainable in one mile is not more than 30 mph and that is equipped with a motor that produces not more than two-brake horsepower. If an internal combustion engine is used, the piston displacement may not exceed 50cc and the power drive system may not require the operator to shift gears.
 - A. A list of vehicles which have been certified as mopeds and vehicles previously classified as motor-assisted bicycles is published by the Texas Department of Public Safety. Vehicles included on the list must be registered with a Moped License Plate, and an application for certificate of title submitted by the applicant.

- B. When the owner of a certified moped applies for registration, a distinctive Moped License Plate shall be issued. The month of expiration shall be determined by the registration period assigned, which shall be one year from the date of application, as in the case of motorcycles.
- C. If an individual installs a motor on a bicycle, the motor must be certified by the Department of Public Safety before the vehicle can be classified as a moped.
 - 1. If the motor has been certified, the license receipt and application for title should show the make as the trade name of the bicycle; or if no trade name, "Assembled;" and the frame number should be shown as the vehicle identification number.
 - 2. If an acceptable frame number is not available, an assigned vehicle identification number must be obtained from the department.

Sec. 502.161. Fee: Passenger Car, Municipal Bus, Private Bus.

- (a) *The fee for a registration year for registration of a passenger car, a municipal bus, or a private bus that weighs 6,000 pounds or less is:*
 - (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, or a private bus is the weight generally accepted as its correct shipping weight plus 100 pounds.*
- (d) *In this section, "private bus" has the meaning assigned by Section 502.294.*

I. The license fees for passenger vehicles are based upon the manufacturer's model year except when the weight of the vehicle exceeds 6,000 pounds. When the weight of a passenger car, city bus, or private bus exceeds 6,000 pounds, the registration fee is based on the weight of the vehicle regardless of the model year. The Schedule of Registration Fees, Chart 1, shall be used when calculating fees for passenger cars, city buses, and private buses.

A. The shipping weight shown on the manufacturer's certificate is used to determine the weight of new passenger vehicles. To the shipping weight listed by the manufacturer, one hundred pounds must be added and the fee figured on the next even hundred pounds.

Example:

If the shipping weight is recorded upon the manufacturer's certificate as 6,415 pounds, the addition of 100 pounds would result in a total of 6,515 pounds. When rounded off to the next highest hundred pounds, the weight of 6,600 pounds would appear as the registration weight.

B. In all cases when there is a question as to the correct weight of a particular vehicle, the applicant is required to present a weight certificate from a Public Weigher. The weight shown on a weight certificate may be accepted as the registration weight of the vehicle. Do not add any weight to the figure shown on the weight certificate, but do round it off to the next highest hundred pounds. If the weight of a vehicle is questioned and the evidence of ownership pertaining to such vehicle is a manufacturer's certificate, the weight cannot be lowered below the weight indicated without a corrected manufacturer's certificate.

- II. Passenger vehicles are issued multi-year license plates on a staggered basis. New and out-of-state passenger vehicles are registered from the date of application for a period of 12 months, inclusive of the month in which the application is filed. Once a renewal month has been established, it will remain permanently assigned to that particular vehicle.
- III. In addition to passenger cars, the following classifications of vehicles shall be registered with Passenger License Plates and the registration fees shall be computed by using the same schedule of rates:
 - A. All passenger cars used to deliver the U. S. Mail shall be registered with passenger plates.
 - B. Ambulances and hearses shall be registered with passenger plates. A weight certificate must support the application for title and registration on all such vehicles that are from out-of-state and on all new ambulances.
 - C. Station wagons, sport utility vehicles and suburbans are usually classified by the manufacturers as passenger cars; however, some station wagon-type vehicles and windowed vans are classified as suburban, and the registration of such vehicles is optional. For a further discussion of suburban-type vehicles, refer to Transportation Code Section 502.162.
 - D. Passenger License Plates are issued to the following type vehicles, which contain living facilities.
 - 1. "Motor homes" are self-propelled vehicles, constructed with built-in kitchens, sleeping facilities, etc. The body of a motor home is so designed that when attached to the chassis, the body completely envelops or covers the chassis and engine of the motor home vehicle. Such vehicles shall be registered with Passenger License Plates. A weight certificate and a photograph must support the application for title. The body style shall be shown as "motor home", abbreviated MH. (Refer to the Certificate of Title Manual for a complete discussion.)
 - 2. Permanently mounted camper units constructed on truck chassis.
 - 3. Reconstructed used trucks and buses converted to Motor Homes.
 - 4. Truck-tractors conversions that have fully self-contained accommodations for human habitation will be classified as a motor home and registered with passenger plates, provided the vehicle will not be operated for commercial purposes. Such truck-tractors conversions may only pull a recreational vehicle (boat, travel trailer, camper).
 - 5. New vans converted to Motor Homes by the Recreational Vehicle Industry.
 - 6. Motor Homes manufactured by the RV Industry using cutaway or chopped vans, which are purchased, as component parts from major vehicle manufacturers.

- IV. The weight of a passenger vehicle may not be lowered during the registration year unless an application for corrected title is filed. Evidence to support such an application is as follows:
- A. If the microfilm records of the department reveal the original evidence of ownership is a manufacturer's certificate, the weight cannot be lowered below such weight without a corrected manufacturer's certificate.
 - B. If the original evidence is of out-of-state origin, a weight certificate or reference to the Branham Guide should be the basis of determining the correct weight.

Note: The Branham Guide lists the weight of standard models (no optional equipment). If this reference is used, care should be exercised to include all optional equipment in the weight, such as air conditioners, automatic transmissions, etc.

- V. Regardless of weight, no passenger car, or any other motor vehicle with an unloaded weight of less than 2,500 pounds, may be coupled with more than one other vehicle or towing device at one time. If a passenger car or other motor vehicle has an unloaded weight 2,500 pounds or more, it may be coupled with a towing device and one other vehicle. (Towing devices are exempt from registration. Refer to Transportation Code Section 621.205.)
- VI. Street or suburban buses (city buses) used to transport passengers for compensation or hire exclusively within the limits of cities and towns or suburban additions to such cities or towns are registered with City Bus License Plates. City Bus License Plates are multi-year plates issued on a staggered basis.
- A. The annual fee for the registration of a city bus is based upon the manufacturer's model year except when the weight of the vehicle exceeds 6,000 pounds. The same schedule of registration fees used for passenger cars - Chart 1 - shall also be used for city buses.
 - B. A weight certificate is required to verify the empty weight on all new and out-of-state city buses and all used buses transferred from exempt agencies.
 - C. When a vehicle displaying City Bus License Plates is sold, the license plates are transferred to the purchaser. If the purchaser's intended use does not qualify the vehicle for City Bus License Plates, such plates must be exchanged. (Refer to Transportation Code Sections 502.001 and 502.294.)
 - D. Buses, which are used to transport persons upon the highways of this State for compensation or hire, are registered with Motor Bus License Plates. (Refer to Transportation Code Sections 502.001 and 502.168.)
 - E. For information regarding reconstructed buses and their applicable classifications, refer to Transportation Code Section 502.156.

- VII. All privately owned buses are registered with Private Bus License Plates. Such buses include those owned by charitable, religious, and social organizations, as well as those owned by individuals.

The "Private Bus" registration classification includes every motor vehicle not operated for compensation or hire, which is designed for carrying more than ten passengers (excluding the driver or operator) and used for the transportation of persons. This classification shall apply to all carryall and suburban-type vehicles which are rated by the manufacturers as having seating capacities in excess of ten persons (excluding the driver or operator), provided such vehicles are not used for compensation or hire.

- A. Private Bus License Plates are multi-year plates that are issued on a staggered basis.
- B. The registration fee for a privately owned bus is based upon the manufacturer's model year, except when the weight of the vehicle exceeds 6,000 pounds. A weight certificate is required to verify the empty weight on all new and out-of-state privately owned buses and all used buses transferred from exempt agencies.
- C. The same schedule of registration fees used for passenger cars (Chart 1) is also used for privately owned buses.

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:*

Gross weight in pounds	Fee for each 100 pounds or fraction of 100 pounds	
	Equipped with pneumatic tires	Equipped with solid tires
1- 6,000	\$ 0.44	\$ 0.55
6,001- 8,000	0.495	0.66
8,001- 10,000	0.605	0.77
10,001- 17,000	0.715	0.88
17,001- 24,000	0.77	0.99
24,001- 31,000	0.88	1.10
31,001- and over	0.99	1.32

- (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.*

Prior to April 1, 1972, every truck or truck tractor which was subject to registration in this State was registered under the provisions of the above Statute. The license fee was based on the gross weight of the vehicle as determined by the empty weight plus the net carrying capacity of such vehicle.

Transportation Code Section 502.167 became effective with the 1972 Motor Vehicle Registration Year. This Statute provides the license fee for a truck or truck-tractor 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 pounds is based on the combined gross weight of all the vehicles used in the combination. This Statute also provides several exemptions from the requirement of registering in combination, whereby certain trucks and truck-tractors will continue to be registered under the provisions of Transportation Code Section 502.162.

There are now in effect two separate Registration Statutes that govern the registration of trucks and truck-tractors. Unless otherwise specified, the discussion in this Section shall concern only those trucks and truck-tractors that are excluded from the requirements of registering in combination and come under the provisions of Transportation Code Section 502.162. The rules and regulations that apply to vehicles registered in combination are discussed separately under Transportation Code Section 502.167.

At this point, one should refer to Transportation Code Section 502.167 to determine which vehicles are required to be registered in combination and which vehicles are exempt from the requirements.

- I. Truck License Plates (multi-year license plates) are issued for all types of trucks registered under the provisions of this Section. Due to the provisions of HB 89 and SB 432, enacted by the 76th Legislature, 1999, both light trucks and heavy trucks may be registered on a staggered basis. New and out-of-state trucks are registered for a one-year period from the date of application.
- II. The annual license fees for all trucks and truck tractors registered under the provisions of this Section shall be computed upon the gross weight of the vehicle, which is inclusive of the empty weight plus the net carrying capacity of such vehicle. The Schedule of Registration Fees, Chart 2, shall be utilized when calculating truck license fees.
 - A. The term "truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property, including any passenger vehicle reconstructed for delivery purposes.
 - 1. Certain vehicles manufactured of special design may be registered at the owner's option either as a commercial vehicle or as a passenger car depending on the intended use of such vehicles.
 - a. Sport utility type vehicles and vans manufactured with windows on both sides back of the front doors which are designed for the transportation of persons but may have features of a commercial vehicle may be classified Pass/Truck and registered with either passenger or truck license plates.

Chevrolet Astro Van	GMC Safari
Chevrolet Suburban	GMC Tahoe
Chevrolet Blazer	Isuzu Trooper
Chevrolet Venture	Jeep
Ford Explorer	Suzuki Samurai
Ford Expedition	Toyota Landcruiser
Ford Club Wagon	Toyota 4-Runner

Note: The Chevrolet Venture, Mazda MPV, and Mitsubishi Montero are strictly passenger classifications and must be registered with Passenger License Plates

- b. if a van or panel-type vehicle is manufactured without windows or windows only on one side back of the front doors, and the vehicle is used as a commercial vehicle, the vehicle must be registered with Truck License Plates.

Chevrolet Astro Van GMC Safari Ford Club Wagon

Note: The Chevrolet Avalanche is classified strictly as a truck and must be registered with Truck License Plates.

- c. Vehicles designed by the manufacturer for optional registration classifications must show a manufacturer's rated carrying capacity in tons on the license receipt and application for title if registered as a commercial motor vehicle. In the event tonnage is not available on a manufacturer's certificate or other evidence of ownership, a manufacturer's rated carrying capacity of at least one-half ton must be shown. The vehicle class should be shown as Pass/Truck. This will allow the vehicle registration to be easily exchanged from passenger to truck or vice versa, at the registrant's option.

If an optional classification vehicle is initially registered and/or titled as a passenger car and subsequently the owner chooses to register the vehicle as a commercial motor vehicle, a corrected title is required to establish a manufacturer's rated carrying capacity in tons if the tonnage has not already been established.

- 2. If a passenger car is altered or reconstructed by means of a permanent body change into a commercial vehicle, an exchange of license plates and a corrected title is necessary. In no instance shall such vehicles be registered with a carrying capacity of less than 1,000 pounds. For title correction, refer to the Certificate of Title Manual.
 - a. Regular station wagon-type vehicles are classified as passenger vehicles. However, if the owner desires commercial registration, he must remove the seats (front seat excepted). The side windows back of the front doors must be fastened so they cannot be lowered or opened. Further alterations may occur, such as removing the rear section of the body. In such cases, these vehicles shall be classified as commercial.
 - b. A passenger car from which the trunk lid is removed and a pickup bed installed shall be classified as a commercial vehicle.
- 3. Commercial vehicles (vans, panels, etc.) which have been converted to campers shall be registered with Passenger License Plates. The title and/or registration receipt shall record the body style of such a vehicle as "Motor Home."
- 4. Pickup trucks with camper units attached that can be readily removed must be registered with Truck License Plates. However, any vehicle with a camper unit permanently mounted on its chassis and cab must be registered with passenger plates, and the body style shall be indicated as "Motor Home" on the title application and registration receipt.

An owner applying for title and/or registration for an out-of-state pickup with a "slidein" camper unit may obtain the empty weight of the pickup without removing the camper unit by utilizing the following procedure:

- a. Obtain a weight certificate covering the gross weight of the pickup and camper.
 - b. Subtract the manufacturer's rated carrying capacity of the pickup from this gross weight.
 - c. The difference is to be shown as the empty weight of the pickup on the application for title and registration receipt. However, if this weight falls below the minimum acceptable weight listed on paragraph C, 4, this section, a weight certificate shall be required to determine the correct empty weight.
5. Buses reconstructed by removing the seats (except driver's seat) shall be classified as commercial vehicles. An exchange of registration and corrected title is required. Such vehicles shall be registered with a carrying capacity of one and one-half tons or two tons depending on the manufacturer's rated carrying capacity for the chassis; however, in no instance shall the carrying capacity be less than 3,000 pounds.
 6. Garage wreckers are to be registered with a carrying capacity equal to the heaviest load to be hauled, but in no case less than the manufacturer's rated carrying capacity. When a wrecker is towing a vehicle, the part of the weight of the vehicle supported by the wrecker is considered a part of the load being hauled. The empty weight of the wrecker shall include all the equipment mounted on the wrecker.
 7. Conventional vehicles with cranes, draglines or other similar machinery mounted thereon must be registered with regular registration (water well drilling units excepted) and usually qualify under the fixed weight formula. (Refer to par. E, 1, this section.) Cranes, draglines, and other types of machinery mounted on unconventional vehicles may qualify for the \$5.30 Machinery License Plate (Refer to Section 502.276) or Permit Plate, Refer to Section 623.141 if the vehicle is oversize/overweight.
 - a. A "Conventional" vehicle is a regular truck or regular trailer primarily designed to transport divisible loads, regardless of the vehicle's present use. Such vehicles which have been altered or reconstructed or upon which machinery has been mounted or attached, permanently or otherwise, retain their conventional status. Conventional vehicles are eligible only for regular registration. (Water well drilling equipment and vehicles qualified for permit plates excepted.)
 - b. An "Unconventional" vehicle is a vehicle built entirely as machinery from the ground up and is permanently designed to perform a specific function. Such vehicles may not be designed to transport property.

- B. A truck-tractor is defined as 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.
1. All truck-tractors that qualify for registration under the provisions of this Section shall be registered with Truck License Plates, and the body style of such vehicles shall be shown on the registration receipts as "Truck-Tractor."
 2. The round, turntable-type device by which a semitrailer is connected to a truck tractor is known as a "fifth wheel." In some instances, a truck will have a fifth wheel mounted on or at the rear of its bed (designed to pull a semitrailer). If any such vehicle has a rated carrying capacity in excess of one ton and it is used to pull a semitrailer having a gross weight in excess of 6,000 pounds, it must be registered with a Combination License Plate in accordance with Transportation Code Section 502.167.
 3. Glider kits are offered by various truck manufacturers for reconstructing older model trucks or truck tractors. A glider kit consists of a complete new cab, frame, front axle, and accessories.
 - a. When a truck or truck-tractor is reconstructed by utilizing a glider kit and the power train of an existing titled truck or truck tractor that is currently registered with Texas license plates, the license plates may be retained and used on the reconstructed vehicle, provided the certificate of title covering the original truck or truck-tractor is surrendered with the title transaction.
 - b. If the certificate of title covering the original truck or truck-tractor is not surrendered with the title transaction, the reconstructed vehicle must be registered as of the date application for title is filed. (For title requirements, refer to the Certificate of Title Manual.)
- C. The empty weight of a commercial vehicle (truck or truck-tractor) is sometimes referred to as the actual weight. This weight shall consist of the vehicle fully equipped with body, bed, and any other equipment, which is permanently attached.
1. All new commercial vehicles (truck or truck tractors) either manufactured in America or in a foreign country must be supported by a weight certificate if the carrying capacity of such vehicle is rated in excess of one ton. A weight certificate is a verification of weight as certified by either a public weigher or any License and Weight Inspector of the Texas Department of Public Safety.
 2. A weight certificate is required on all new commercial vehicles when the body style is shown as cab and chassis on the manufacturer's certificate. The weight certificate must include weight of the bed and attachments.
 3. If no shipping weight is shown on a manufacturer's certificate covering a commercial motor vehicle, a weight certificate will be required to verify the vehicle's empty weight.
 4. Weight certificates are required on all commercial vehicles last registered out-of-state, except commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less. The empty weight of a one ton or less

out-of-state truck may be determined from the out-of-state title, out-of-state registration receipt, Branham Guide or other vehicle specifications. In any instance when the empty weight cannot be determined or is questionable, the vehicle shall not be registered with an empty weight less than the following minimums, unless a weight certificate is attached to the transaction.

Standard Size Trucks		Compact Trucks - American and Foreign	
1/2 ton	4,000	1/4 ton	2,200
3/4 ton	4,500	1/2 ton	2,600
1 ton	5,000	3/4 ton	3,200

Caution must be exercised when using an out-of-state title as the basis for determining the empty weight of a vehicle since there is a great variation as to the weights shown on such titles. Some out-of-state titles show no weight, some show GVW (gross vehicle weight), some show unladen or empty weight and some just show "wt." Also, when using any source to determine the empty weight, it must be understood that there is a great variation in weights of pickups having the same make name.

5. No correction of title or exchange of registration is necessary when a truck bed is changed, such as from stake to dump, pickup to stake, or flat to van; however, if the weight of such vehicle is increased, such additional weight must be accounted for on an Additional Fee Receipt. In any instance, when a truck bed is changed, a weight certificate must be presented when reregistering the vehicle for the next registration year in order to establish the correct empty weight of the vehicle.
 6. When a truck is converted into a truck tractor and the registration classification is changed from "truck" to "combination," an exchange of license plates is required. If a truck tractor is converted into a truck and the registration classification is changed from "combination" to "truck," the license plates are not exchanged unless the change involves a major permanent reconstruction change, such as when the frame of a truck tractor is altered to accommodate the installation of a different type bed or body. In this instance, the owner must exchange license plates and file an application for corrected title. Under no circumstances will a refund in registration fees be authorized when a combination plate is exchanged for truck plates as the result of a reconstruction change.
 7. Certain commercial vehicles with a registered gross weight in excess of 26,000 pounds may lower the registered gross weight of the vehicle when the manufacturer's gross vehicle weight rating does not exceed 26,000 pounds. This may be done only with the understanding that the owner is not entitled to a refund of the difference in the registration fee that is a result of the lowered gross weight. The Registration Corrected Event, is used to lower the vehicle's gross weight. The registered gross weight of the vehicle may not be lowered below the combined total empty weight and the manufacturer's rated carrying capacity.
- D. The manufacturer's rated carrying capacity is rated in tons by the manufacturer for most commercial vehicles. A commercial vehicle is not to be registered for a carrying capacity less than the manufacturer's rated carrying capacity. If the owner of

a commercial vehicle chooses to haul a load greater than the manufacturer's rated carrying capacity, the vehicle is registered with a carrying capacity equal to the greatest load to be hauled during the registration year.

1. Manufacturer's certificates not showing a rated carrying capacity or showing "GVW" (Gross Vehicle Weight) in lieu of the rated capacity in tons are not acceptable if invoiced to a Texas dealer or owner. In such instances, the tax assessor-collector should request a corrected manufacturer's certificate.
 2. Some manufacturers cannot issue a corrected MCO. The department will accept a letter, in lieu of a corrected MCO. The letter should be on the manufacturer's official letterhead and include the following information: (1) a description of the vehicle model series and (2) the tonnage rating for the vehicle model. The letter should be provided to Texas Franchised Dealers, who provide the letter to the County Tax Assessor-Collector when processing the title and registration transaction for the vehicle. A photocopy of the manufacturer's letter is acceptable.
 3. After the registration has been purchased for the current registration year, the carrying capacity of a vehicle cannot be reduced at any subsequent date during the current registration year. Altering or rebuilding a vehicle cannot lower the rated carrying capacity.
 4. The exceptions would be under paragraph C, 7, this section, and when a vehicle is registered for the maximum and it is necessary to increase the empty weight of the vehicle. In such cases, the carrying capacity may be reduced in the exact amount of the increase in the empty weight; however, in no instance may the carrying capacity be less than that as rated by the manufacturer. The gross weight must remain the same. Such changes are made on the Texas Registration Corrected Receipt. The original license receipt issued to the vehicle owner must be surrendered at the time the weight adjustments are made.
- E. The registration weight of a truck is determined by adding the empty weight of the vehicle plus the weight of the heaviest load to be carried. The gross registered weight cannot be less than the empty weight of the vehicle plus the manufacturer's rated carrying capacity.
1. The department grants the authorization for a vehicle to be registered with a fixed weight to owners of commercial vehicles on which machinery or equipment is permanently mounted. The vehicles may be registered without having to remove the fixed load in order to determine the empty weight. To qualify for fixed weight registration, a vehicle must meet the criteria of having at least two-thirds of its bed covered with permanently mounted machinery or equipment. Whether such vehicle is equipped with some type of receptacle or tank in addition to the mounted fixed load is immaterial; however, the dimensions of any receptacle or tank must not be considered with the machinery or equipment in order to meet the two-thirds criteria.

- a. Fixed weight, is the actual weight of the empty vehicle plus the weight of the permanently mounted machinery or equipment; however, this weight, as evidenced by a weight certificate, must not fall below the minimum gross weight required for that particular vehicle as established on the "Fixed Weight Chart." For example, a weight certificate shows the weight of a two-ton truck and its equipment is 9,500 pounds. The Fixed Weight Chart indicates that the minimum gross weight for a two-ton truck is 10,500 pounds; therefore, the minimum weight for which the vehicle can be registered is 10,500 pounds.
 - b. A photograph is required to determine if the vehicle will qualify for fixed weight registration. If the photograph reveals that less than two-thirds of the bed is covered with permanently mounted machinery or equipment, the vehicle may not be registered with a fixed weight.
 - c. When a fixed weight vehicle transports property in addition to the fixed load, it must be registered for a fixed weight that will cover the maximum gross weight that will be carried during the registration year. In no instance may the vehicle be registered for a fixed weight exceeding the statutory maximum gross weight applicable to that particular vehicle.
2. When registering a truck or truck tractor, particular attention should be given to information relating directly to commercial vehicles:
 - a. Weights: (1) Empty (2) Carrying Capacity (3) Gross
 - b. Eleven percent (11%) Diesel Fee when applicable. (Refer to Section 502.171.)
 - c. Number of axles (the front wheels of a truck or truck tractor constitute an axle).
 3. The receipt or an unaltered copy must be carried in the commercial vehicle at all times.
- III. Statutory size and weight limitations apply to all commercial vehicles regardless of whether such vehicles are registered individually for the vehicle's gross weight or registered in combination for combined gross weights.

While it is the duty of the tax assessor-collector to inform the individual making application for the registration of a truck or truck tractor of the proper registration procedures, it is not the tax assessor-collector's responsibility to actually inspect the vehicle prior to issuing the registration. It is the duty of the commercial operator to register the vehicle with the load capabilities within the limits prescribed in the statutes pertaining to the registration of commercial vehicles.

The explanation of trucks and truck tractors in this section includes trailers and semitrailers in regard to permissible weights and sizes, as the discussion of both is necessitated due to the correlation of combination units.

- A. Commercial vehicles and combinations thereof are restricted to certain weight limitations to prevent damage to the highways. Statutory weight limitations are based upon tire size, statutory axle load limitations, and the distance in feet between the extremes of any group of axles. Except as otherwise provided by law, no commercial vehicle or combination of such vehicles shall be operated upon the public highways outside the limits of an incorporated city or town having a weight in excess of one or more of the following limitations:
1. No vehicle or combination of vehicles shall have a greater weight than 650 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway. No wheel shall carry a load in excess of 10,000.
 2. No axle shall carry a load in excess of 20,000 pounds. An axle load is defined in the statutes as the total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle. (Refer to Transportation Code 621.101.)
 3. The total gross weight for any tandem axle group shall not exceed 34,000 pounds for each tandem axle group. A tandem axle group is defined as two or more axles spaced forty inches or more apart from center to center having at least one common point of weight suspension.
 4. No vehicle or combination of vehicles, including the load thereon, shall exceed a gross weight of 80,000 pounds except vehicles or combinations thereof operated under special permits otherwise authorized by law.
 5. The Permissible Weight Table reflects the minimum distance in feet required between axles of vehicles and combinations of vehicles in relation to the respective gross loads to be carried.
 6. The weight distribution between vehicles in combination is typical maximum weights allowed under the axle weight limitations of 20,000 pounds per single axle and 34,000 pounds per tandem axle and the maximum allowable overall gross weight of 80,000 pounds. The front axle weights are only approximate weights since there is no way to determine the actual weights except by weighing the front axles. The following example of Maximum Weights indicates that even some five-axle vehicle combinations cannot legally carry the maximum allowable gross weight of 80,000 pounds because the front axle could not carry the 12,000 pounds needed to reach the maximum.

PERMISSIBLE WEIGHT TABLE

This table provides a guide to determine the maximum weight permitted on any group of 2 or more consecutive axles. The table may be applied to inner axle groups such as the power unit only of a combination, the drive axle(s) of the power unit and the trailer of trailers, or the entire combination of axles from the steering axle of the power unit to the last trailing axle of the trailer.

The number in the left first column is the required minimum distance in feet between the extremes of any group of two (2) or more consecutive axles in relation to the corresponding weight shown in columns to the right. The computations are based upon the following formula but includes (as indicated - v) weights computed from a prior statutory formula covering vehicles that could have been lawfully operated on December 16, 1974.

$$W = 500 \left(\frac{LN}{N - 1} + 12N + 36 \right)$$

L = length & N = # of axles

Distance in Feet	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles
4	34,000					
5	34,000					
6	34,000	42,000				
7	34,000	42,500				
8	34,000	43,500	50,000			
9	39,000	44,000	50,500			
10	40,000	45,000	51,500	58,000		
11		45,500	52,000	58,500		
12		46,500	52,500	59,000	66,000	
13		47,000	53,500	60,000	66,500	
14		48,000	54,000	60,500	67,000	74,000
15		48,500	54,500	61,000	68,000	74,500
16		49,900	55,500	61,500	68,500	75,000
17		51,400	56,000	62,500	69,000	75,500
18		52,800	56,500	63,000	69,500	76,500
19		54,300	57,500	63,500	70,000	77,000
20		55,800	58,700	64,000	71,000	77,500
21		57,200	59,650	65,000	71,500	78,000
22		58,700	60,600	65,500	72,000	78,500
23		*59,650	61,550	66,000	72,500	79,000
24		60,600	62,500	66,500	73,000	80,000
25		61,550	63,450	67,500	74,000	
26		62,500	64,400	68,000	74,500	
27		63,450	65,350	68,500	75,000	
28		64,400	66,300	69,000	75,500	
29		65,350	67,250	70,000	76,000	
30		66,300	*68,200	70,500	77,000	
31			69,150	71,000	77,500	
32			70,100	71,500	78,000	
33			71,050	72,500	78,500	
34			72,000	73,000	79,000	
35			72,000	73,500	80,000	
36			72,000	74,000		
37			72,000	75,000		
38			72,000	75,500		
39			72,000	76,000		
40			72,000	76,500		
41			72,000	77,500		
42			72,500	78,000		
43			73,500	78,500		
44			74,000	79,000		
45			74,500	80,000		
46			75,500			
47			76,000			
48						
49						
50						
51						

* These figures have been carried forward from the table contained in the old law based upon the provisions of subsection (4), Article 6701d-11, Section 5, V.C.S., as amended by Senate Bill Number 89 of the 64th Legislature.

B. Except as otherwise provided by law, no vehicle may exceed the following size limitations:

- | | |
|--|------------------|
| 1. Single motor vehicle (except truck tractor- no length limit) | 45 feet |
| 2. Combination of vehicle (except truck tractor) | 65 feet |
| 3. Bus | 45 feet |
| 4. Trailer (full - doubles) | 28 1/2 feet |
| 5. Semitrailer 59 feet (when operated in combination with trailer) | 28 1/2 feet |
| 6. Width | 8 feet 6 inches |
| 7. Height | 13 feet 6 inches |

C. No overweight or oversize vehicle, other than those excepted by statute, shall be permitted to operate on the public roads or highways except when issued a special permit. (Refer to Transportation Code Chapter 623 for information regarding overweight and oversize permits.)

IV. It is necessary on occasions to collect additional license fees after an original registration has been issued. The procedure for collecting additional fees is the same for all registration classifications; therefore, the following discussion is not limited to truck registrations, but also applies to combination registrations as well as all other types of registration on which an additional fee is collected.

- A. Additional fees, whether voluntary or the result of apprehensions, are collected through the Registration Corrected License Event. Such situations occur when the gross weight of a vehicle is increased, insufficient fee errors are corrected, or miscellaneous fees are collected at the instruction of the department. In all such instances, the receipt is marked with explanatory notations.
- B. RTS Events may be used to collect additional fees because of weight increases, diesel fees, or fee errors. The RTS events may also be used to correct the month and/or year of expiration fields, the license number field, or the vehicle class field. A change to these fields does not require an application for corrected title.
- C. To correct a title rejection and collect additional fees, the Additional Collections Event is used to reflect the corrected information. The necessary corrections should also be made on the Application for Texas Certificate of Title Seller, Donor, or Trader's Affidavit, Form 130-U. The transaction should then be reassembled with the Additional Collections license receipt placed on top of the incorrect license receipt. The title transaction for which an Additional Collection license receipt is issued should be bundled separately to submit the Vehicle Titles and Registration Division Headquarters Office.
- D. The following examples illustrate the proper procedures in instances when it is necessary to collect an additional fee and correct the existing registration receipt at the same time.

Example 1. In all instances, voluntary additional weight must be purchased in the county of the owner's residence. An affidavit must be executed prior to the purchase of the additional weight.

- a. The affidavit is used when applying for additional weight when a vehicle has not been apprehended by an authorized peace officer. Only one copy is required and it should be retained by the County Tax Assessor-Collector.
- b. The affidavit is not required in the case of correction of fee or weight errors.
- c. A registrant is required to provide proof of payment of Heavy Vehicle Use Tax (HVUT) when a vehicle weight is voluntarily increased to 55,000 pounds or more during a registration year. Once proof of payment of HVUT has been presented, the Modify Event is used to indicate the increased weight.

Example 2. Any person transporting a greater gross load on a commercial vehicle than that for which the vehicle is registered shall, when apprehended by an officer, be required to purchase additional registration at the nearest available tax assessor-collector's office in an amount that will raise his gross registration weight to a weight equal to the gross load being transported.

However, if the gross weight of the vehicle at the time of apprehension is in excess of the maximum legal load limit, then the amount of the additional weight which can be issued is only that which brings the weight of the vehicle up to the legal load limit. In some instances, movement of the vehicle may be detained until the gross weight is lowered to within the maximum authorized by law. The enforcement officer will usually advise the applicant or tax assessor-collector of the amount of additional weight that should be purchased.

- a. An apprehension is considered when an enforcement officer issues a citation for a registration violation.
- b. If the apprehension occurs in a county other than the owner's county of residence, the tax assessor-collector shall retain his regular receipt commission and remit the balance of all monies collected to the department. Input the owner's county of residence county number in the RTS apprehended event.
- c. A vehicle that has been apprehended may not qualify for any temporary registration, such as 72-Hour Permits, 24-Hour Permits, etc.
- d. When the mainframe is down and the county is using the RTS-31, the word "apprehended" should be typed on the Registration Corrected Receipt, when it is being issued because of an apprehension.
- e. In calculating the fee for the additional weight on apprehensions, the fee must always be figured as of the date the original registration was issued to the applicant or, in the event of a transfer, the date the registration was transferred to the applicant. (Refer to the Registration Guide, located in the figures.)

If voluntary additional weight was purchased for a vehicle prior to being apprehended for operating with a weight in excess of the registration weight, then credit should be allowed for the voluntary additional weight fee.

Example 3. When an exchange of plates is the result of a classification change, the registration expiration date of the new registration is determined by the classification of the plates being issued. If the classification of a vehicle is changed to a miscellaneous classification which has the established registration expiration date of March 31, the new plates are assigned the expiration date of March 31. If the license plate exchange involves the issuance of license plates with staggered registration expiration dates (passenger, light truck, trailer, etc.), then the expiration date of the previous registration is retained.

When license plates are exchanged, the owner must surrender the old license receipt and license plates to the county tax office. The registration fee for the new plates is computed as of the date the plates are exchanged. Full credit (minus the \$.30 reflectorization fee) will be allowed for the unexpired portion of the old license fee.

- a. The department will not authorize an exchange from a regular trailer plate to a token trailer plate unless the pulling unit and semitrailer were initially registered in error with truck and trailer plates and such plates are being exchanged for combination and token trailer license plates. Full credit is allowed for the truck and trailer plates, and the fees for the combination and token trailer license plates are computed as of the date the original registrations were issued.
- b. The policy of exchanging regular commercial truck and trailer license plates for Farm Truck, Farm Trailer, or Soil Conservation License Plates (reduced fee license plates) is not recommended, since no refunds will be authorized for that portion of the commercial registration fee which is in excess of the farm truck or soil conservation license fee.

If an owner chooses to exchange commercial registration for farm truck or soil conservation registration, the transaction is handled on an even exchange basis; or the owner may use that portion of the credit which is in excess of the farm truck or soil conservation license fee to raise the gross weight of the vehicle.

- c. If the exchange is from passenger to commercial license plates. The vehicle shall be registered for a carrying capacity of not less than 1,000 pounds. Excess credit may not be refunded; therefore, the owner may, use the credit to increase the gross weight of the commercial vehicle.
- d. In all cases when license plates are exchanged, the \$.30 reflectorization fee for the new license plates is collected in addition to any other fees which may be due. (If an error was made by the tax office necessitating an exchange of license plates, no reflectorization fee is due.)

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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*

- I. Trucks and truck tractors may be registered for 50 percent of the regular truck license fee when:
 - A. operated by the owner for these purposes: transporting the owner's own poultry, dairy, livestock, livestock products, or timber in its natural state;
 - B. transporting farm products to market or to other points for sale or processing;
 - C. transporting laborers from their place of residence; and
 - D. transporting materials, tools, equipment and supplies without charge from the place of purchase or storage to the owner's own farm or ranch.

Furthermore, a vehicle registered with Farm Truck License Plates may be used as a means of passenger transportation only by the owner or member of his family to attend church or school, to visit doctors for medical treatment or supplies, and for other necessities of the home or family.

- A. The fact that an owner lives on a farm or ranch does not entitle the owner to register a vehicle with farm license plates. The use made of the vehicle governs entirely its eligibility for a farm license plate.
 - 1. Farm Truck License Plates may be issued to:
 - a. Any individual, licensed dealer, business, firm, company or corporation provided they qualify as stipulated in paragraph I, this section.
 - b. Persons in the business of cutting trees or in logging or timber operations, provided the timber is owned by the applicant and such timber is in its natural state.
 - 2. Farm Truck License Plates may not be issued to:
 - a. Farmers' Cooperatives.
 - b. Passenger vehicles, unless reconstructed for delivery purposes.
 - c. Vehicles transporting livestock to a show or rodeo when such stock is not being transported for the purpose of sale.
 - d. Any vehicle used for gainful employment or for hire, including transportation to and from a place of employment.
 - B. Vehicles currently registered with Farm Truck License Plates may not be loaned to anyone, including another farmer or rancher, for transporting any commodity.
 - C. An employee of a farm or ranch may not register a personally owned commercial motor vehicle with Farm Truck License Plates for use in conjunction with employment.
 - D. An owner of a farm-licensed vehicle may use the vehicle as a means of transportation for vacation purposes.
 - E. Commercial vehicles from out of state bearing farm plates may operate into Texas with the same privileges offered Texas farmers, provided the operation is an interstate movement. If the vehicles are oversize or overweight, special permits must be obtained.
- II. Since Farm Truck and Farm Truck Tractor License Plates are restricted in use, the law provides that the owner of the vehicle must agree to use the license plate in accordance with the restrictions. The execution of the Application for Farm Trailer, Farm Truck, or Farm Truck Tractor, Form VTR-52A, is a prerequisite to the issuance of farm license plates. The Form VTR-52A is only required when farm plates are initially issued or transferred to an owner.

- A. When executing the Form VTR-52A, the applicant should be cautioned that the statement is being made under oath and that any false statement subjects the owner to prosecution and the penalties prescribed by law. The Form VTR-52A will be on record in the county tax office and may be used in the future for filing cases involving the misuse of farm license plates.
 - 1. The Form VTR-52A is prepared in duplicate when an application for title is filed. The original copy is retained in the tax assessor-collector's office, and the duplicate copy attached to the application for title.
 - 2. If a Texas title is currently in the name of the applicant, only one copy of the Form VTR-52A is necessary. This copy is retained in the tax assessor-collector's office.
 - 3. Persons owning qualified farm trucks are not required to execute a Form VTR-52A each year, upon reregistration.
- B. The Form VTR-52A is only required from the final applicant, regardless of the number of intervening dealers.
- C. If a truck or truck tractor is leased to a farmer, the farmer is considered to be the owner for registration purposes; and must execute the Form VTR-52A. The registration receipt indicates the names of both the lessee and the lessor.
- D. If the applicant is ineligible to execute the Form VTR-52A, the vehicle is registered with regular commercial license plates.

III. Farm Truck and Farm Truck-Tractor License Plates are multi-year license plates issued on a staggered basis. New and out-of-state farm trucks and farm truck-tractors are registered for a one-year period, which begins on the first day of the month in which the applicant applies for registration for 12 months. The following indicates the proper registration procedure utilized in issuing Farm Truck or Farm Truck-Tractor License Plates.

- A. The illustration shown below has been prepared to assist the tax collectors in calculating the proper and legal split of weight on truck-tractors and trailers when operated in combination and display Farm Truck-Tractor and Farm Trailer or regular Trailer License Plates.

Farm plated vehicles cannot be registered in combination; therefore, fee calculations for the pulling unit and trailer is based on the gross weight of each vehicle. The combination fee chart should not be utilized. Refer to Schedule of Registration Fee, Charts 3 and 6. If the vehicle is diesel powered, the additional 11% is collected.

For maximum axle weights allowed by law, refer to Transportation Code Section 502.162.

Farm Truck Tractor

Total axle weights of truck tractor to determine gross weight. Refer to Schedule of Registration Fees, Chart 3, for farm truck-tractor registration fees.

Semitrailer
(Registration Options)

Farm trailers not exceeding a gross weight of 4,000 pounds. No plate required.

Farm trailers exceeding a gross weight of 4,000 pounds but not exceeding a gross weight of 34,000 pounds. Farm Trailer License Plate required.

Farm trailers exceeding a gross weight of 34,000 pounds. Regular trailer plates required. No reduction in fee.

- B. A semitrailer displaying Token Trailer or Apportioned License Plates may not be pulled by a truck-tractor registered with Farm Truck Tractor License Plates.
 - C. If a farmer purchases a truck or truck-tractor displaying current farm license plates, the registration must be transferred to the purchaser and the purchaser must execute a Form VTR-52A.
 - D. An exchange of license plates is necessary if the vehicle that is currently registered with farm license plates is purchased by a person who is not a farmer.
- IV. If any commercial motor vehicle is apprehended while operating in violation of this Section, the owner of the vehicle is required to surrender the farm license plates and receipt to the County Tax Assessor-Collector. Furthermore, the owner is required to pay regular commercial registration fees from the date of apprehension for the remaining portion of the registration year. In addition, the owner is required to pay a penalty equal to 20% of the fee. Credit for the surrendered farm license plates is allowed for the unexpired portion of the registration year. (Refer to the Registration Guide, located in the figures.)

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.

1. Fertilizer Truck License Plates are annual plates, issued for the established registration period of April 1 through March 31 of the succeeding years.
2. Only one Fertilizer Truck License Plate is issued, and it is displayed on the front of the vehicle to which it is issued.
3. When a Fertilizer Truck License Plate is initially issued or transferred to an applicant, the application for Fertilizer Truck License Plate, Form VTR-52-F is executed.
4. The fertilizer truck license fee is prorated on a monthly basis with fees collected as of the date of application for the balance of the registration period.
5. As a prerequisite to issuing a Fertilizer Truck License Plate, the owner must present a certificate of title and proof of financial responsibility. If the vehicle was not previously titled in the applicant's name, the Form VTR-52-F is executed in duplicate and one copy, together with proper evidence of ownership, must support an application for title filed in the name of the applicant.
6. If the Fertilizer Truck License Plate is exchanged, credit is allowed for the unexpired portion of a fertilizer truck license fee, regardless of whether the exchange is made voluntarily or as the result of an apprehension for misuse of the plate.

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Chapter 8

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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:

Gross weight in pounds	Fee for each 100 pounds or fraction of 100 pounds
1- 4,000	\$ 0.275
4,001- 6,000	0.55
6,001- 8,000	0.66
8,001- 10,000	0.825
10,001- and over	1.10

- I. Farm-type tractors used as road tractors to mow the right-of-way or used to move commodities over the highway for hire are required to be registered with Tractor License Plates.
 - A. Tractors used exclusively for farm purposes, which are operated temporarily upon the highway, are not required to be registered.
 - B. Tractors that are not used for farm purposes but are used in construction may be registered with Machinery License Plates provided such tractors have equipment attached, such as:
 1. Backhoes
 2. Dozerblades
 - C. If a farm tractor or machinery-licensed tractor is apprehended for operating in violation of the registration statutes, it shall be registered with a Tractor License Plate. (Refer to the Registration Guide for example.)
- II. The Trailer Jockey, or yard dog, can be registered as a road tractor with Tractor License Plates, or registered with Combination License Plates if it is pulling a semitrailer with a gross weight of 6,000 pounds or more. As a prerequisite to title and registration, Trailer Jockeys must meet the Federal DOT and Texas safety standards. If the evidence of ownership is a Manufacturer's Certificate of Origin (MCO), it must be a secure form. Additionally, if the MCO does not contain the tonnage, the applicant must present a letter from the manufacturer stating the tonnage before an application for title/registration can be accepted. Proof of financial responsibility in the title applicant's name is also required.
- III. Tractor License Plates are multi-year license plates issued on a staggered basis.
 - A. Registration fees are determined by use of the Schedule of Registration Fees, Chart 12. Caution should be observed to insure that the additional 11% diesel fee is collected when applicable.
 - B. Application for title is required as a prerequisite to the issuance of Tractor License Plates.

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:*

Gross weight in pounds	Fee for each 100 pounds or fraction of 100 pounds	
	Equipped with pneumatic tires	Equipped with solid tires
1- 6,000	\$ 0.33	\$ 0.44
6,001- 8,000	0.44	0.55
8,001- 10,000	0.55	0.66
10,001- 17,000	0.66	0.88
17,001- and over	0.715	0.99

- (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.*
- (d) *The department may issue specially designed license plates for rental trailers and travel trailers that include, as appropriate, the words "rental trailer" or "travel trailer."*
- (e) *In this section:*
- (1) *"Rental fleet" means five or more vehicles that are:*
 - (A) *owned by the same owner;*
 - (B) *offered for rent or rented without drivers; and*
 - (C) *designated by the owner in the manner prescribed by the department as a rental fleet.*
 - (2) *"Rental trailer" means a utility trailer that:*
 - (A) *has a gross weight of 4,000 pounds or less; and*
 - (B) *is part of a rental fleet.*
 - (3) *"Travel trailer" means a house trailer-type vehicle or a camper trailer that is:*
 - (A) *less than eight feet in width or 40 feet in length, exclusive of any hitch installed on the vehicle; and*
 - (B) *designed primarily for use as temporary living quarters in connection with recreational, camping, travel, or seasonal use and not as a permanent dwelling; provided that "travel trailer" shall not include a utility trailer, enclosed trailer, or other trailer not having human habitation as its primary purpose.*

- I. All trailers and semitrailers require registration when operated upon the public highways of this State, except those farm trailers and farm semitrailers as discussed in Section 502.001 of this Manual. The fees for trailers, semitrailers, and travel trailers registered under the provisions of this Section are based on the same fee rate; however, due to the distinct differences between travel trailers and the other two groups mentioned, travel trailers are covered separately beginning in paragraph IV, C, this section.
 - A. Trailer means every vehicle designed or used to carry its load on its own structure and to be drawn by a motor vehicle. Normally, such trailers are referred to as “full trailers.” It is towed and controlled by a tongue affixed to the front axle which is attached to the frame of the trailer by a swivel. A trailer that has an empty weight in excess of 4,000 pounds must be titled. If a trailer being titled is either new or from out of state, the application for title must be supported by a weight certificate.
 - B. Semitrailer means a 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 load rests upon or is carried by another vehicle. A semitrailer with a gross (loaded) weight in excess of 4,000 pounds must be titled. The gross weight of a semi-trailer is determined by weighing the semitrailer (fully equipped and “hooked up” to a truck tractor) at its rear axle assembly with the maximum (heaviest) load to be carried during the registration year.
- II. The provisions of this Section are applicable to all full trailers. However, two separate registration statutes govern the registration requirements for semitrailers, unlike full trailers. Depending on certain conditions, such vehicles are either registered in accordance with the provisions of this Section or under the provisions of Transportation Code Section 502.167.
 - A. Semitrailers are registered under the provisions of Transportation Code Section 502.167 for a “token fee” of \$15.30, and a distinguishing Token Trailer License Plate is issued if the semitrailer:
 - 1. has a gross weight in excess of 6,000 pounds and
 - 2. is used or to be used in combination with trucks or truck tractors with manufacturers' rated carrying capacities in excess of one ton.

Token Trailer License Plates are valid only when displayed on semitrailers pulled by trucks or truck tractors which have been properly registered with Combination, Apportioned, Forestry Vehicle, or Seasonal Permit License Plates for the combined gross weight of all the vehicles used in the combination. For a complete discussion of Truck, Tractor or Commercial Motor Vehicle Combination Fee and Semitrailer Token Fee, refer to Transportation Code Section 502.167.

- B. Those semitrailers which do not meet the criteria set forth in the above paragraph shall be registered under the provisions of this Section with regular Trailer License Plates for a fee based on the gross weight of the vehicle.
- C. In any instance when an applicant requests the tax collector to issue a regular Trailer License Plate for a semitrailer with a gross weight in excess of 6,000 pounds, the tax collector should exercise care to make certain that the vehicle is registered under the proper classification. The applicant should be made aware of the combination and

- token trailer registration requirements, and advised to secure a Token Trailer License Plate if the semitrailer is used in combination with a truck or truck tractor with a carrying capacity in excess of one ton.
- D. A regular Trailer License Plate is issued if the semitrailer is used with a pulling unit displaying a special type of registration, such as Soil Conservation, Farm Truck or Farm Truck Tractor License Plates. Regular Trailer License Plates may be issued in cases when an applicant desires to operate with more flexibility. For example, the applicant may wish to use the semitrailer part of the time with a 2-ton truck displaying a Combination License Plate, and the remainder of time it would be pulled by a 1-ton truck displaying Truck License Plates.
 - E. Token Trailer License Plates are restricted to semitrailers pulled by vehicles properly registered with Combination, Apportioned, Forestry Vehicle, or Seasonal Permit License Plates, for the combined gross weight of all the vehicles used in combination.
- III. Regular Trailer License Plates are multi-year license plates issued on a staggered basis. New and out-of-state trailers and semitrailers are registered for a one-year period, which begins on the first day of the month in which the applicant applies for registration. License fees are calculated by using the Schedule of Registration Fees, Chart 6.
- A. A serial number must be shown on all registration receipts for trailers and semitrailers that are required to be titled. Small trailers and semitrailers that are exempt from the Certificate of Title Act need not show a serial number. To title the trailer or semitrailer, the owner may apply for a serial number to be assigned for a trailer or semitrailer that is exempt from the provisions of the Certificate of Title Act. (For a complete discussion regarding serial numbers, refer to the Title Manual.)
 - B. The registration weight of a trailer or semitrailer registered under the provisions of this Section should be the empty weight of the vehicle plus the heaviest load to be carried during the registration year. In no instance may the carrying capacity fall below the manufacturer's rated carrying capacity. Many trailer manufacturers do not give their trailers or semitrailers a rated carrying capacity. In the absence of a carrying capacity rating by the manufacturer, the minimum carrying capacity of such a trailer or semitrailer shall not be less than one third of the vehicle's empty weight.
 - C. A trailer or semitrailer may not legally be operated in Texas with a gross weight in excess of the maximum permissible weight allowed by law. (For a complete discussion of weight and size limitations, refer to Transportation Code Section 502.162.)
 - D. When currently registered trailers and semitrailers that are exempt from the Certificate of Title Act are sold, the execution of a license receipt and a bill of sale is required. Such trailers and semitrailers include:
 - 1. Trailers with an empty weight not exceeding 4,000 pounds.
 - 2. Semitrailers with a gross weight not exceeding 4,000 pounds.
 - 3. Farm trailers and semitrailers. (Refer to Transportation Code Section 502.163.)

- E. For a complete discussion relative to the evidence of ownership necessary to secure title and registration for full trailers in excess of 4,000 pounds empty weight and semitrailers in excess of 4,000 pounds gross weight, refer to the Motor Vehicle Title Manual.
 - F. For a complete discussion relative to the registration requirements of rebuilt trailers and semitrailers, refer to the Motor Vehicle Title Manual.
 - G. Additional weight may be purchased for a trailer or semitrailer in the same manner and under the same conditions as set forth in Transportation Code Section 502.162. For information regarding license plate exchanges, refer to Transportation Code Section 502.162. The procedures outlined in these sections are also applicable to trailers and semitrailers.
 - H. For information regarding auxiliary axle assemblies, refer to Transportation Code Section 502.167.
- IV. Travel Trailer License Plates are multi-year plates issued on a staggered basis. The registration fees for travel trailers are based on the same fee rate as regular trailers and semitrailers and may be determined by using the Schedule of Registration Fees, Chart 6. In this manual, the term "house trailer" means and includes only those house trailers that meet the size criteria of a travel trailer.
- A. Manufactured housing which includes mobile homes which are eight body feet or more in width or forty body feet or more in length (not including the hitch) are not subject to the Registration or Certificate of Title Acts. Such manufactured housing falls under this authority of the Department of Housing and Community Affairs.

No registration of any type (including One-Trip Permits, Intransit License Plates, Dealer License Plates and cardboard tags) is required as a prerequisite to obtaining overwidth/overlength permits for the movement of manufactured housing. Oversize permits may be obtained from the department's Central Permit Office.

- B. The 71st Texas Legislature enacted House Bill 863 which amended the Texas Manufactured Housing Standards Act, Article 5221f, Vernon's Texas Civil Statutes, moving certain vehicles out from under the definition of HUD-code manufactured home. This legislation provides, in part, that the term HUD-code manufactured home does not include a recreational vehicle as defined by Federal Rule.

A recreational vehicle is defined under Federal Rule 24 C.F.R. 3282.8(g) as "...a vehicle which is: (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use." (Emphasis added.)

- 1. This legislation places certain vehicles that have previously been considered mobile homes or manufactured housing into the travel trailer category, since Texas does not have a recreational vehicle category. These trailers are commonly referred to as "Park Model" by the manufacturing industry. They may be

manufactured in varying widths, but the most popular model seems to be the 12-foot wide model.

2. To calculate the square footage, HUD has stated: "In calculating the square footage of a home, measurements shall be taken on the exterior of the home. The square footage includes all siding, corner trim, molding, storage space, and area enclosed by windows but not the roof overhang."
 3. "Park Model" trailers are registered and titled as a Travel Trailer. The body style is shown as travel trailer regardless of the body style shown on the MSO. The "Travel Trailer" or "Park Model Trailer" Verification, Form VTR-141, must be completed and submitted with the application for title.
 4. In order to move a "Park Model" trailer that is in excess of the maximum width or length limitations allowed by law, an oversize permit must be obtained from the department's Central Permit Office. A notation will be placed on the title of oversize vehicles denoting that a permit is required in order to move the vehicle.
- C. All house trailer type vehicles and camper trailer type vehicles that are less than eight body feet in width and less than forty body feet in length (not including the hitch) or are of the "Park Model" type (400 square feet or less) are classified as "travel trailers" and must be registered and titled as such. As a prerequisite to titling a travel trailer, the applicant must verify the size of the trailer by executing a "Travel Trailer" or "Park Model Trailer" Verification, Form VTR-141. This form must be attached to all applications for title covering travel trailers, along with the usual proper evidence of ownership.
1. Travel Trailer License Plates are multi-year plates that are issued on a staggered basis.
 2. The registration fees for travel trailers are based on the same fee rate as regular trailers and semitrailers and may be determined by using the Schedule of Registration Fees Chart 6.
- D. The gross weight, including all furnishings and equipment, is used as the basis for determining the registration fee for all house trailer type vehicles. The actual gross weight is rounded off to the next highest 100 pounds. Example: A travel trailer with an actual gross weight of 4,445 pounds would be registered for 4,500 pounds. The 4,500 pounds registered weight is shown on the application for Texas title and registration receipt.

The shipping weight shown on the manufacturer's certificate can be used to determine the weight of new travel trailers. To the shipping weight listed by the manufacturer, 100 pounds must be added and the fee figured on the next even hundred pounds.

Example:

If the shipping weight is recorded upon the manufacturer's certificate as 6,415 pounds, the addition of 100 pounds would result in a total of 6,515 pounds. When rounded off to the next highest hundred pounds, the weight of 6,600 would appear as the registration weight.

- E. When the gross weight of a house trailer type vehicle is not shown on the evidence of ownership presented for registration and/or title purposes or the weight shown on such evidence appears to be incorrect, the gross weight may be established by a weight certificate. However, in cases when it is not practical to request a weight certificate, such as when the vehicle has already been moved to a residential location and set on blocks, the following procedure may be used to establish the gross weight:
1. When the trade name and model can be located in the handbook "Official Mobile Home Market Report" the weight indicated may be used.
 2. If no listing can be found in the handbook for the particular trailer involved a signed statement as to the length and width of the vehicle should be obtained from the owner. The gross weight may then be determined by multiplying the length (to the nearest foot) by the width (to the nearest foot) to determine the square footage and then multiplying the result by 20 pounds per square foot. Example: A travel trailer which measures 7 feet by 30 feet would contain 210 square feet; 210 times 20 pounds results in a registration weight of 4,200 pounds.
- F. A "camper trailer" is one that is designed for temporary human habitation, which expands or folds out to form a shelter, the top and sides of which are attached to and designed as a part of the trailer. The top and sides may be permanently attached or may be detachable from the trailer. Whether such trailer is or is not equipped with such items as beds, ice box, cooking stove, etc., is immaterial.
1. All camper trailers, new or used, purchased on and after September 1, 1967, are registered with Travel Trailer License Plates; and certificates of title must be applied for by the new owners.
 2. Owners prior to September 1, 1967, whose "camper trailers" are registered with "Trailer Plates" will not be required to exchange plates or apply for title. The owners may continue to relicense the camper trailers with "Trailer Plates" until the trailers are sold; thereafter, the plates must be exchanged for Travel Trailer Plates and title applied for by the new owners.
 3. Utility trailers that are not designed as camper trailers but are used to transport property, camping equipment or other items would not fall within this definition.
- G. For information relative to the evidence of ownership required to support an application for title for a travel trailer and for information pertaining to the assignment of serial numbers to house trailers, refer to the Motor Vehicle Title Manual.
- H. Mobile office trailers, mobile oil field laboratories, mobile oil field bunkhouses, and trailer type vehicles used for selling merchandise do not qualify as manufactured housing. As a result, these vehicles will be classified as commercial semitrailers and will, generally, be required to be registered with either regular Trailer License Plates or Temporary 72-Hour Permits if conveyed upon the public streets and highways.
1. However, if the trailer and power unit meet the requirements under the combination law, a Token Trailer License Plate could also be issued for the trailer. If the body style is designated as mobile office, mobile oil field laboratory, or mobile oil field bunkhouse, the weight shown on the Certificate of Origin is acceptable as the fixed weight of the vehicle for registration purposes.

2. If no weight is shown on the Certificate of Origin, a weight certificate is required. The "1/3 minimum carrying capacity" rule will not be applied to these vehicles. Photos or brochures will not be required except in instances when a mobile home has been altered for use as a mobile office, bunkhouse, or laboratory.
 - I. Trucks and truck tractors, used exclusively for pulling travel trailers, are registered with Truck License Plates.
 - J. When a travel trailer is apprehended or voluntarily registered, the fees are collected as outlined in the Registration Guide.

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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:*

<i>Combined gross Weight in pounds</i>	<i>Fee for each 100 pounds or fraction of 100 pounds</i>
<i>18,000 - 36,000</i>	<i>\$ 0.60</i>
<i>36,001 - 42,000</i>	<i>0.75</i>
<i>42,001 - 62,000</i>	<i>0.90</i>
<i>62,001 and over</i>	<i>1.00</i>

- (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) *The department may issue specially designed license plates for token trailer.*
- (j) *A person may register a semitrailer under this section for a registration period of five consecutive years if the person:*
 - (1) *owns 50 or more semitrailers at the time of the application;*
 - (2) *applies to the department for the five-year registration;*
 - (3) *provides proof of the person's eligibility to register the vehicle under this subsection as required by the department; and*
 - (4) *pays a fee of \$15, plus any applicable fee under Section 502.172, for each year included in the registration period.*
- (k) *If during the five-year registration period for a vehicle registered under Subsection (J) the amount of a fee imposed under that subsection is increased, the owner of the vehicle is liable to the department for the amount of the increase. If the amount of a fee is decreased, the owner of the vehicle is not entitled to a refund.*
- (l) *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.*
 - (3) *"Token trailer" means a semitrailer that:*
 - (A) *has a gross weight of more than 6,000 pounds; and*
 - (B) *is operated in combination with a truck or a truck-tractor that has been issued:*
 - (i) *an apportioned license plate;*
 - (ii) *a combination license plate; or*
 - (iii) *a forestry vehicle license plate*
 - (4) *"Apportioned license plate" means a license plate issued in lieu of truck license plates or combination license plates to a motor carrier in this state who proportionally registers a vehicle owned by the carrier in one or more other states.*
 - (5) *"Combination license plate" means a license plate issued for a truck or truck-tractor that:*
 - (A) *has a manufacturer's rated carrying capacity of more than one ton; and*

(B) is used or intended to be used in combination with a semitrailer that has a gross weight of more than 6,000 pounds.

- I. A truck or truck-tractor with a manufacturer's rated carrying capacity in excess of one ton, used in combination with a semitrailer having a gross weight in excess of 6,000 pounds, must be registered for a gross weight equal to the combined gross weight of all the vehicles in the combination.
 - A. A truck or truck-tractor registered under the provisions of this Section shall be issued a license plate bearing the word "Combination." Combination License Plates are "annual" plates, which have the established registration expiration date of March 31st.
 - B. A semitrailer with a gross weight in excess of 6,000 pounds operated in combination with a truck or truck-tractor so licensed shall be registered for an unprorated "token" fee of \$15.30 and a distinguishing license plate bearing the words "Token Trailer" will be issued.

However, the token fee for semitrailers (including apportion plated trailers) which are propelled by a power unit for which a permit has been issued under Transportation Code Section 502.167 shall be increased from \$15 to \$30.

- C. The provisions of this Section do not apply to all trucks, truck-tractors, and semitrailers. However, all vehicles that are not required to register in combination must be registered with regular "truck" or "trailer" license plates, unless the vehicles are qualified for other types of special registration. (Refer to Transportation Code Section 502.162, for information relative to Truck License Plates; and Transportation Code Section 502.166, for a discussion of Trailer License Plates.)

Note: Apportioned License Plates are issued in lieu of Combination License Plates to Texas carriers who proportionally register their fleets in other states. The Vehicle Titles and Registration Division issues Apportioned License Plates; therefore, any questions concerning this type of registration should be directed to a Vehicle Titles and Registration Regional Office.

- D. Vehicles that are not registered in combination are as follows:
 - 1. Trucks or truck-tractors having manufacturer's rated carrying capacities of one ton or less or trucks or truck tractors to be used exclusively in combination with semitrailers having gross weights not exceeding 6,000 pounds.
 - 2. Semitrailers with gross weights of 6,000 pounds or less or semitrailers operated exclusively with trucks or truck tractors having manufacturer's rated carrying capacities of one ton or less.
 - 3. Trucks or truck tractors used exclusively in combination with semitrailer-type vehicles displaying \$5.30 Machinery, Permit, or Farm Trailer License Plates.
 - 4. Trucks or truck tractors used exclusively in combination with travel trailers and manufactured housing.

5. Trucks or truck tractors registered with Farm Truck or Farm Truck-Tractor License Plates.
 6. Trucks or truck tractors and semitrailers registered with \$5.30 Disaster Relief License Plates.
 7. Trucks or truck-tractors and semitrailers registered with Soil Conservation License Plates.
 8. Trucks or truck-tractors and semitrailers registered with U. S. Government License Plates or Exempt License Plates issued by the State of Texas.
 9. Vehicles that are issued temporary permits, such as 72-Hour Permits, 24-Hour Permits, One-Trip Permits, etc.
- E. The combined gross weight of a truck or truck tractor, registered under the provisions of this Section, is determined as follows:
1. The empty weight of the truck or truck tractor combined with:
 - a. the empty weight of the heaviest semitrailer or semitrailers used or to be used in combination; plus
 - b. the heaviest net load to be carried on such combination during the motor vehicle registration year; provided that:
 2. In no case may the combined gross weight be less than 18,000 pounds.
 3. Once a truck or truck-tractor is registered for a combined gross weight, the weight cannot be lowered at any subsequent date during the registration year. The owner may, however, lower the gross weight when registering the vehicle for the following registration year, provided the vehicle is registered for a combined gross weight which is sufficient to cover the heaviest load to be transported during the year. In no case may the weight be less than eighteen thousand (18,000) pounds.
 4. A combination of vehicles is restricted by statute to a total gross weight not to exceed 80,000 pounds; however, all combinations may not legally qualify for 80,000 pounds, unless the weight can be properly distributed in accordance with axle load limitations, tire size, and distance between axles. (Refer to Transportation Code Section 502.162.)
- F. When issuing a Combination License Plate to a truck or truck tractor when the owner's License Plate Renewal Notice, Form 39A is not available, special attention should be directed to the following items:
1. The combined gross weight of all the vehicles in combination. Empty weight and carrying capacity must be shown on the Application for Certificate of Title, Form 130-U.
 2. Combination license fees must be calculated by the use of Chart 4, Schedule of Registration Fees.
 3. A copy of the license receipt is required to be carried in the vehicle to which issued when the vehicle is operated upon the public highways.

- G. Trucks and truck-tractors, which are registered for combined gross weights, shall be issued one Combination License Plate, and the plate must be displayed on the front of the vehicle. When displaying a combination plate, a truck or truck-tractor is not restricted to pulling a semitrailer licensed with a Token Trailer License Plate. Instead, it can legally pull semitrailers and full trailers displaying other types of Texas license plates or license plates issued out of state. However, the pulling unit must be registered for a combined gross weight which includes the weight of all semitrailers operated in the combination, irrespective of the type of registration displayed on such semitrailer(s).
- H. If a Combination License Plate becomes lost, stolen, or mutilated, a replacement license plate may be obtained from any County Tax Assessor-Collector's office, provided the applicant completes a request for Replacement License Plate(s), License Plate Validation Sticker(s), or Windshield Validation Sticker, together with the replacement fee.
- II. Token Trailer License Plates are issued for semitrailers, registered in combination. Token Trailer License Plates are multi-year plates issued on a staggered basis for \$15.30. Such plates are valid only when displayed on semitrailers being pulled by trucks or truck tractors which have been properly registered with Combination License Plates, Apportioned, Forestry Vehicle, or Seasonal Permit License Plates for combined gross weights that include the weight of the semitrailers. (Refer to Transportation Code Section 502.352 for exceptions concerning foreign commercial vehicles.)

Note: House Bill 2060, Acts of the 71st Texas Legislature, Regular Session, 1989, amended Article 6701d-11, Vernon's Texas Civil Statutes, by authorizing the issuance of a permit which allows a vehicle to be operated with a gross weight or axle weight in excess of the allowable gross or axle weight for the vehicle.

The department's Central Permit Office is responsible for the issuance of permits authorized by this statute. The token fee for semitrailers (including apportion plated trailers) which are propelled by a power unit for which such permit has been issued shall be increased from \$15 to \$30. Upon receiving a request to increase the token fee on either a Token Trailer License Plate or an Apportioned Trailer License Plate, a Texas Registration Correction Receipt is issued to collect the additional \$15 fee. The expiration date on the license receipt shall coincide with the expiration of the Token (or Apportion) Trailer License Plate.

To determine the gross weight of a semitrailer, the semitrailer should be hooked up to a pulling unit and weighed at its rear axle assembly while fully loaded. If this weight is in excess of 6,000 pounds, a Token Trailer License Plate may be obtained, provided the semitrailer is pulled by a truck or truck tractor with a manufacturer's rated carrying capacity in excess of one ton.

- A. A semitrailer registered with a Token Trailer License Plate is not exempt from the provisions of the Certificate of Title Act; consequently, an application for title must be filed prior to issuing a plate for a new or out-of-state semitrailer.

- B. Semitrailers, which are converted to full trailers by means of auxiliary axle assemblies, shall retain the semitrailer status, and will be subject to the combination and token trailer registration requirements.
- C. There are various types of axle assemblies that are specially designed for use in conjunction with other vehicles or combinations of vehicles in order to increase the load capabilities of such vehicles or combinations. The following shall be applicable to such axle assemblies.
 - 1. Auxiliary axle assemblies, such as trailer axle convertors, jeep axles, drag axles, etc., which are used in conjunction with truck-tractor and semitrailer combinations, are not required to be registered. However, the additional weight acquired by the use of such axle assemblies must be included in the combined gross weight of the combination.
 - 2. House-moving dollies are registered with Token Trailer License Plates and titled as semitrailers; however, only one such dolly in a combination is required to be registered and titled. The remaining dolly (or dollies) is permitted to operate unregistered, since by the nature of its construction, it is dependent upon another such vehicle in order to function. The pulling unit must display a combination plate.
 - 3. Ready-mix concrete trucks that have an auxiliary axle assembly installed for increasing the load capacity must be registered for a weight, which includes the axle assembly. The axle assembly is not considered a semitrailer.
- D. Towing devices used to transport secondary automobiles behind motor homes, etc., may be registered as semitrailers at the owner's discretion. Registration of this type of vehicle is not required in Texas, but may be required in other states and provinces. Registration of these vehicles should be handled in a manner identical to that used to register semitrailers. The gross weight must include the weight of that portion of the towed vehicle that is being supported by the towing device.
- E. When issuing Token Trailer License Plates or issuing a validation sticker to validate the plates special consideration should be given the following items:
 - 1. Empty weight and carrying capacity may be disregarded since these weights are included in the combined gross weight of the combination and the fee therefore is required on the registration issued for the power unit. However, the empty weight must continue to be shown on all applications for certificates of title.
 - 2. The fee for a Token Trailer License Plate is \$15.30; and the fee is not reduced at anytime during the registration year, regardless of the month in which the plate is issued.
 - 3. A copy of the license receipt is required to be carried in the power unit when such vehicle is operated upon the public highways.
- F. If a Token Trailer License Plate and/or validation sticker becomes lost, stolen, or mutilated, a replacement may be obtained from any County Tax Assessor-Collector's office.
- G. In no case shall a Token Trailer License Plate be issued for a full trailer. A full trailer must be registered with a regular trailer plate under the provisions of Transportation

Code Section 502.166. In the event a full trailer and a “token trailer” semitrailer are being pulled by a power unit registered with a Combination License Plate, the full trailer must be registered separately with a regular trailer plate for its full gross weight. No portion of the registered gross weight of the pulling unit may be applied to the weight of the full trailer.

- H. Token Trailer License Plates are valid only when displayed on semitrailers being pulled by power units registered with Combination, Forestry Vehicle, Apportioned, or Seasonal Permit License Plates for the combined gross weight of all vehicles used in the combination. The only exception is in regard to out-of-state registered vehicles from states with which Texas has reciprocity agreements. (Refer to Transportation Code Section 502.352.)
- III. In addition to Token Trailer License Plates, several other trailer license plates may be issued upon application to the Vehicle Titles and Registration Division Headquarters Office.
- A. Five-year Token Trailer License Plates are issued to owners of intrastate fleets consisting of 50 or more company-owned semitrailers.
 - B. Five-year Apportioned Trailer License Plates are issued for company-owned semitrailers in a carrier's apportioned trailer fleet.
 - C. Five-year Rental Trailer License Plates are issued to rental trailers that have a gross weight not exceeding 4,000 pounds.
- IV. The procedure for issuing additional weight for the power unit of vehicles registered in combination is exactly the same as outlined Transportation Code Section 502.162, for voluntary additional weight, relative to the purchase of additional weight as the result of being apprehended.
- V. An exchange of license plates is necessary when the registration classification of a currently registered vehicle is changed. However, the details for handling the exchange will be somewhat different and these differences are explained below.
- A. In order to eliminate the necessity of repeated exchanges during the registration year, the department has taken the position that, except under special conditions, a Combination License Plate cannot be exchanged for another type of registration during the registration year. A combination plate provides an owner or operator with the flexibility needed to operate his vehicle as a “truck” or as a “pulling unit”; therefore, an exchange of combination plates would not be necessary. (For example, when a truck-tractor is converted to a truck merely by removing the “fifth wheel” and adding a truck bed.) The owner should, however, wait until the next registration renewal period and register the vehicle under the appropriate classification if he no longer intends to use the vehicle as a pulling unit. The only conditions that necessitate an exchange of combination plates are as follows:
 - 1. If a major permanent reconstruction change occurs, the combination plate is exchanged for truck plates. (For example, a major permanent reconstruction change occurs when the frame of a truck tractor is altered to accommodate the installation of a different type bed or body, such as a van body.) In this instance, credit is allowed for the unexpired portion of the combination license fee, and the fee for the truck license plates is figured as of the month the plates are exchanged.

Under no conditions will a refund be authorized if the credit for the combination license plate exceeds the truck license fee. The owner may, however, pay only the \$.30 reflectorization fee and use the remaining credit to raise the gross weight of the vehicle. At the time the plates are exchanged, the owner must also file an application for corrected title to correct the description of the vehicle.

2. If a combination plate was initially issued in error by the tax collector, it should be exchanged for license plates of the proper classification. Full credit is allowed for the combination registration fee, and the new license fee will be figured as of the date of the original registration or date of transfer to the current owner.

If the credit for the combination plate exceeds the fee for the new license plates, the owner may pay only the \$.30 reflectorization fee for the new license plates and use the remaining credit to raise the gross weight of the vehicle; or the owner may obtain a refund for the remaining credit. However, a refund can only be authorized if the original registration was issued to the current owner.

3. If a Texas apportioned carrier acquires a combination licensed power unit, the Combination License Plate is exchanged for an apportioned License Plate. For information regarding Apportioned License Plates, contact a Vehicle Titles and Registration Division Regional Office.
4. If the vehicle owner wishes to purchase a Seasonal Permit license plate, credit will be allowed for the unexpired portion of the Combination license fee. Under no conditions will a refund be authorized if the credit for the Combination license plate exceeds the Seasonal Permit fee. The owner may, however pay only the \$.30 reflectorization fee and use the remaining credit to raise the gross weight of the vehicle.

B. This Section of the law provides that a truck or tractor with a manufacturer's rated carrying capacity in excess of one ton must display a Combination License Plate if it is used to pull a semitrailer having a gross weight in excess of 6,000 pounds.

1. A Combination License Plate must be issued in exchange for Truck License Plates in instances when a truck with a carrying capacity exceeding one ton is converted to a pulling unit for the purpose of pulling a semitrailer with a gross weight exceeding 6,000 pounds.
2. Credit will be allowed for the unexpired portion of the truck license fee including the diesel fee, if applicable.
3. The fee for the Combination License Plate will be figured as of the month the plates are exchanged.
4. A refund will not be authorized if the credit for the truck plates is greater than the combination license fee; however, in this case, the owner can pay only the reflectorization fee for the combination plate and use the remaining credit to raise the gross weight of the combination.

C. The exchange procedure set forth above shall also be applicable when other types of registrations are exchanged for Combination License Plates; however, in no case shall credit be allowed for "flat fee" license plates such as Machinery License Plates, Permit License Plates, etc.

- D. In cases when Truck and Trailer License Plates were initially issued in error by the tax collector to vehicles that should have been registered in combination, the plates shall be exchanged for Combination and Token Trailer License Plates. Full credit will be allowed for both the surrendered truck and semitrailer registrations; however, the credit must be applied to the purchase of the Combination License Plate. The fee for the combination plate shall be figured as of the date of original registration or the date of transfer to the current owner. RTS will issue two receipts. These are separate events, to exchange the truck and to exchange the trailer.
1. If the total credit for the surrendered license plates is greater than the combination license fee, the owner may pay only the \$.30 reflectorization fee for the combination plate and apply the additional credit to the purchase of the \$15.30 Token Trailer License Plate. However, should the total credit exceed both the combination and token trailer license fees, the owner may pay the reflectorization fees for both plates and use the remaining credit to raise the gross weight of the combination; or if the original registration was issued to the current owner, he may obtain a refund for the remaining credit.
 2. If an owner requests a refund for the remaining credit as stated in the above paragraph, the refund request together with the truck and trailer license receipts must be submitted to the department. Upon receipt of the report, if a refund is in order, the department will issue a refund receipt for the remaining credit. The refund receipt will be mailed to the tax collector and the owner will be notified to contact the tax collector to secure the refund.
 3. If a Texas registered combination vehicle is apportioned in another jurisdiction, paying apportioned registration fees back to Texas, then consider the vehicle double registered and refund the remainder of the combination fee. However, there will be no refund for apprehended vehicles registered with combination plates when apportioned registration is issued.
- E. A Token Trailer License Plate is restricted to a semitrailer being pulled by a power unit properly registered with Combination, Apportioned, Forestry Vehicle, or Seasonal Permit License Plates for the combined gross weight of all the vehicles used in combination. It is necessary for the owner to exchange the Token Trailer License Plate for a regular Trailer License Plate if the flexibility is needed to operate the semitrailer with a power unit registered with another type of registration. The fee for the Trailer License Plate will be figured as of the month the plates are exchanged. No credit is allowed for the Token Trailer License Plate. (Credit is not allowed for a Token Trailer License Plate unless the vehicle was initially registered in error in which case the fee for the new plate will be figured back to the date of the original registration, and full credit will be allowed for the Token Trailer Plate.)
- F. The department will not authorize an exchange from regular Trailer License Plates to Token Trailer License Plates because there are no restrictions placed on trailer plates, and they are recognized as valid registration irrespective of the type of registration issued for the power unit.
- G. If a semitrailer is registered with a trailer plate and the owner later decides to use the vehicle exclusively with a combination licensed power unit, he should continue to display the trailer plate on the semitrailer for the remainder of the current registration

year and then register it with a Token Trailer License Plate for the following registration year.

VI. Apprehensions

The owner or operator will be required to exchange truck plates for a combination plate when:

- A. a truck or truck tractor, with a carrying capacity in excess of one (1) ton, is registered with truck plates; and
- B. is used to pull a semitrailer which displays a regular trailer plate; and
- C. has a gross weight in excess of 6,000 pounds.

Credit is allowed for the unexpired portion of the surrendered truck license plate fee including diesel fee, if applicable. A refund will not be authorized if the credit for the truck plates is greater than the combination license fee. No credit will be allowed on the trailer plate because a registration violation of this nature is against the power unit and not against the semitrailer.

The semitrailer may continue to display the trailer plate since it is recognized as valid registration, regardless of the type of registration issued for the power unit. When exchanging the truck plates, the fee for the combination plate will be figured as of the date of apprehension; and the difference between the combination license fee and the credit for the truck plates plus a penalty equal to 20% of such fee is collected. If the apprehension occurred outside the owner's county of residence the correct county of residence county number is input on the REG039 screen in RTS.

Note: When apportioned registration is issued, there will be no refund for apprehended vehicles registered with combination plates.

VII. Proof of Payment of the Federal Heavy Vehicle Use Tax

Under the provisions of the Surface Transportation Assistance Act of 1982 (federal law), effective October 1, 1985, the Vehicle Titles and Registration Division is required to refuse to register a heavy commercial motor vehicle with a gross weight of 55,000 pounds or more until the owner presents proof that the Federal Heavy Vehicle Use Tax has been paid to the Internal Revenue Service. Voluntary weight increase to 55,000 pounds or more now falls under this requirement at the time the vehicle weight is increased.

- A. Acceptable proof of payment as prescribed by the Secretary of Treasury shall consist of one of the following:
 - 1. The original or a photocopy of the Schedule 1 portion of the Form 2290 received by the Internal Revenue Service (IRS).
 - 2. A copy of the Form 2290 with Schedule 1 attached as filed with the IRS along with a photocopy of the front and back of the canceled check covering the payment to the IRS.

3. A copy of the Form 2290 with Schedule 1 attached as filed with the IRS along with a validated receipt for payment from a local IRS office in lieu of a photocopy of a canceled check.
- B. Proof of payment of the Federal Heavy Vehicle Use Tax, for either the current tax year (July 1st of the current year through June 30th of the following year), or the preceding tax year (July 1st of the previous year through June 30th of the current year), will be acceptable through September 1st of the current year.
- C. In some instances, the IRS may validate out-of-date Forms 2290. This practice is acceptable if the validation takes place during the current year.
- D. If the Federal Heavy Vehicle Use Tax was paid on 21 or less vehicles, the VINs of each vehicle should be listed on the Schedule 1. This list must be examined to verify that the VIN of each vehicle to be registered appears on the Schedule 1. If the VIN is not listed, the vehicle may not be registered until acceptable proof of payment of the tax for the vehicle is provided unless an exception applies.
- E. If the Schedule 1, Form 2290, covers more than 21 vehicles, the total number of vehicles indicated in Part III of the Schedule 1 should equal or exceed the number of vehicles to be registered. A listing of VINs is not required. If the total number of vehicles to be registered on an apportion registration application is greater than the vehicle total indicated in Part III of the Schedule 1, the application may still be processed. Normally, the number of registrations issued can not exceed the vehicle total in the Schedule 1. In instances other than those exemptions indicated in the following Paragraph F, the applicant should determine which vehicles should be deleted from the application.
- F. Exemptions when proof of payment will not be required on a vehicle being registered for 55,000 pounds are:
 1. apprehensions;
 2. new vehicles;
 3. used vehicles transferred within 60 days of the date of application for title and registration;
 4. vehicles previously wrecked, in storage, or otherwise out of service and not registered or operated during the current registration year or during the current tax year.

Note: If the vehicle has not been operated during the current registration or tax year, a separate affidavit may be submitted to reflect the required statements. This provision is made because the tax is not payable to the IRS until the last day of the month following the month of first taxable use in a tax period. Consequently, proof of payment will not be available if the tax is not due at the time the vehicle is being registered. The county should retain the affidavits. Regional offices should maintain copies of affidavits submitted with apportion applications.

- G. If an exemption is in order because a vehicle is new, falls under the 60-day transfer rule, or has not been used during the current registration or tax year, one of the following notations shall be recorded on the receipt in addition to the Texas title number or the abbreviation of the state where last titled, whichever is applicable. The county will mark the REG039 screen in the box that says "Verified Heavy Vehicle Use Tax."
1. 60-D TRAN
 2. MCO
 3. NON-USE
- H. The Heavy Vehicle Use Tax is suspended if a commercial vehicle with a gross weight of 55,000 pounds or more is:
1. operating under a temporary permit;
 2. the vehicle is operated less than 5,000 miles; or,
 3. a heavy agriculture vehicle is operated less than 7,500 miles in a tax year.

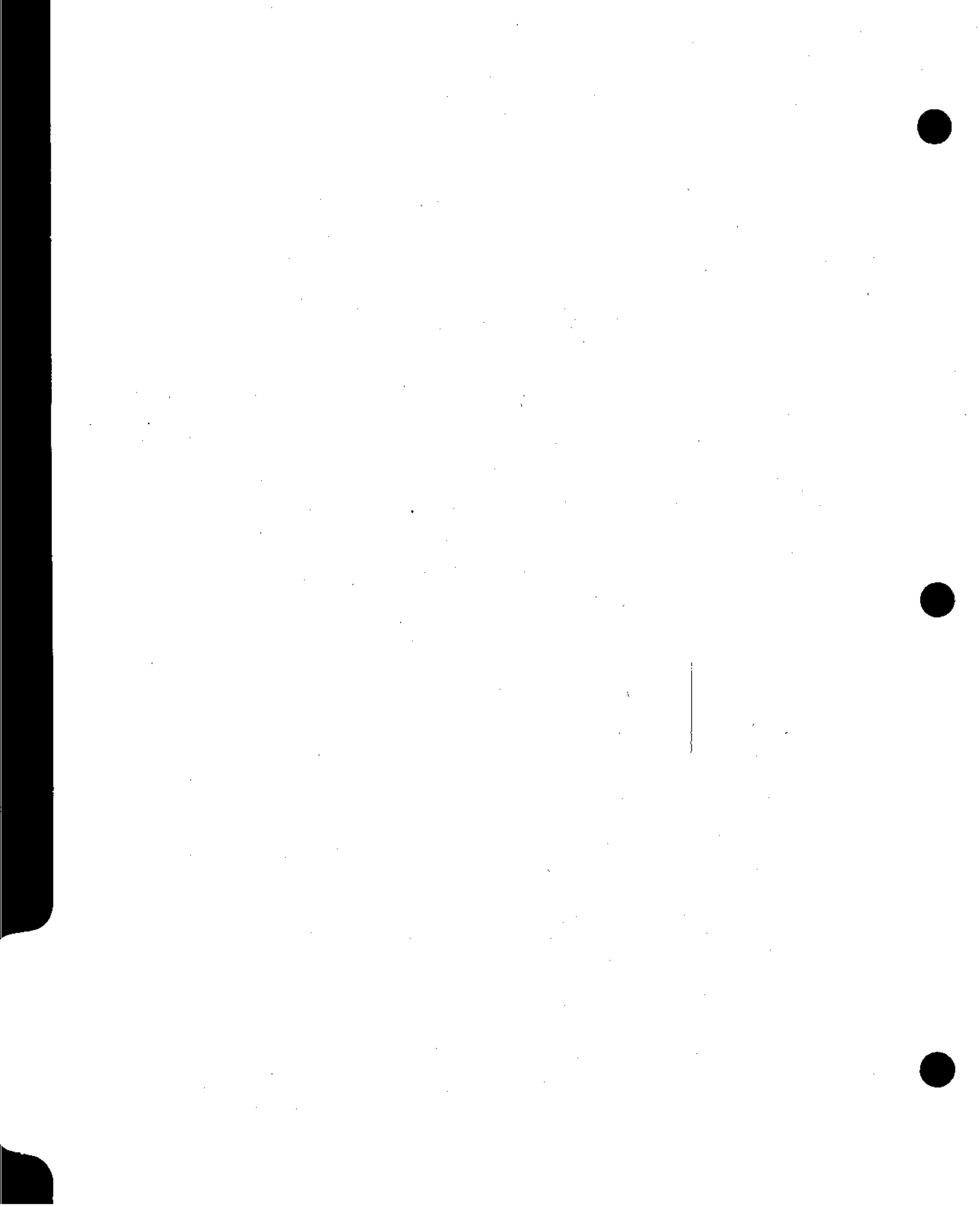
Note: The tax is suspended but the vehicle is not exempt from the proof of compliance requirement. Part II of the Schedule 1 (Form 2290) must still be completed, and the form received by the IRS prior to vehicle registration.

- I. Federal regulations require proof of payment to be presented only once during a tax year. Therefore, proof of payment will be required when registration is initially issued for a vehicle but will not be required when registration is issued on a replacement or exchange basis, including refund/re-register situations.
- J. When a vehicle is registered with a gross weight of 55,000 pounds or more, the county clerk should mark the REG003 screen in RTS for the "HV USE TAX PAYMENT VERIFIED" notation. The notation shows on the RTS receipt if the county marks the appropriate screen.
- K. If an exemption applies because a vehicle is apprehended or involved in a license plate exchange situation, the clerk will print usual apprehension or exchange receipt.
- L. Except in apprehension situations, proof of payment will be a prerequisite for a taxable vehicle if an application for Registration Purposes Only has been made in order to obtain registration.
- M. When apportioned registration is to be issued in conjunction with an application for title, the Vehicle Titles and Registration Division regional offices will not be in a position to know whether or not the applicant is subject to the proof of payment provision since the title transactions will not be available for examination by the regional office prior to issuance of the apportioned registration.
- N. It is necessary for the county tax office to require proof of payment and mark the REG003 screen in RTS for the "HV USE TAX PAYMENT VERIFIED" notation. The notation shows on the RTS receipt if the county marks the appropriate screen. The applicant may then take his copy of the license receipt to the regional office for issuance of the apportioned plate.

- O. Proof of payment will not be required if an apportioned vehicle is registered in Texas for a gross weight below 55,000 pounds but it is operated in another IRP state which has a comparable weight bracket that encompasses weights both above and below 55,000 pounds (example, Illinois 50,001 - 59,500 pounds). In these situations, the maximum weight in the weight bracket is automatically listed for that state on the apportioned cab card by the computer since the vehicle may be legally operated in that jurisdiction for the higher weight.
- P. The IRS has advised that an applicant, who has not paid the tax at the time vehicle registration is attempted, may pay the tax and obtain a validated receipt for payment only at IRS offices. To obtain information from the IRS relating to the Federal Heavy Vehicle Use Tax, telephone inquiries should be directed to 1 800/829-1040.
- Q. The owners of heavy vehicles used exclusively to transport harvested forest products and are registered as such may claim a 25 percent reduction in the Heavy Vehicle Use Tax. A Logging Truck Affidavit, Form VTR-225, should be executed and forwarded to the Vehicle Titles and Registration Division. While owners of logging vehicles may claim the 25 percent reduction in use taxes, they must still present proof that the Heavy Vehicle Use Tax has been paid prior to the issuance of registration. However, the Form VTR-225 is not a prerequisite to registration.
- R. A registrant is required to provide proof of payment of Heavy Vehicle Use Tax (HVUT) when a vehicle weight is voluntarily increased to 55,000 pounds or more during a registration year.
- S. Once proof of payment of HVUT has been presented, a Registration Correction License Receipt is used to indicate the increased weight. The back of the receipt should be stamped with the "HV USE TAX PAYMENT VERIFIED" notation. In RTS, the county can mark the REG039 screen and a notation will appear on the receipt.

Note: If the vehicle must be operated at the higher weight prior to the payment of Heavy Vehicle Use Tax, the registrant will be required to obtain a 72-Hour or 144-Hour temporary operating permit.

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Chapter 9

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Sec. 502.1675. Texas Emissions Reduction Plan Surcharge.

- (a) In addition to the registration fees charged under Section 502.167, a surcharge is imposed on the registration of a truck-tractor or commercial motor vehicle under that section in an amount equal to 10 percent of the total fees due for the registration of the truck-tractor or commercial motor vehicle under that section.*
- (b) The county tax assessor-collector shall remit the surcharge collected under this section to the comptroller at the time and in the manner prescribed by the comptroller for deposit in the Texas emissions reduction plan fund.*
- (c) This section expires August 31, 2008.*

- I. A 10% registration fee emissions surcharge will be collected on truck tractors and commercial motor vehicles that are subject to the combination fees.
 - A. The 10% registration fee emission surcharge includes Combination, NAFTA Annual Permits, Seasonal Agriculture, Apportioned, and Forestry registrations that are subject to the combination fee chart.
 - B. The 10% emissions surcharge also applies to additional weight applications, apportioned exchanges and transfers.
- II. The 10% registration fee emission surcharge does not apply to a truck (not pulling a trailer) since the truck fee chart is utilized to compute truck fees.

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Sec. 502.168. Fee: Motor Bus.

The fee for a registration year for registration of a motor bus is \$25 plus an amount determined according to the vehicle's gross weight, as follows:

<i>Gross weight in pounds</i>	<i>Fee for each 100 pounds or fraction of 100 pounds</i>
1- 6,000	\$ 0.44
6,001- 8,000	0.495
8,001- 10,000	0.605
10,001- 17,000	0.715
17,001- 24,000	0.77
24,001- 31,000	0.88
31,001- And over	0.99

- I. Motor buses are over-the-road vehicles that transport persons for hire from a city or town to a destination outside the limits of such city or town or its suburban additions.

Note: Suburb means the smaller outlying part of a city or town, which is adjacent thereto but does not include cities or towns, which do not adjoin such cities or towns.

- A. A taxi or any other vehicle which transports passengers for compensation or hire must display Motor Bus License Plates when operated outside of the limits of the city or town, or adjacent suburb, in which its company is franchised to do business.
- B. A motor bus must be registered with the Motor Carrier Division of TxDOT. However, this is not a prerequisite to registration.
- C. The registration fees for "Motor Buses" shall be computed by the gross weight of such buses. The gross weight is determined by adding the carrying capacity to the empty weight.
 1. The carrying capacity of a motor bus shall be computed by multiplying its seating capacity by 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 passenger for each sixteen inches that such vehicle will seat, exclusive of the driver's or operator's seat.
 2. A weight certificate must support the application for title on all new and out-of-state buses and all buses transferred from an exempt agency to a nonexempt agency.

- II. Motor Bus License Plates are multi-year license plates that have staggered registration. When such plates are initially issued, the following must be observed:

- A. The seating capacity (number of persons) of a motor bus should be indicated in the "Capacity in Tons" space.
- B. The total cumulative carrying capacity in pounds should be shown in the "Carrying Capacity" space.

C. Refer to the Schedule of Registration Fees, Fee Chart 2.

Note: Since most buses are powered by diesel engines, caution must be exercised when computing the registration fees to insure that the additional 11% diesel fee is collected.

- III. When a vehicle displaying Motor Bus License Plates is sold, the license plates shall be transferred to the purchaser on a license receipt. If the purchaser's intended use does not qualify the vehicle for Motor Bus License Plates, such plates must be exchanged (refer to Transportation Code Section 502.162.)
- IV. No motor bus may exceed any of the following size limitations:
 - A. Thirty-five feet in length; however, a motor bus may be forty-five feet in length if equipped with air brakes and have either three or more axles or a minimum of four tires on the rear axle.
 - B. Thirteen feet six inches in height.
 - C. One hundred two inches in width.
- V. When a motor bus is apprehended or voluntarily registered, the fees shall be collected as outlined in the Registration Guide.

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.*

An all-terrain vehicle owned by this State, a county or a municipality operated exclusively to maintain public safety and welfare of the residents of this State is registered with Exempt License Plates. The statutory \$6 all-terrain safety fee does not apply to these vehicles (refer to Transportation Code Section 502.201.)

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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.*
-
- I. A \$.30 reflectorization fee shall be collected each time a metal license plate, set of plates, validation sticker, or plate(s) and validation sticker is issued, regardless of the classification of vehicle to which such plate(s) and/or sticker is issued. The \$.30 reflectorization fee has been incorporated into all registration fee schedules.
 - II. The \$.30 reflectorization fee does not apply to additional weight fees or temporary permit fees.
 - III. Refer to Transportation Code Section 502.052 for additional information.

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Sec. 502.1705. Additional Fee for Automated Registration and Title System.

- (a) *In addition to other registration fees for a license plate or set of license plates or other device used as the registration insignia, a fee of \$1 shall be collected.*
- (b) *The department may use money collected under this section to perform one or more of the following:*
 - (1) *enhancing the department's automated registration and title system;*
 - (2) *providing for the automated on-site production of registration insignia; or*
 - (3) *providing for automated on-premises and off-premises self-service registration.*
- (c) *This section applies only in a county in which the department's automated registration and title system has been implemented and in which 50,000 or more motor vehicles were registered during the preceding year.*

- I. House Bill 3014, 76th Legislative Session, amended the Transportation Code to allow for the collection of a \$1.00 fee in addition to other registration fees, in counties where 50,000 or more motor vehicles were registered during the preceding year. The fee will be collected for registrations, replacements and exchanges.
- II. The department will use its "Allocation of Vehicle Registration Fee" report for each calendar year to determine which counties meet the criteria for collecting the \$1.00 additional fee. When a county meets the criteria of 50,000 or more motor vehicles registered, the fee collection will begin on January 1 of the next calendar year.

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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.*

- I. The additional eleven percent diesel fee is applicable to all motor vehicles powered by diesel engines with the following exceptions:
- A. Passenger vehicles, private buses, commercial motor vehicles registered with Combination License Plates; and
- B. Commercial motor vehicles having a manufacturer's rated carrying capacity of two tons or less, which are registered with Truck, Farm Truck, Farm Truck-Tractor, Fertilizer, or Soil Conservation License Plates.
- II. The additional eleven percent diesel fee is shown on all Renewal Notices, Forms 39A, covering vehicles subject to the diesel fee.
- III. The procedure for collecting the eleven- percent diesel fee is illustrated below.

Example:

Fee for 40,000 pounds for 12 months	\$ 421.30
Less \$.30 reflectorization fee	-(.30)
	= \$421.00
Diesel Fee	x11%
Total amount of Diesel Fee	=46.31
Full year's fee (including reflectorization fee)	\$421.00 + \$.30+ \$46.31 = \$421.30
Total fee due	\$ 467.61

Note: The thirty cent reflectorization fee must be subtracted from the fee chart total before calculating the diesel fee, since the eleven percent diesel fee does not apply to the reflectorization fee.

If at any time during the to include the eleven percent diesel fee, the procedures are set forth in Transportation Code Section 502.162.

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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.*
- (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.*

- I. Counties are authorized to collect an extra County Road and Bridge fee in an amount set by the Commissioners Court that does not exceed \$10 in addition to the regular registration fee for each vehicle registered in the county.

Since this extra fee is to be collected at the option of the county, formal notification by the County Commissioners Court must be made to the department on or before September 1 of the year proceeding the year in which the fee takes effect. Likewise, if the County Commissioners Court wishes to rescind the original order imposing the fee or wishes to change the fee, the department must be notified of this action by September 1 of the year preceding the one in which the fee is to be rescinded or changed.

- A. The extra fee shall be collected on any vehicle when the payment of the registration fee is made in a participating county. However, this extra fee will not be collected for vehicles displaying the following special plates since these license plate categories are statutorily exempt from payment of regular registration fees and, therefore, are exempt from collection of the county fee:

1. Legion of Valor;
 2. Disabled Veteran;
 3. Prisoner of War;
 4. Purple Heart;
 5. Pearl Harbor;
 6. Congressional Medal of Honor;
 7. Machinery;
 8. Farm Trailer;
 9. Disaster Relief; or
 10. Permit License Plates
- B. If an owner has more than one set of Pearl Harbor Survivor or Purple Heart License Plates, the road and bridge fee will be charged for those additional registrations. The fee also will not be collected with the issuance of any temporary registration permits. When collecting the optional County Road and Bridge Fee for a registration issued for 13, 14, or 15 months, only one optional fee should be collected (the department considers 13, 14, and 15 month registrations as representing a single registration period).
- C. The extra fee is not collected when transferring the Special Category License Plates to a currently registered vehicle, regardless of the number of months for which an additional registration fee may be due (1 month or 11 months). The extra fee should be collected when processing renewals or issuing special category plates to a new vehicle, out-of-state vehicle, or unregistered Texas titled vehicle.
- D. All-terrain vehicles are exempt from the County Road and Bridge fee as of May 29, 1999.
- E. When registering an apprehended vehicle, the amount of optional County Road and Bridge Fee effective in the county of residence is the amount that should be collected in addition to the applicable registration fees. No optional County Road and Bridge Fee shall be collected if the county of residence does not collect an optional fee. The commission fee is the only fee that is retained by the county of apprehension.
- F. The Registration Renewal Notice, Form 39A, provides for the collection of the extra fee. If a county imposes the extra fee, the total fee as indicated on the renewal notice is collected. The Road and Bridge and Child Safety Fees have been combined and are listed as "LOCAL FEES" on the license receipt.
- G. The department utilizes the county number to print the correct County Road and Bridge Fee and the county name on registration renewal notices. However, as the result of out-of-county registrations due to apprehensions or new vehicles registered in the county in which the vehicle was purchased or encumbered, the county number will not reflect the registrant's county of residence. Therefore, the clerk must enter the correct county number of residence for the registrant.

- H. If the registrant does not present a renewal notice, it is necessary to verify vehicle information, in order to issue registration.
 - I. Some vehicle owners from participating counties may try to avoid paying the extra fee by attempting to renew their registrations in counties not imposing the fee. The tax assessor-collector should refuse to register the vehicle if it appears that the owner is a resident of another county.
 - J. A license receipt is required in situations in which a transfer of ownership occurs in conjunction with the registration of a vehicle. Collection of the extra fee by a participating county in such situations is indicated on the license receipt.
- II. A county imposing the extra fee is required to deposit 97% of the fee in the County Depository to the credit of the County Road and Bridge Fund. The remaining 3% is remitted to the department to defray costs incurred by the department in administering the Act. The State portion of this fee is not covered by the deferred remittance provision of the Registration Law. Therefore, fees due the State under this Act shall be remitted to the department on Monday of each week.
 - III. While the prescribed registration fee for an antique vehicle is based on a five-year rather than a twelve-month registration period, only a single fee is prescribed for the registration period. Therefore, only one County Road and Bridge Fee may be collected upon issuance of the antique registration regardless of the number of years involved.
 - IV. The extra County Road and Bridge Fee may only be collected when a vehicle is initially registered in a county for the prescribed registration year. Therefore, the extra fee shall not be collected in the situations outlined that occur after the payment of the original registration fee:
 - A. Vehicle transfers (vehicle currently registered).
 - B. Exchanges (including special category license plates when additional registration fees are collected to adjust the expiration date).
 - C. Additional weight (voluntary or apprehended).
 - D. Replacements.
 - I. Calculation of a 20% delinquency penalty for operating an unregistered vehicle that has been apprehended is based on the total registration fee prescribed for the vehicle. The extra County Road and Bridge Fee is not part of the prescribed fee and, therefore, shall not be included when computing the penalty.

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Sec. 502.173. Optional County Fee for Child Safety.

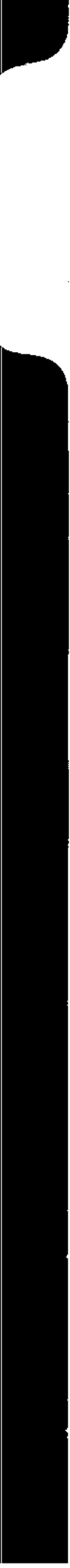
- (a) *The commissioners court of a county that has a population greater than 1.3 million and in which a municipality with a population of more than one million is primarily located may impose by order an additional fee of not less than 50 cents or more than \$1.50 for registering a vehicle in the county. The commissioners court of any other county 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 proceeding 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 Section 106.001, Local Government Code. 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.*

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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 Texas agricultural 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.*
- I. House Bill 1826, enacted by the 72nd Texas legislature, Regular Session, 1991, provided for the establishment and funding of a Young Farmer Endowment Program. This bill amended Transportation Code Section 502.163, to provide for an additional fee of \$5 to be collected at the time of registration for motor vehicles registered with Farm Truck and Farm Truck Tractor License Plates.
- II. However, House Bill 1287, enacted by the 73rd Texas Legislature, Regular Session, 1993, effective August 30, 1993, amended Transportation Code Section 502.163, by eliminating "the additional fee of \$5" and by adding Section 17 to address "a voluntary assessment in the amount of \$5." This bill also changed the name of the Young Farmer Endowment Program to the Young Farmer Loan Guarantee Program. Money from the program will continue to be made available to eligible applicants who desire to establish or enhance farming or ranching operations or an agriculture-related business.
- A. The \$5 assessment is due upon registration of all farm trucks and farm truck tractors. The assessment will also be due when regular license plates are exchanged for Farm Truck and Farm Truck Tractor License Plates. Since this assessment is deposited separately and is not considered part of the regular registration fee, a fee credit from the regular license fee cannot be used to satisfy the \$5 assessment.
 - B. To provide the registrant with a receipt that reflects all fees paid when issuing initial registration for a farm truck or a farm truck tractor classification, "Young Farmer Program" should be indicated on the Tax Collector's Receipt for Title Application/Registration/Motor Vehicle Tax or the Texas Vehicle Registration Receipt. This remark should also appear on the applicable registration renewal notice, Form 39A.
 - C. Additionally, County Tax Assessor-Collectors are required to provide the registrant with a notice of the refund procedures prescribed by the Texas Agricultural Finance Authority at the time of payment of the assessment.

- D. These assessments will not be reported as registration fees. The county tax collector shall send these assessments directly to the State Treasurer. Two forms (the Remittance Advice and the Detailed Report of Collections) must accompany the monthly remittance. The funds shall be remitted on or before the 15th day of the month following the last day of the month during which such funds were collected. For example, all assessments collected February 1, 2003, through February 28, 2003, shall be remitted on or before March 15, 2003, by check made payable to the Texas Agricultural Finance Authority.
- E. The Department of Transportation cannot authorize a refund or a credit for this assessment.



Chapter 10

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Sec. 502.175. Transfer Fee.

- (a) A person other than a dealer who sells a vehicle subject to registration under this chapter shall endorse 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.*

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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 that determines that an applicant for registration for which payment of the registration fee is delinquent has provided evidence acceptable to the assessor-collector sufficient to establish good reason for delinquent registration and that the application complies with the other requirements for registration under this chapter shall register the vehicle for a 12-month period that ends on the last day of the 11th month after the month in which the registration occurs under this subsection. The registration period for vehicles registered in accordance with Sections 502.164, 502.167, 502.203, 502.55, 520.277, 502.278, 502.293, as added by Chapter 1222, Acts of the 75th Legislature, Regular Session, 1997, and 502.295 as added by Chapter 625, Acts of the 75th Legislature, Regular Session, 1997, will end on the annual registration date, and the registration fees will be prorated.*
- (c) *A county assessor-collector that determines that an applicant for registration that is delinquent has not provided evidence acceptable to the assessor-collector sufficient to establish good reason for delinquent registration but that the application complies with the other requirements for registration under this chapter shall register the vehicle for a 12-month period without changing the initial month of registration.*
- (d) *A person who has been arrested or received a citation for a violation of Section 502.402 may register the vehicle being operated at the time of the offense with the county assessor-collector for a 12 month period without change to the initial month of registration only if the person:*
 - (1) *meets the other requirements for registration under this chapter; and*
 - (2) *pays an additional charge equal to 20 percent of the prescribed fee.*
- (e) *The county assessor-collector shall adopt a list of evidentiary items sufficient to establish good reason for delinquent registration under Subsection (b) and provide for the forms of evidence that may be used to establish good reason under that subsection. The list of evidentiary items adopted under this section must allow for delinquent registration under Subsection (b) because of:*
 - (1) *extensive repairs on the vehicle;*
 - (2) *the absence of the owner of the vehicle from this country;*
 - (3) *seasonal use of the vehicle; or*
 - (4) *any other reason determined by the assessor-collector to be a valid explanation for the delinquent registration.*
- (f) *The department by rule shall adopt procedures to implement this section in connection with the delinquent registration of a vehicle registered directly with the department.*

- I. All motor vehicle, trailers or semitrailers which are either unregistered or by statute improperly registered are immediately in violation of the Texas laws relating to the registration of vehicles when such vehicles are operated upon the public streets or highways of the State.
- II. If a county tax assessor-collector determines that there is a valid reason for the delinquent registration of a vehicle, they will register the vehicle for a 12-month period, establishing a new registration expiration month which will end on the last day of the 11th month following the month of registration (no Non-use Affidavit or penalty).
- III. If a county tax assessor-collector determines that there is not a valid reason for the delinquent registration of a vehicle, they will register the vehicle for a 12-month period without establishing a new registration period (no Non-Use Affidavit or penalty).
- IV. The operator of a vehicle who has been apprehended for a violation of Section 502.402 is required to register the vehicle with the county tax assessor-collector for a 12-month period without change to the initial month of registration and is also required to pay a penalty equal to 20% of the registration fee.
- V. The county tax assessor-collector will compile a list of acceptable valid reasons for delinquent registration. The tax assessor-collector must allow for extensive repairs on the vehicle, the absence of the owner of the vehicle from this country, seasonal use of the vehicle or any other reason determined by the tax assessor-collector being a valid explanation for the delinquent registration.
- VI. Transportation Code, Section 502.158(f), which allows for the Non-use Affidavit, has been repealed.

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.

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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.*

- I. A license receipt is issued to document the registration of each vehicle licensed within this State. The license receipt serves two primary purposes. First, it is proof of registration and that the proper fees have been paid for the legal operation of a vehicle upon the public highways of this State. Second, serves as evidence of title. In the case of Registration Purposes Only, the receipt serves as evidence of title only for registration purposes since the vehicle is not titled in Texas.
- II. Issuance of the receipt also allows public identification of every vehicle registered in this State through files maintained by the department and the County Tax Assessor-Collectors' offices. In most instances, vehicles previously registered in this State will be reregistered annually by use of a renewal notice.
 - A. Registration Renewal Notices, Form 39A, are prepared each year from the department's computer records and mailed to vehicle owners. (For a complete discussion of Registration Renewal Notices, refer to Transportation Code Section 502.151.)
 - B. If registration fees are paid at a subcontractor and renewal notices are validated, the renewal notices may be used as registration receipts. If registration fees are paid at the county tax assessor's office, an RTS registration receipt is issued.
- III. The only license receipts that are acceptable as proof of a vehicle's current registration status are receipts issued by the department or by the tax assessor-collector, either on a form prescribed and furnished by the department or on a validated verification of title and registration printout. These license receipts show the following data:
 - A. The tax assessor-collector's name, the name of the county, the county number, and the deputy identification.
 - B. A transaction I.D. number and document number as shown on computer printed titles and Registration Renewal Notices, Form VI-30-A.
 - C. The license number and validation sticker numbers. The numbers should be verified that they correspond to the plate and sticker numbers assigned to the vehicle.
 - D. The expiration date records the month and year in which the registration expires. In each case, registration will expire on the last day of the last month of the registration period assigned to a particular vehicle.

1. For first time registrations involving passenger cars, trucks, motorcycles, farm trucks, buses, farm trailers, travel trailers, and trailers and semitrailers registered with regular Trailer License Plates, the registration is issued for a 12-month period inclusive of the month in which the vehicle is registered.
 2. An applicant may designate a new registration month at initial registration or registration renewal only under certain circumstances. Refer to Section 502.1585 in this Manual for a detailed explanation.
- E. The previous year's license number shows the previous year's Texas number. If a validation sticker only is issued on a renewal basis, the previous license number should record the same number as the current license number. The previous license number will differ from the current license number only if new license plates are issued.
- F. The Vehicle Classification indicates the proper registration classification, such as passenger, truck, combination, travel trailer, etc.
- G. The following outlines the different registration classifications, and examples of the corresponding license plate numbers.

<u>Multi-year License Plates</u>	<u>Plate Number</u>	<u>Annual License Plates</u>	<u>Plate Number</u>
Passenger	BBY 82Z	Combination	2AA 141
Truck	1034 AA	Soil Conservation	12S 224
Farm Truck	203 A1A	Disaster Relief	12D 754
Motorcycle	3AA 333	Fertilizer Truck	12B 121
Travel Trailer	5AA 107	Honorary Consul	9AA069
Trailer	A40 676	In Transit*	01461B
Motor Bus	T 6621	Manufacturer*	6EG136
City Bus	T10 434	State Official	SO 293
Farm Truck Tractor	T20 123	U.S. Congress	{ SENATE 1
Tractor	T30 242		HOUSE 1
Private Bus	U12 111	U.S. Judge	USA 121
Token Trailer	Y23 383	State Judge	TX 382
Machinery	12M 551	County Judge	CJ001
Farm Trailer	12F 345	Congressional Medal of Honor	1 - 30
Volunteer Firefighter	7AA 123		
Amateur Radio	K5 QDK		
Permit	12P 311		
Personalized	JAMES 1		

* Issued by the Motor Vehicle Division

- H. The year, make, body style, and vehicle identification number records the description of the vehicle as it appears on the evidence of ownership. When registering with commercial plates, the body style is determined by the type of bed or type of equipment mounted upon the chassis, such as van, flat, tank, stake, dump, welding rig, etc. The receipt records only the basic body style of a passenger vehicle, such as 2DR, 4DR, convertible, station wagon, etc. Unit numbers of fleet vehicles are shown immediately following the body style
- IV. When issuing registration, the deputy should always ask the applicant, "What is your present resident address?" It is most important that the correct resident address be established so that the applicant's most current address will be shown in the master vehicle record when the receipt is updated in the computer system.

- A. The street address should always be used in lieu of the post office box number, except where resident mail delivery is not available. A zip code must be included as a part of the applicant's current address. Owners of fleet vehicles may show a post office box number in lieu of a street address.
 - B. Tax assessor-collectors are furnished "Notice of Address Change" forms. These forms are to be used by motor vehicle owners when a change of address occurs after a vehicle has been registered. Such forms should be conveniently located in the tax offices in order to facilitate their use. If the department is not notified of an address change, the owner will not receive a Registration Renewal Notice for the forthcoming year. The county may also update the system at the point of sale.
- V. After a registration weight has been established for a vehicle, it may not be reduced during the registration year. For a complete discussion relative to weight adjustments and weight changes, refer to Transportation Code Section 502.283 relative to passenger vehicles, and Transportation Code Section 502.162 for commercial vehicles.
- VI. The "total fee" reflects the total money collected for the registration. If a diesel fee or a penalty was collected, it is added to the regular chart registration fee; and the total of all fees are shown in this space.
- A. The diesel fee shows the amount of diesel fee collected. The diesel fee is eleven percent of the chart license fee, less the \$.30 reflectorization fee. Such fees are collected on all motor vehicles powered by diesel engines, except passenger vehicles, private buses, combination-licensed vehicles, and all 2-ton or less trucks. The diesel fee is added to the chart fee to determine the fee to be shown in the total fee on the receipt.
 - B. A penalty shown on the license receipt shows the payment of the twenty-percent delinquent penalty for operation of an unregistered or improperly registered vehicle, which has been apprehended. When a penalty is collected, it is added to the regular fee; and the total amount is the total fee due. (For a complete discussion of delinquent penalties, refer to Transportation Code Section 502.176.)
- VII. Anytime a currently registered vehicle is sold, the current license receipt must be surrendered to the purchaser. If the vehicle is of a type that must be titled, the properly assigned certificate of title is presented to the purchaser.
- A. If an unregistered vehicle is sold, a receipt is issued in the name of the purchaser. The license fee is collected as of the date the purchaser files his application for title for the balance of registration period assigned to that particular vehicle.
 - B. An application for corrected title must be filed if:
 - 1. the description of vehicle or name of owner is in error;
 - 2. the registration classification of a vehicle changes, such as from truck to farm truck, trailer to token trailer, etc., or when a vehicle with an approved optional registration classification is reregistered under a classification other than that shown on the renewal notice (refer to Transportation Code Section 502.162);
 - 3. when the gross weight of a commercial vehicle is changed.

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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.*

I. When the owner of a vehicle loses the original, transfer, or replacement license receipt or if an extra copy of the license receipt is needed, a duplicate may be issued from any tax office if verification is obtained by automated means.

A. Any Vehicle Titles and Registration Division regional office may also issue a Duplicate Receipt.

B. Counties may issue an RTS receipt generated for the fee of two dollars. A Duplicate Receipt may only be issued for a currently registered vehicle through RTS.

II. If the vehicle is not currently registered, an Inquiry Receipt may be issued for a fee of two dollars.

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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) *Except as provided by Subsection (h), 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, within six inches of 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. The rules may provide for the use of an automated registration process, including:*
 - (1) *the automated on-site production of registration insignia; and*
 - (2) *automated on-premises and off-premises self-service registration.*
- (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.*
- (h) *The registration insignia for validation of a license plate shall be attached to the rear license plate of the vehicle, if the vehicle is:*
 - (1) *a motorcycle;*
 - (2) *machinery used exclusively to drill water wells or construction machinery for which a distinguishing license plate has been issued under Section 502.276; or*
 - (3) *oil well servicing, oil clean out, or oil well drilling machinery or equipment for which a distinguishing license plate has been issued under Subchapter G, Chapter 623.*

- I. In 1975, the department began issuing multi-year license plates for most classifications of vehicles. Refer to Transportation Code Section 502.158, for a list of classifications that receive multi-year license plates and those that receive annual license plates.
- II. House Bill 225 was enacted by the 72nd Texas Legislature, allowing for the validation of motor vehicle registration by the attachment of a windshield validation sticker in lieu of the license plate validation sticker. Beginning with motor vehicle registrations that expired in January 1995, windshield stickers were issued to those vehicles equipped with a windshield.
- III. The registration of all other vehicles displaying multi-year license plates continue to be validated with the current license plate validation sticker. When multi-year license plates are initially issued for a vehicle, the tax collector assigns the appropriate "month" and "year" validation for the registration insignia or license plates.

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.*

- I. This section of the law requires a tax assessor-collector to notify the sheriff or any constable or highway patrolman when a "hot" check is given in payment of a registration fee and the procedures concerning the acceptance of personal checks by the tax collector for the collection of dishonored checks.
- II. Local Government Code, Section 130, provides the tax collector may, but is not required to accept checks for payment of motor vehicle registration fees and title application fees.
 - A. If a tax collector chooses to accept personal checks for payment of registration fees and title application fees, the applicant should be required to furnish identification, preferably a driver license.
 - B. The driver license number (including state of issuance) and the license plate number and sticker number must be recorded on the front of the check (for example, Texas DL # - License Plate # - Validation Sticker #). Also, the Tax Collector's Transaction ID number should be included.
- III. When a check that was taken in payment for registration fees or title application fees is returned to the tax office unpaid by the bank, the tax collector should immediately initiate action to redeem the check. In addition, if registration fees are involved, the tax collector should immediately notify the sheriff or any constable or highway patrol officer in the county to demand redemption of such check.

- IV. If a personal check covering a registration fee is not honored by the bank on which it is drawn and returned to the tax collector unpaid, credit may be authorized by the department if the following procedure is utilized:
- A. If a check that covers a registration fee is returned for any reason, the county tax office should keep a file of all dishonored checks on a calendar year basis. When a check is redeemed, a copy of the Corrected Registration Receipt should be placed in this file. When the department audits the tax office, this file will be checked to verify that the checks on which credit has been authorized have not been redeemed.
 - B. In the event a dishonored check covering a registration fee is returned to the tax collector's office, the validation sticker number (or license number, if annual plates were issued) must be reported to the department; through the RTS Accounting event.
 - C. When a check is redeemed, the registration collected on a Corrected Registration Receipt.
 - D. If, as the result of a dishonored check, the license plates are seized by a law enforcement officer and returned to the tax collector, the Vehicle Titles and Registration Regional Office should be notified. Upon receipt of such notice, the "Hot Check" remark in the Master Vehicle Record will be replaced with a "License Plates Canceled" remark. This same remark should also be placed on the county file copy of the license receipt.
 - E. An application for transfer of title shall be rejected if a "Hot Check" remark is contained in the Master Vehicle Record for the vehicle involved. In such instances, the applicant will be required to pay the appropriate registration fee as of the date of application for 12 full months, unless the vehicle displays a plate that is prorated by statute. Then, the fee will be collected for the remainder of the registration period assigned to that particular vehicle. The tax collector shall collect the registration fee on an Additional Fee Receipt. When the department processes the title application, the "Hot Check" remark will be removed from the Master Vehicle Record.
- V. In addition to registration and title fees, credit will be authorized for a dishonored check received by the county in payment of additional weight fees, transfer registration fees, delinquent transfer penalties, and replacement license fees with the following exceptions.
- A. The purchase of additional weight or temporary additional weight is, in fact, an addendum to the original registration and falls within the purview of the existing "hot check" policy. Therefore, the tax collector should initiate the usual letter to law enforcement; and if the applicant fails to redeem the check, the plates and receipts should be seized and canceled. This will apply even in situations when the time limit on the temporary additional weight receipt has expired. No refund shall be granted for the unused portion of the registration fees previously paid.
 - B. When the previous registration has been seized as a result of a dishonored check, replacement license plates should be issued and the statutory \$5.30 fee collected. Registration fees should then be collected for the full year. Month and year stickers issued should reflect the same expiration month of the previously (seized) issued registration.

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.*

I. A license fee credit may be issued to 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, provided the prorated portion of the license fee for the remainder of the registration year less the \$.30 reflectorization fee is over \$15.

A. An Application For License Fee Credit, Form VT 50-A, must be submitted directly to the Vehicle Titles and Registration Division Regional Office. With the application, the owner must submit the following:

- 1. The current license plate and license receipt issued for the destroyed vehicle.
- 2. The negotiable certificate of title covering the destroyed vehicle. The Certificate of Title or Receipt for Certificate of Title Application must have been issued in the name of the person applying for license fee credit prior to the time of destruction of the vehicle. A title that has been assigned to the person applying for license fee credit will not be acceptable.
- 3. If the vehicle owner is unable to surrender the negotiable certificate of title, a registration fee credit may be issued provided all other qualifying documentation required in paragraphs 1 and 2 are submitted. However, the vehicle owner should be encouraged to secure and surrender the negotiable certificate of title when submitting a request for registration fee credit.
- 4. Evidence that the vehicle has been destroyed to such an extent that it cannot thereafter be operated upon the highways. Such evidence should include a photograph of the vehicle taken after its destruction, if possible. Other evidence may include a copy of the accident report made by the law enforcement official who investigated the accident, or an affidavit from the law enforcement agency

which handled the investigation verifying the date of destruction, where and how the vehicle was destroyed, and the extent of damage to the vehicle. If the vehicle was not involved in an accident and a law enforcement officer did not make an investigation, the owner should submit a notarized affidavit of fact giving full details as to when, where and how the vehicle was destroyed.

- B. License fee credit in the form of a Registration Fee Credit Voucher, Form VTR-50, shall be issued only by a Vehicle Titles and Registration Division Regional Office of the Texas Department of Transportation. The original (Copy 1) will be mailed to the owner and the number 2 and number 3 copies will be filed by the Vehicle Titles and Registration Division.
1. A Registration Fee Credit Voucher will be issued only to the person whose name appears as the owner of the vehicle on the registration and title records of the Vehicle Titles and Registration Division at the time the vehicle is destroyed. However, if the recorded title holder of a destroyed vehicle is deceased, the department will issue a credit voucher to the proper applicant, provided the application for such fee credit is supported by Letters Testamentary, Letters of Administration, Affidavit of Heirship, etc., as in the case of a title transfer by operation of law.
 2. A Registration Fee Credit Voucher may be applied as full or partial payment of the registration fee for another vehicle, or vehicles, owned by the same person to whom the credit voucher is issued to the extent of the total fee credit authorized. Registration Fee Credit Vouchers are nontransferable and are not redeemable for cash under any circumstances. Furthermore, license fee credit must be used during the same or the following registration year in which the vehicle was destroyed. For example, if the destroyed vehicle had a registration expiration date of June 30, 2002, the credit voucher would remain valid through June 30, 2003.
- C. When an owner presents a Registration Fee Credit Voucher to the County Tax Assessor-Collector, the tax assessor-collector should, in the spaces provided on the voucher, show the license number and registration expiration date of the vehicle to which credit is being applied, the amount of credit applied to the new registration, and the balance of credit due, if any. Remember that no cash money is to be refunded. Each voucher is returned to the Regional Office that issued the voucher to be examined. If a credit balance is due, a new voucher for the balance will be mailed to the owner. Only an original Registration Fee Credit Voucher can be accepted by a County Tax Assessor-Collector in payment of registration fees. A credit voucher that is altered, duplicated or reproduced in any manner cannot be accepted.
1. The Registration Fee Credit Voucher should be stapled to the Registration Receipt or Receipts to which credit was applied and be submitted to the Vehicle Titles and Registration Division Regional Office that issued the original voucher.
 2. The entire license fee credit does not have to be used at one time. If an owner applies only a portion of a license fee credit to the registration of another vehicle, or vehicles, the Regional Office will issue a supplemental credit voucher for the balance of credit due when the original credit voucher is reported to the department by the County Tax Assessor-Collector. However, a supplemental credit voucher shall not be issued for a balance of less than \$1.

3. In issuing the new license receipt, the "total fee" shows only that amount of money actually collected for such registration, if any, and a notation on the face of the license receipt shows the full amount of the registration fee and the amount of credit allowed.

Example	
14,000 pounds - 10 months	\$104.55
Credit-Voucher #172465	<u>-50.00</u>
"total fee"	\$ 54.55

4. When a Registration Fee Credit Voucher is being applied as full or partial payment of the applicant's registration fee, the Registration Fee Credit Voucher should be stapled to the RTS receipt and submitted to the Regional Office. Upon examination by the department, a supplemental credit voucher will be mailed to the owner if the entire credit fee has not been used.

Example	
1995 passenger car - 12 months	\$40.80
Credit-Voucher #172482	<u>-38.20</u>
Total fee collected	\$ 2.60

- D. A separate license fee credit application must be submitted for each destroyed vehicle; and upon approval of the applications, a separate credit voucher will be issued for each vehicle. However, if a truck tractor and semitrailer are registered in combination and both vehicles are destroyed, a Registration Fee Credit Voucher may only be obtained on the combination registration. A license fee credit application covering a semitrailer licensed with a "token trailer" plate will not be approved since the fee for such plate, less the thirty cent (\$.30) reflectorization fee, does not exceed \$15.
- II. When a Registration Fee Credit Voucher is issued, the Regional Office will also mail to the owner a prescribed Form VTR 50-B, to be executed by the owner showing that the license plates, license receipt, and certificate of title have been surrendered to the department. When the owner disposes of the vehicle salvage, this statement may be presented to the purchaser to indicate the disposition of such items.
- A. A salvage yard dealer purchasing such a vehicle may list the Form VTR 50-B on the Inventory Sheet and surrender such statement in lieu of the certificate of title and license plates.
- B. In no instance may a vehicle be retitled to which a Registration Fee Credit Voucher has been issued. However, the title may be reinstated if the recorded titleholder requests reinstatement of the title and returns the Registration Fee Credit Voucher to the department for cancellation. If the voucher has already been used, the title may be reinstated if the owner repays the registration fees that were used. In such instances when the title is reinstated and the surrendered license plates for such vehicle are unexpired, a set of Replacement License Plates may be purchased for the remaining portion of that registration year.

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Chapter 11

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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.*

I. The department may authorize cash refunds in some instances. Refunds to correct overcharges may be issued as far back as five years, or back to the date the vehicle was purchased by the current owner. No person may receive a refund of registration fees paid by a previous owner, except in certain instances involving the following special plates:

- Armed Forces Reserve, Transportation Code Section 502.256 ;
- Congressional Medal of Honor, Transportation Code Section 502.255;
- Disabled Veteran, Transportation Code Section 502.254;
- Former Prisoners of War, Transportation Code Section 502.257; and
- Honorary Consuls, Transportation Code 502.267
- Pearl Harbor, Transportation Code 502.259
- Purple Heart, Transportation Code 502.260
- Texas National or State Guard, Transportation Code Section 502.256;

II. Persons desiring a refund should submit a request to the appropriate Vehicle Titles and Registration Division Regional Office. The refund request must be in writing and must furnish an explanation of the circumstances concerning the request for a refund.

- A. If a partial refund is requested, such as occurs when a person has been overcharged, only the license receipt shall be required to be surrendered with the refund request.
- B. The Regional Office may authorize a full base registration fee refund only after verification through RTS that the current registration has not been transferred to a new owner. The base registration fee does not include the reflectorization fee. If the current registration has been transferred, the refund must be denied.

A base registration fee refund may be authorized at any time during the current registration year in cases when the owner's validation sticker has not been affixed to either the windshield or the license plate. In such instances, the owner must surrender the unused license plate "year" sticker or windshield sticker, the license plate "month" sticker (if not affixed to the plate), the license receipt, and refund request to the department prior to expiration.

- C. The only conditions under which a full base registration fee refund will be authorized after a windshield sticker has been affixed to the windshield or after a license plate "year" sticker has been affixed to the license plate are as follows:

1. Wrong vehicle registered. The applicant must contact the appropriate Vehicle Titles and Registration Division Regional Office in person.
2. Double registration. The applicant must contact the appropriate Vehicle Titles and Registration Division Regional Office in person.
3. A vehicle registered for forthcoming registration period but wrecked prior to the effective date of such registration. A copy of the accident report must be surrendered to the department with the plates and windshield sticker or with the validation plates, license receipt, and refund request.
4. A vehicle registered for forthcoming registration period and owner moves out-of-state and surrenders the plates and windshield sticker or the validation plates, license receipt, and the refund request prior to the effective date of such registration.

Sec. 502.184. Replacement of Lost, Stolen, or Mutilated License Plate or Registration Insignia.

- (a) *The owner of a registered motor vehicle may obtain from the department through the county assessor-collector replacement license plates or a replacement registration insignia by:*
 - (1) *filing with the assessor-collector a statement:*
 - (A) *showing that one or both of the license plates or the registration insignia to be replaced have been lost, stolen, or mutilated; and*
 - (B) *stating that no license plate or registration insignia to be replaced will be used on any vehicle owned or operated by the person making the statement;*
 - (2) *paying a fee of \$5 plus the fees required by Sections 502.170(a) and 502.1705(a) for each set of replacement license plates or each replacement registration insignia, except as provided by Subsection (b), (c), or (i); and*
 - (3) *returning to the assessor-collector each replaced plate or registration insignia in the owner's possession.*
- (b) *The fee for replacement of certain specialized license plates is:*

<i>License plates issued under:</i>	<i>Fee</i>
<i>Section 502.254</i>	<i>\$1</i>
<i>Section 502.255 or 502.257</i>	<i>No fee</i>
<i>Section 502.256 or 502.267</i>	<i>\$2</i>
<i>Section 502.268</i>	<i>\$9</i>
<i>Section 502.273</i>	<i>\$30</i>

- (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 or a replacement registration insignia without complying with this section.*
- (f) *A county assessor-collector shall retain \$2.50 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 502.180(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.*
- (i) *The owner of a vehicle listed in Section 502.180(h) may obtain replacement plates and a replacement registration insignia by paying a fee of \$5 plus the fee required by Sections 502.170(a) and 502.1705(a).*

- I. In the event a license plate and/or validation sticker becomes lost, stolen, or mutilated, a replacement plate and/or replacement validation sticker may be obtained from any County Tax Assessor-Collector for the fee of \$5.30.
- II. The owner must complete a Replacement Application stating that his license plates and/or validation sticker is lost, stolen, or mutilated. Counties will use the back of the RTS receipt.
- III. The owner must surrender his current year's license receipt and any plate or sticker remaining in his possession. The current year's license receipt must be surrendered to verify the vehicle's current registration status and enable the tax collector to determine the registration expiration date assigned to the vehicle. If an applicant cannot surrender his current year's license receipt and current registration covering the vehicle for which a replacement plate and/or sticker is requested, and the information cannot be verified through the county license files or the department, the applicant cannot be issued a replacement. In this instance, the owner is required to purchase a new set of plates and/or sticker and pay the full registration fee prescribed by law. If, at a subsequent date, it is verified that a vehicle was "double registered," the department may authorize a refund.

Note: If the owner cannot provide the current year's license receipt and the current registration of the vehicle must be verified through either the county license files or the department's automated file, the applicant should present some type of personal identification, such as a drivers license, social security card, etc.

- IV. Replacement license plates and replacement stickers are issued from the regular allotment of plates and stickers furnished to the tax collectors. The RTS Replacement License Receipt is utilized to issue the replacement plates and/or sticker.

Note: A Replacement License Receipt is not required if a license plate month sticker is the only item being replaced.

- A. For the replacement of plates, sticker, or plates and sticker, the tax collector shall:
 - 1. Verify the vehicle's current registration (by viewing the current year's license receipt or by referencing either the county license files or the department's automated file);
 - 2. Receive any remaining plate and/or sticker; and
 - 3. Receive payment of the \$5.30 replacement fee.
- B. For replacement of multi-year license plates validated with license plate validation stickers, the tax collector shall:

1. Select the proper classification of replacement plates and,
2. If the license plates being replaced were validated with a license plate validation sticker, affix the same “month” and “year” stickers as displayed on the original license plates to one plate.

Counties shall issue a receipt through the Replacement Event in RTS and give the owner a copy of the replacement receipt along with the validated replacement plates. Refer to the RTS Users Manual for instructions to issue Replacements.

- C. Replacement of license plate validation stickers. If the owner loses the “year” sticker or loses both the “month” and “year” stickers, the same basic procedures as stated in paragraph A above shall apply. The Replacement License Receipt, shall reflect the existing current license number and the words “Sticker Only” in the space for old license number.

The counties shall check the appropriate box in the RTS Replacement Event for “Sticker Only.” It is no longer necessary to require the owner to present the rear license plate when applying for a replacement license plate validation sticker.

1. If a license plate year sticker was damaged prior to being affixed to the plate, the owner shall be instructed to surrender the damaged sticker to the tax office.
 2. If the license plate year sticker becomes mutilated after being affixed to the license plate, the deputy should instruct the owner to place the replacement license plate sticker(s) over the mutilated sticker(s).
- D. Replacement of multi-year license plates validated with a windshield validation sticker. If the owner loses license plates which were validated with a windshield validation sticker and the windshield validation sticker is not being replaced, a “Plate Only” replacement is issued. The same basic procedures as stated in paragraph A above apply; however, a sticker is not affixed to the replacement plate. The Replacement License Receipt, shall reflect the new replacement license number along with the old license number, the existing windshield validation sticker number, the notation “Plate Only” in the sticker number space, and the appropriate month and year of expiration.

Counties shall issue a receipt through the Replacement Event in RTS and give the owner a copy of the replacement receipt along with the replacement plates. Refer to the RTS Users Manual for instructions to issue Replacements.

- E. Replacement of windshield validation sticker. If the owner loses the windshield validation sticker, the same basic procedures as stated in paragraph A above shall apply. The Replacement Registration Receipt shall reflect the existing current license number in the space for new license number and the words “Sticker Only” in the space for the old license number. The deputy shall use a hole punch to punch out the appropriate month of expiration on the windshield validation sticker.
1. Since the type of sticker issued is not readily apparent by looking at the sticker number, counties may want to place some visible means on the license receipt to distinguish a license plate sticker from a windshield sticker. Note the letter “W” in the space provided for “New Validation Sticker.”

2. Counties shall issue a receipt through the Replacement Event in RTS and give the owner a copy of the replacement receipt along with the replacement windshield validation sticker. Refer to the RTS Users Manual for instructions to issue Replacements.
- F. Replacement of multi-year license plate and windshield validation sticker. If the owner loses both his multi-year license plates and his windshield validation sticker, the same basic procedures stated in paragraph A above shall apply. A new set of multi-year license plates and a new windshield validation sticker is issued for the \$5.30 replacement fee. The Replacement License Receipt, shall reflect the new sticker number, the new license number along with the old license number, and the appropriate month and year of expiration. The deputy shall use a hole punch to validate the appropriate month of expiration on the windshield validation sticker.

Counties shall issue a receipt through the Replacement Event in RTS and give the owner a copy of the replacement receipt along with the replacement multi-year license plate and windshield validation sticker. Refer to the RTS Users Manual for instructions to issue Replacements.

- G. Replacement of "month" sticker. If a "month" sticker is lost, stolen, or mutilated, the owner is required to present the current license receipt to the tax office. A new "month" sticker bearing the same expiration month as recorded on the original license receipt is issued to the applicant at no charge.
1. It is not necessary to execute any type of license receipt or make any type of special notations on the registration report. The owner's copy of the original registration receipt is required for verification of current registration only in order to determine the correct expiration month assigned to the vehicle.
 2. The receipt should be returned to the owner along with the replacement "month" sticker. If the owner is unable to present his copy of the license receipt, it is necessary to verify the original registration through the county license files or the department's automated file before a new "month" sticker is issued.
- H. "PLATE ONLY" replacement in conjunction with a registration renewal. If an owner applies for renewal of registration for a vehicle registered with multi-year license plates that are less than five years old and the plates are lost or damaged to the extent that they cannot be used, it is necessary for the tax collector to issue \$5.30 multi-year replacement plates only (no validation sticker) before the vehicle is registered for a subsequent registration period.
1. The multi-year replacement plates are issued in the applicant's name using a Replacement License Receipt. When preparing the replacement receipt, the words "PLATE ONLY" are shown in the space for "new validation number." Also, since the replacement plates are issued without a validation sticker, the same notation must be shown in the space for "month" and "year" of expiration.
 2. Counties shall issue the replacement and must use "More Trans, Same Vehicle" on the payment screen to go to the Renewal Event. Refer to the RTS User Manual for further instructions.

Note: If the current plates are over five years old, the replacement plates may be issued at no charge under the "NEEDS PROGRAM."

3. Counties may use the Renewal Event and access Additional Information to place a check in the "New Plates Desired" box to issue replacement plates at no charge under the "Needs Program."

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Sec. 502.185. Refusal to Register Vehicle in Certain Counties.

- (a) A county assessor-collector or the department may refuse to register a motor vehicle if the assessor-collector or the department receives information that the owner of the vehicle owes the county money for a fine, fee, or tax that is past due.
- (b) A county may contract with the department to provide information to the department necessary to make a determination under Subsection (a).
- (c) A county that has a contract under Subsection (b) shall notify the department regarding a person for whom the county assessor-collector or the department has refused to register a motor vehicle on:
 - (1) the person's payment or other means of discharge of the past due fine, fee, or tax; or
 - (2) perfection of an appeal of the case contesting payment of the fine, fee, or tax.
- (d) After notice is received under Subsection (c), the county assessor-collector or the department may not refuse to register the motor vehicle under Subsection (a).
- (e) A contract under Subsection (b) must be entered into in accordance with Chapter 791, Government Code, and is subject to the ability of the parties to provide or pay for the services required under the contract.
- (f) A county that has a contract under Subsection (b) may impose an additional fee to a person paying a fine, fee, or tax to the county after it is past due. The additional fee may be used only to reimburse the department for its expenses for providing services under the contract.
- (g) In this section:
 - (1) a fine, fee, or tax is considered past due if it is unpaid 90 or more days after the date it is due; and
 - (2) registration of a motor vehicle includes renewal of the registration of the vehicle.
- (h) This section does not apply to the registration of a motor vehicle under Section 501.0234.

- I. House Bill 1432, enacted by the 75th Texas Legislature, created the second of two "Scoff Law" statutes. This law allows a county tax assessor-collector to refuse the registration of a motor vehicle if the assessor-collector or the department receives information that the owner of the vehicle owes the county money for a fine, fee, or tax that is past due. A fine, fee, or tax is considered past due if it is unpaid ninety or more days after the date it is due.
- II. A county tax assessor-collector may contract with the department so that an owner's vehicle record will be flagged if the owner's fine, fee, or tax is past due. The county may impose an additional fee to such an owner, but the additional fee may be used only to reimburse the department for expenses incurred for providing services under the contract.
- III. The remark "COUNTY SCOFFLAW: [County Name]" appears on the department's vehicle record and is printed on the owner's registration renewal notice once the

department receives notification of an owner's past due fine, fee, or tax. An owner whose registration renewal notice contains this remark must renew his or her registration in person in the county tax assessor-collector's office.

- IV. A county tax assessor collector must notify the department when an owner has paid or has otherwise discharged a past due fine, fee, or tax or if the owner has perfected an appeal of the case contesting payment of the fine, fee, or tax. Once the department has received this notification, the county tax assessor-collector may not refuse the registration of the owner's vehicle.
- V. A county tax assessor-collector may not use this statute as the basis for denying registration when the application for title is made on behalf of a purchaser by a Texas licensed dealer.

Sec. 502.186. "Low-Emissions Vehicle" Insignia for Certain Motor Vehicles.

- (a) *At the time of registration or reregistration of the motor vehicle, the department shall issue a specially designated "low-emissions vehicle" insignia for a motor vehicle that meets qualifications for the light-duty motor vehicle purchase or lease incentives under Subchapter D, Chapter 386, Health and Safety Code.*
- (b) *The department shall issue a "low-emissions vehicle" insignia under this section without the payment of any additional fee to a person who:*
 - (1) *applies to the department on a form provided by the department; and*
 - (2) *submits proof that the motor vehicle being registered is a vehicle described by Subsection (a).*
- (c) *This section expires August 31, 2008.*

- I. The department will issue a specially designed "low-emissions vehicle" insignia to vehicles that are qualified under light-duty motor vehicle purchases or lease incentives.
 - A. The Texas Commission on Environmental Quality (TCEQ)* will sponsor a contest by January 1, 2002 for the public schools to participate in the design of this insignia.
 - B. The insignia will be provided by the TCEQ to each county in the state not later than the 45th day after the date on which the winning design is selected and announced.
 - C. The Vehicle Titles and Registration Division will design a form or affidavit to be completed by the owner of qualified vehicles for issuance of the insignia.
- II. There is no fee for the insignia.

Note: As of this publication, the TCEQ and the Comptroller have determined that the insignia will not be issued at this time.

*Formerly the Texas Natural Resource Conservation Commission (TNRCC).

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Chapter 12

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SUBCHAPTER E. SPECIALLY DESIGNATED LICENSE PLATES; EXEMPTIONS FOR GOVERNMENTAL AND QUASI-GOVERNMENTAL VEHICLES

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.*

The department is the only agency authorized by law to determine who is eligible for the issuance of Exempt License Plates. Also, the department is provided the authority to revoke and recall Exempt License Plates when the license plates are 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 shall provide by rule for the issuance of specially designated license plates for vehicles that are exempt by law. Except as provided by Subsection (g), the license plates must bear the word "exempt."*

All Exempt License Plates issued by the department are particularly distinguished by the word "EXEMPT" imprinted on the plate.

(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.*

- I. Exempt License Plates are issued on a permanent basis to those vehicles owned by legally sanctioned exempt agencies. The license plates remain with the vehicle to which they were issued as long as it is owned and operated by the exempt agency.
- II. In the event a vehicle to which Exempt License Plates are issued is junked or salvaged, the license plates must be removed from the vehicle prior to its disposal. The license plates and receipt are then surrendered to the department for cancellation.

- III. The exempt license receipts are executed by the department and issued directly to the applicant with the Exempt License Plates.
 - A. The Registration Receipt is prepared when issuing Exempt License Plates.
 - B. The Registration Receipt is issued to those exempt agencies requesting regular license plates when such license plates are to be used on vehicles directly related to law enforcement.
- IV. When a vehicle to which Exempt License Plates are issued is sold the license plates and receipt must be surrendered to the department for cancellation. The vehicle is then considered unregistered.
 - A. If a vehicle previously registered with Exempt License Plates is sold to a nonexempt purchaser, regular registration is purchased at the time an application for title is filed. The \$10 Delinquent Transfer Penalty is not applicable since the vehicle being transferred is considered unregistered.
 - B. If the vehicle is sold to another exempt agency, the purchasing agency must reapply for exempt registration.
 - C. Under no circumstances shall a County Tax Assessor-Collector transfer Exempt License Plates to a new owner.
- V. If Exempt License Plates become lost, stolen, or mutilated, a properly executed Application for Standard Texas Exempt License Plates, Form VTR-62-A, must be submitted directly to the Vehicle Titles and Registration Division Headquarters Office in Austin. At the time the Form VTR-62-A is filed, any plate remaining on the applicant's vehicle must be removed and surrendered with the exempt license receipt for cancellation. The Exempt Replacement License Plates are issued as a "no fee" Replacement.
 - (f) *A person who operates on a public highway a vehicle after the registration has been revoked is liable for the penalties for failing to register a vehicle.*
 - (g) *The department shall provide by rule for the issuance of regularly designed license plates not bearing the word 'exempt' for a vehicle that is exempt by law and that is:*
 - (1) *a law enforcement vehicle, if the agency certifies to the that the vehicle will be dedicated to law enforcement activities;*
 - (2) *a vehicle exempt from inscription requirements under a rule adopted as provided by Section 721.003; or*
 - (3) *a vehicle exempt from inscription requirements under an order or ordinance adopted by a governing body of a municipality or commissioners court of a county as provided by Section 721.005, if the applicant presents a copy of the order or ordinance.*

Sec. 502.2015. Limitation on Issuance of Exempt License Plates; Seizure of Certain Vehicles.

(a) The department may not issue exempt license plates for a vehicle owned by the United States, this state, or a political subdivision of this state unless when application is made for registration of the vehicle, the person who under Section 502.202 has authority to certify to the that the vehicle qualifies for registration under that section also certifies in writing to the that there is printed on each side of the vehicle, in letters that are at least two inches high or in an emblem that is at least 100 square inches in size, the name of the agency, , bureau, board, commission, or officer of the United States, this state, or the political subdivision of this state that has custody of the vehicle. The letters or emblem must be of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet.

I. Exempt agencies must certify in writing to the department that printed on each side of the vehicle, is the name of the agency (no abbreviations or acronyms), department, bureau, board, commission, or officer of the United States, this state, or political subdivision of this state that has custody of the vehicle. The letters must be at least two inches high or in an emblem that is at least 100 square inches in size, and of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet.

II. Buses and other vehicles leased or contracted from a commercial transportation company to an Exempt Agency must bear the agency's inscription if the vehicles are displaying Exempt License Plates. The inscription requirement is inclusive of trailers owned or operated by exempt agencies and displaying Exempt License Plates.

(b) The department may not issue exempt license plates for a vehicle owned by a person other than the United States, this state, or a political subdivision of this state unless, when application is made for registration of the vehicle, the person who under Section 502.202 has authority to certify to the that the vehicle qualifies for registration under that section also certifies in writing to the that the name of the owner of the vehicle is printed on the vehicle in the manner prescribed by Subsection (b).

(c) A peace officer listed in Article 2.12, code of Criminal Procedure, may seize a motor vehicle displaying exempt license plates if the vehicle is:

(1) operated on a public highway; and

(2) not identified in the manner prescribed by Subsection (a) or (b), unless the vehicle is covered by Subsection (f).

A peace officer may seize a motor vehicle displaying Exempt License Plates if the vehicle is being operated on a public highway and not identified in the manner prescribed.

(d) A peace officer who seizes a motor vehicle under Subsection (c) may require that the vehicle be:

(1) moved to the nearest place of safety off the main-traveled part of the highway; or

(2) removed and placed in the nearest vehicle storage facility designated or maintained by the law enforcement agency that employs the peace officer.

- (e) *To obtain the release of the vehicle, in addition to any other requirement of law, the owner of a vehicle seized under Subsection (c) must:*
 - (1) *remedy the defect by identifying the vehicle as required by Subsection (a) or (b);*
or
 - (2) *agree in writing with the law enforcement agency to provide evidence to that agency, before the 10th day after the date the vehicle is released, that the defect has been remedied by identifying the vehicle as required by Subsection (a) or (b).*
- (f) *Subsections (a) and (b) do not apply to a vehicle to which Section 502.201(g) or 502.206 applies.*
- (g) *For purposes of this section, an exempt license plate is a license plate issued by the department that is plainly marked with the word 'exempt.'*

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 34.008, Education Code;

(3) designed and used exclusively for fire fighting;

(4) owned by a volunteer fire and used exclusively in the conduct of 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.

(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.

- I. All motor vehicles, house trailers, trailers and semitrailers may qualify for Exempt License Plates if they are the property of and used exclusively in the service of the United States Government, the State of Texas or any of its subdivisions, which include counties, cities, school districts, state supported institutions, or any other governmental agencies created under Article 16, Section 59 of the Constitution of Texas.
- II. Prior to May 3, 1947, vehicles eligible for Exempt License Plates were required to register annually. However, since the passage of H. B. 273 by the 50th Texas Legislature, and beginning with the 1948 Registration Year, license plates are permanently assigned to "exempt" motor vehicles, and such plates stay permanently with the motor vehicles until such vehicles are disposed of by the exempt agencies.
- III. The application, Form VTR-62A, must be submitted to the department's Vehicle Titles and Registration Division Headquarters Office in Austin for approval. This is required since all license plates issued for exempt vehicles are authorized and distributed from the Headquarters Office.
 - A. The Application for Standard Exempt License Plates, Form VTR-62A, shall be properly executed by the qualified agencies desiring Exempt License Plates.

1. When a qualified exempt agency applies for Exempt License Plates, the Form VTR-62A must be executed by an official or person who has the authority to sign the application for the exempt registration.
 2. Provisions have been made to allow an agency to list five different vehicles on one application.
 3. The statute number of the legislative enactment creating political subdivisions under Article 16, Section 59, of the Constitution of Texas must be shown in the space provided on the Form VTR-62A filed by such political subdivisions. Examples of such subdivisions would include:
 - a. Flood Control Districts
 - b. Water Control and Improvement Districts
 - c. Navigation Districts
 - d. Rural and Urban Transit Districts
- B. The Form VTR-62A may or may not be required to be supported by evidence of ownership. This is dependent upon the status of the vehicle for which application is being made.
1. If the vehicle has been previously titled in this State in the name of the agency making application, the Form VTR-62A may be submitted directly to the Vehicle Titles and Registration Division Headquarters Office in Austin.
 2. If the vehicle for which exempt registration is desired is not presently titled in this State in the name of the exempt agency and the vehicle is subject to a lien, the Form VTR-62A, application for title, and supporting evidence must be filed together at the office of the tax assessor-collector of the county in which the exempt agency is located. The transaction will then be forwarded to the Headquarters Office for issuance of the plates.
 3. If the vehicle for which exempt registration is desired is not presently titled in this State in the name of the exempt agency and such vehicle is not subject to a lien, the application for registration (Form VTR-62A), application for title, and supporting evidence may be filed at the office of the tax assessor-collector of the county in which the exempt agency is located; or the applying agency may file for title and be issued exempt registration through the Vehicle Titles and Registration Division Headquarters Office in Austin.
 4. Any transaction involving a vehicle which is subject to a lien or title fee must be filed with the County Tax Assessor-Collector's Office before it may be processed by the Vehicle Titles and Registration Division Headquarters Office in Austin. The statute number is not required for federal, county, city, state and school districts. The Form VTR-62A should show either the statute number under which the Political Subdivision was formed; or refer to Chapter 791 of the Government Code (Interlocal Cooperation Contracts); or refer to HB 2588, Acts of the 74th Texas Legislature.

5. It is imperative that all evidence in a title transaction involving Exempt License Plates be kept together when forwarded to the Vehicle Titles and Registration Division.
6. Motor vehicles owned by the Federal Government are not titled by the State of Texas because the Federal Government issues a Form 97 as evidence of ownership for vehicles owned by them, and they have requested that this form serve as the only legal evidence of ownership for government-owned vehicles.

Also, it is very uncommon for any agency of the United States Government to make application for Texas Exempt License Plates as United States Government vehicles may display government license plates or registration numbers in lieu of Texas registration. Those vehicles displaying registration numbers in lieu of metal license plates must be readily identifiable as United States Government vehicles. Usually, such vehicles will have the registration numbers painted on both sides and the rear of the vehicle along with an identifying seal or insignia painted on both sides.

Note: Privately owned motor vehicles used to transport the United States mail are not eligible for Exempt License Plates.

7. Vehicles leased to exempt agencies or loaned to school districts may be issued Exempt License Plates. In such instances, the Form VTR-62A must be executed and must show the names of both exempt agency and the legal owner. In addition to the Form VTR-62A, the other requirements are as follows:
 - a. If a vehicle is leased by an exempt agency, the Leased Vehicle Affidavit, Form VTR-62L, must be executed.
 - b. If a vehicle is loaned to a school district, the Exempt Vehicle Affidavit - Driver Education, Form 62E, must be executed. In the event the vehicle is to be used by a school for purposes other than driver education, the Form 62E must be amended by striking out the words "in furnishing drivers education" and inserting the school's use of the vehicle, such as "in vocational agriculture," etc.
 - c. 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 are exempted from the Certificate of Title Act by Transportation Code Section 502.202. All other leased or loaned vehicles must be titled in the name of the legal owner or a title must be applied for and the title fee collected. The application for title and all supporting evidence, including the application for Exempt License Plates, must be filed with the County Tax Assessor-Collector. The transaction will then be forwarded to and processed by the Vehicle Titles and Registration Division.

Note: If the vehicle is already currently titled in the name of the legal owner or if the vehicle is exempted from the title requirements, the application for exempt plates should be submitted directly to the Vehicle Titles and Registration Division Headquarters Office.

8. Vehicles owned by commercial transportation companies and used exclusively to provide public school transportation services to a school district under Section 34.008 of the Educational Code, and its subsequent amendments, are eligible for Exempt License Plates. In addition to the Form VTR-62-A, the Public School Transportation Services Verification, Form VTR-62-BUS, must be completed. Both forms, along with supporting evidence, must be submitted to the Vehicle Titles and Registration Division, Special Plates Branch.
9. In the event a person, firm, or corporation leases a motor vehicle from the United States Government to be operated upon the public highways, the vehicle shall be registered with regular registration and a "Registration Purposes Only" receipt shall be issued in the name of the lessee. The proper application and registration fees must be collected and the registration receipt must be issued in the name of the lessee and show the notation "Owned by U. S. Government."

The application form 130-U must be supported by a copy of the current license receipt, a Request for Registration Purposes Only, Form VTR-272, and any type of document which describes the leased vehicle and denotes Government ownership.

10. In the event a person, firm, or corporation leases a motor vehicle to the United States Government to be operated upon the public highways, no certificate of title or registration is issued. The vehicle may display government license plates or registration numbers in lieu of Texas registration. If the person, firm, or corporation requests a certificate of title, application is made and registration issued.
11. Senate Bill 978, effective September 1, 1989, amended the Texas Litter Abatement Act to allow an unclaimed abandoned motor vehicle to be used "for police purposes." A police department may obtain Exempt License Plates for the vehicle by submitting a completed Auction Sales Receipt, Form VTR-71-1, along with the application for title and the Application for Standard Exempt License Plates, Form VTR-62-A.

The blank space below Item 5 on the Form VTR-71-1 (name and address of the purchaser) should show "No sale" For police department use under Senate Bill 978.

- IV. Regular license plates may be issued at no fee for display on vehicles owned by and under the control of exempt agencies that are not required to display an identification inscription on their vehicles by authority Transportation Code Chapter 721. An Affidavit for Regular License Plates to be Used on Exempt Vehicles, Form VTR-119, must be submitted to the Special Plates Branch in Austin.
 - A. State Agencies exempt are: Texas Commission on Fire Protection; Texas State Board of Pharmacy; Texas Department of Mental Health and Mental Retardation; Texas Department of Public Safety; the institutional division of the pardons and paroles division of the Texas Department of Criminal Justice; Board of Pardons and Paroles; Parks and Wildlife Department; Railroad Commission of Texas; Texas Alcoholic Beverage Commission; Texas Department of Banking, Savings and Loan Department; Texas Juvenile Probation Commission; Texas Natural Resource

- Conservation Commission; Texas Youth Commission; Texas Lottery Commission; the Office of the Attorney General; Texas Department of Insurance; and agencies that receive an appropriation under an article of the General Appropriations Act that appropriates money to the legislature.
- B. A prerequisite to the issuance of regular license plates to a qualified state agency filing of statutory rules by that Agency with the Secretary of State's Office.
 - C. This exemption also applies to those vehicles which are used by police, sheriff, constable, Office of Criminal District Attorney, District Attorney, County Attorney, magistrate as defined by Article 2.09, Code of Criminal Procedures, County Fire Marshal's office, Medical Examiners office, Municipal Code Enforcement officer designated to enforce environmental criminal laws, or Juvenile Probation Department vehicles used to transport children when used for the purpose of performing official duties and may be unmarked at the discretion of a city council if city owned vehicle or a commissioners court if county owned vehicles.
 - D. Applications for regular license plates (Affidavit for Regular License Plates to be Used on Exempt Vehicles, Form VTR-119) which are submitted by a city exempted from the inscription requirement must be supported by a city council resolution. A city council resolution must be filed with the Department in order to obtain the regular license plates. A Commissioner's Court Order must support applications for regular plates by counties which are exempted. The name of the exempt agency and the name of the person designated to apply for regular license plates for use on exempt vehicles must be stated in either the City Council Resolution or the Commissioners Court Order.
 - E. The ownership of vehicles registered in this manner will not be protected. The agency's name will be recorded in the master vehicle file and will be available upon inquiry.
- V. Any qualified exempt agency possessing unconventional machinery-type vehicles that operate upon the highways must make application and secure Exempt License Plates. This type of equipment is not required to be titled; therefore, the Affidavit and Application for Exempt License Plates, Form VTR-62-A, may be mailed without any supporting evidence directly to the Vehicle Titles and Registration Division Headquarters Office, with the following exception:
- A. Farm type (wheeled, pneumatic tired) tractors owned by exempt agencies with or without machinery attached. These tractors shall be issued an Exempt License Plate and must be titled. When an application for an Exempt License Plate is received from an exempt agency for a tractor of this type, the Vehicle Titles and Registration Division Headquarters Office will issue the Exempt License Plate, provided the exempt agency applies for certificate of title at the same time.
 - B. Either the motor or serial number of unconventional machinery may be used on the application for Exempt License Plates. If the machinery has no motor or serial number, an assigned serial number must be obtained from this department by use of the standard Form VTR-68A.
- VI. Privately owned fire fighting vehicles and vehicles owned by Volunteer Fire Departments may qualify for Exempt License Plates. Vehicles owned by Volunteer Fire Departments

do not have to be designed exclusively for fire fighting in order to qualify for exempt plates, provided the vehicles are titled in the name of the Volunteer Fire Department and they are used exclusively in the conduct of business of that department. Privately owned fire fighting vehicles, however, must be designed and used exclusively for fire fighting in order to qualify for exempt plates.

- A. Application for the exempt registration of a privately owned fire fighting vehicle or a vehicle owned by a Volunteer Fire Department shall be made on a Form VTR-62F.
 - 1. The Form VTR-62F must be signed by a person who has the proper authority to attest that the vehicle is used exclusively for fire fighting if it is privately owned or that it is used exclusively in the conduct of business of the department if it is owned by a Volunteer Fire Department.
 - 2. For privately owned fire fighting vehicles, a photograph must be attached to the application, Form VTR-62F, to verify that the vehicle is, in fact, designed for fighting fires. A privately owned vehicle must be permanently outfitted with fire fighting equipment, such as water supply tank, booster pump, ladders, hoses, smoke ejector, emergency lighting, etc. An ambulance or other vehicle which does not contain permanently mounted fire fighting equipment would not qualify for Exempt License Plates, unless it is owned by a Volunteer Fire Department
 - B. A privately owned fire fighting vehicle or a vehicle owned by a Volunteer Fire Department is exempt from registration fees but is not exempt from certificate of title fees.
 - C. If a privately owned fire fighting vehicle or a vehicle owned by a Volunteer Fire Department is currently titled in Texas, the Form VTR-62F shall be submitted directly to the Vehicle Titles and Registration Division Headquarters Office for approval. If, however, the vehicle is not currently titled, an application for title together with the Form VTR-62F must be filed with the County Tax Assessor-Collector's office of the county in which the vehicle is located. The transaction will then be forwarded to and processed by the Vehicle Titles and Registration Division.
 - D. State agencies, incorporated cities, and counties owning fire fighting vehicles shall execute the Form VTR-62A as a prerequisite to the issuance of Exempt License Plates and the Form VTR-62F shall not be required from such agencies.
- VII. Privately owned vehicles used exclusively in law enforcement activities, which include rescue operations, may qualify for Exempt License Plates, provided the Form VTR-62A is supported by an affidavit signed by a person acting under the authority of the county sheriff's department stating that the vehicle is used exclusively in marine law enforcement activities under the direction of the sheriff's department.
- VIII. School buses owned by commercial transportation companies (buses must be titled in the company name) and used exclusively to provide public school transportation services to a school district are eligible for Exempt License Plates. The Application for Standard Exempt License Plates, Form VTR-62A, shall be completed by a representative of the school district. The Public School Transportation Services Verification, Form VTR-62-BUS, shall be completed by a representative of the commercial transportation company. Both the Forms VTR-62A and VTR-62-BUS shall be submitted to the VTR Special plates Branch for approval and issuance of Exempt License Plates.

- IX. For additional information regarding the statutory regulations relating to the use of Exempt License Plates and other requirements, refer to Transportation Code Section 502.201 which is inclusive of the following regulations and requirements:
- A. The department's authority to issue and recall Exempt License Plates.
 - B. Transfer of vehicles displaying Exempt License Plates.
 - C. The procedure for obtaining Replacement Exempt License Plates.
 - D. The license receipts used for the issuance of Exempt License Plates.

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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 and has not been used for any other purpose;*
 - (2) *a statement by an officer of the nonprofit disaster relief organization that the vehicle has not been used for any purpose other than emergencies and qualifies for registration under this section; 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.*

- I. Commercial motor vehicles, trailers, semitrailers and ambulances owned and operated by nonprofit disaster relief organizations may, in lieu of regular registration, secure a \$5.30 license plate, provided such vehicles are used solely for emergency disaster relief work.
 - A. Application for the Registration of a Disaster Relief Vehicle, Form VTR-76, must be properly executed and submitted in duplicate directly to the Vehicle Titles and Registration Division in Austin for approval.
 - B. A statement from the owner of the vehicle must be signed stating that the vehicle is used exclusively for emergencies and has not been used for any other purposes must be included.
 - 1. A statement must be signed by an officer of the nonprofit disaster relief organization stating that the vehicle has not been used for any purpose except emergencies and qualifies for registration under this section. This requirement may be achieved by acquiring the signature of an agent of the nonprofit disaster relief organization on the Form VTR-76.
 - 2. A description of the emergency vehicle and the emergency equipment transported therein must be noted on the application, Form VTR-76.
 - 3. Disaster relief vehicles must be titled and are not exempt from the fees for certificates of title, except trailers that do not weight in excess of 4,000 pounds.

- C. An organization making application for a Disaster Relief License Plate must have the name of the organization displayed on each front door of the commercial motor vehicle or truck tractor for which application is being made.
 - D. It is necessary for an organization to resubmit each year a Form VTR-76 for approval as a prerequisite for the subsequent renewal of a Disaster Relief License Plate.
- II. If the department approves the request for a Disaster Relief License Plate, an approval letter and a copy of the application will be mailed to the applicant. The applicant may then take the approval letter and the approved application to his County Tax Assessor-Collector for the issuance of the Disaster Relief License Plate. The tax assessor-collector shall also be notified of the qualification of the vehicle by receiving a copy of the approval letter. Upon approval of the application, the department will furnish the tax assessor-collector with the Disaster Relief License Plate.
- A. Disaster Relief License Plates are "annual" license plates that are issued each year for the established registration period of April 1st through March 31st of the succeeding year. The \$5.30 license fee is to be paid to the County Tax Assessor-Collector at the time the license plate is issued. A license receipt must be prepared when issuing a Disaster Relief License Plate.
 - 1. If the vehicle is not currently titled in the name of the disaster relief organization, an application for title must be filed by such organization before the Disaster Relief License Plate can be issued.
 - 2. When the Disaster Relief License Plate is issued, the Tax Assessor-Collector should retain the application, Form VTR-76, presented to him by the applicant for his records.
 - 3. If the disaster relief vehicle is unregistered and registration is applied for in February or March, the applicant should be permitted to register his vehicle as follows:
 - a. The applicant may be issued only the forthcoming year's license plate, and the annual fees shall be collected for both the current registration year and the forthcoming registration year. The combined fees of \$10.30 shall be shown on one license receipt.
 - b. If the applicant specifically requests the issuance of a license for only the remainder of the current registration year, the current year's license plate should be issued for a fee of \$5.30.
 - B. If a Disaster Relief License Plate becomes lost, stolen, or mutilated, a replacement plate may be issued for the fee of \$5.30, provided the owner executes a Replacement application and surrenders his current year's license receipt. If the owner cannot surrender his current license receipt and the registration cannot otherwise be verified, a replacement plate cannot be issued. In such instances, the owner shall be required to execute a new application (Form VTR-76) and reapply for a new plate as provided in the preceding paragraphs.
 - C. When a vehicle displaying a Disaster Relief License Plate is sold to another qualified disaster relief organization, a license receipt and a properly executed Form VTR-76 in the name of the purchaser must support the application for title. If, however, the

purchaser of the vehicle is not qualified, the Disaster Relief License Plate and license receipt shall be returned to the department for cancellation. In such situations, regular license plates must be issued and the registration fee collected as of the date application for title is filed. Credit should not be allowed for the surrendered Disaster Relief License Plate.

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Sec. 502.2035. Trailers and Semitrailers Owned by Religious Organizations.

- (a) *A trailer or semitrailer may be registered without payment if the trailer or semitrailer is:*
 - (1) *owned by an organization that qualifies as a religious organization under Section 11.20, Tax Code; and*
 - (2) *used primarily for the purpose of transporting property in connection with the charitable activities and functions of the organization.*
- (b) *An application for registration under this section must include a statement signed by an officer of the religious organization stating that the trailer or semitrailer qualifies for registration under this section.*

I. Qualifications

A trailer or semitrailer owned by an organization that qualifies as a religious organization under Section 11.20, Tax Code, may qualify for registration without payment of registration fees, if the trailer/semitrailer is used primarily for the purpose of transporting the property of the organization in connection with charitable activities and functions of that organization.

II. Title Required

- A. Trailers and semitrailers are required to be titled dependent on their empty or gross weight. Otherwise, "registration only" in the name of the religious organization must be obtained.
- B. A title is required if it is a:
 - 1. Trailer with an empty weight in excess of 4,000 lbs.; or
 - 2. Semitrailer with a gross weight in excess of 4,000 lbs.
- C. Shopmade or homemade trailers that are required to be titled must have an assigned serial number issued by a Regional Office.

III. Application

- A. An officer authorized to act for the qualifying religious organization must properly execute the application, Form VTR-620.
- B. The application must be submitted to the Special plates Branch of the Vehicle Titles and Registration Division Headquarters Office in Austin for approval. This is required since all exempt license plates issued must be authorized by and distributed from the Headquarters office.
- C. The trailer/semitrailer must be titled and/or registered, which ever applies, in Texas and in the name of the religious organization. If the trailer/semitrailer for which application is being made is:
 - 1. Titled and/or registered in the name of the religious organization, the Form VTR-620 may be submitted directly to the Vehicle Titles and Registration Division Headquarters Office in Austin.

2. NOT titled and/or registered in the name of the religious organization, the religious organization must apply for title and /or registration through the appropriate county tax assessor-collector's office.

Note: Eligible religious organizations are exempt only from payment of registration fees for the trailer or semitrailer. Qualifying as a "religious organization" under the Tax Code does not exempt an organization from payment of certificate of title fees or motor vehicle sales tax on trailers or semitrailers. Questions regarding payment of sales tax should be referred to the State Comptroller's Office.

- a. The application for title and registration (Form 130-U), the properly executed Form VTR-620 and supporting evidence of ownership must be submitted to the county tax assessor-collector's office. The transaction will then be forwarded to the Special Plates Branch of the Vehicle Titles and Registration Division Headquarters Office in Austin, for approval and issuance of the exempt license plates.
- b. If the transaction is for registration only of a non-titled trailer or semitrailer in the name of the organization, the tax office will process the transaction and collect only the applicable sales tax due. The Non-Titled Vehicle Receipt indicating sales tax paid will then be forwarded to VTR, together with the Form VTR-620, application for registration, and supporting evidence of ownership.
- c. It is imperative that all documents submitted with these transactions be kept together when forwarded to the Special Plates Branch.

IV. Inscription Required

Transportation Code §502.201 requires that vehicles to which Exempt license plates are issued must be inscribed to indicate the name of the entity to which the plates are issued. The inscription must be letters that are at least two inches high or in an emblem that is at least 100 square inches in size, and of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet.

V. License Plates

Upon proper application and approval by the department, exempt license plates will be issued on a permanent basis for the qualifying trailer or semitrailer, and may remain with the trailer/semitrailer for as long as it is owned by the organization and operated exclusively for the purposes specified in law.

VI. License Receipt

The "Exempt" license receipts are executed by the department and issued directly to the applicant with the exempt license plates.

VII. Replacement License Plates

If the exempt license plates become lost, stolen, or mutilated, the replacement statement on the Form VTR-620, shall be properly executed by an officer for the organization and submitted directly to the Special Plates Branch of the Vehicle Titles and Registration

Division Headquarters Office in Austin. Any plate remaining on the trailer/semitrailer must be removed and surrendered with registration receipt previously issued for cancellation. The replacement license plates will be issued as a "no fee" replacement.

VIII. Trailer/Semitrailer Sold or Disposed Of

- A. When a qualifying trailer/semitrailer, to which exempt license plates have been issued, is sold, the license plates and receipt must be surrendered to the department for cancellation. The trailer/semitrailer is then considered unregistered. Regular registration may be purchased through a county tax assessor-collector's office when the purchaser applies to transfer the registration, or applies to transfer the title if the trailer/semitrailer is required to be titled.
- B. If the trailer/semitrailer is sold to another qualifying religious organization, the purchasing organization must reapply for exempt registration.
- C. Under no circumstances shall a county tax assessor-collector transfer the exempt license plates to a new owner.

IX. Trailer/Semitrailer Junked or Salvaged

In the event a trailer or semitrailer to which exempt license plates were issued is junked or salvaged, the license plates must be removed from the vehicle prior to its disposal. The license plates and receipt must then be surrendered to the department for cancellation.

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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.*
- I. Exempt License Plates may be issued to vehicles operated as ambulances and used exclusively by nonprofit, volunteer ambulance companies.
- A. The Texas Department of Health issues registration certificates for vehicles that qualify as emergency medical service vehicles.

- B. A nonprofit, volunteer ambulance company must submit a copy of the vehicle registration certificate or a Temporary Operating Permit issued by the Department of Health together with an Application for Exempt Registration for an Emergency Medical Services Vehicle, Form VTR-62-EMS.
 - 1. A nonprofit, volunteer ambulance company need not be the owner of the vehicle. The law requires only that the vehicle be operated as an ambulance and used exclusively as an ambulance by a nonprofit, volunteer ambulance company.
 - 2. Exempt License Plates may be issued only when a record of Texas title is established in the name of the applicant or in the name of the city, county, etc., that actually owns the vehicle.
 - 3. A nonprofit, volunteer ambulance company is exempt from payment of the registration fee but is not exempt from payment of the title fee.
- C. In those instances when ownership is in a name other than the non-profit, volunteer ambulance company, the Exempt License Receipt must record the name of owner and the notation "Registered by (Nonprofit, Volunteer Ambulance Company)." This will allow anyone making an inquiry to know who has possession and control of the vehicle since it is being operated by someone other than the recorded owner.
- II. Exempt License Plates issued under this section of the law shall be permanently assigned to the vehicle to which issued so long as it is operated exclusively as an ambulance by the nonprofit, volunteer ambulance company. In the event the vehicle ceases to be operated in accordance with the law or it is to be disposed of, the nonprofit, volunteer ambulance company must remove the plates from the vehicle and surrender them with the license receipt to this department for cancellation.
- III. Exempt License Plates may be issued to vehicles owned by the Civil Air Patrol, Texas Wing, provided such vehicles are operated exclusively as emergency services vehicles by members of that organization.
- IV. Applications for Exempt License Plates by the Civil Air Patrol, Texas Wing, shall be made on a Form 62-CAP.
- V. The Civil Air Patrol, Texas Wing is exempt from payment of the registration fee but is not exempt from payment of the title fee.

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.*

- I. Three and four-wheel all-terrain vehicles used or to be used upon public property of this State are required to be registered with off-highway all-terrain vehicle registration.
 - A. The annual fee for the registration of an all-terrain vehicle is a flat fee of \$6.30. In addition to the registration fee, a \$6 all-terrain vehicle safety fee is required.
 - B. A special all-terrain vehicle registration sticker is issued for display on the handle bars of the vehicle or a location at the front of the vehicle so that the year of expiration and the registration number are visible. This sticker is an annual sticker expiring March 31 of each year.
 - C. All-terrain vehicles registered with Exempt License Plates by a State, county, or municipal exempt agency shall apply directly to the department
- II. An all-terrain vehicle registration sticker shall be issued using a license receipt, Form 31-RTS, which will also serve as the registration certificate required by statute. The \$6.00 all-terrain vehicle safety fee must be shown on the license receipt and the application for title. All three- and four-wheel all-terrain vehicles are required to be titled; therefore, proof of title is required before issuing an all-terrain vehicle registration sticker.
- III. A person operating an all-terrain vehicle on public property is required to carry an all-terrain vehicle safety certificate. This certificate is issued by the Texas Department of Public Safety and certifies that the operator has completed a Safety Education and Certification Program.
- IV. If during the registration year the owner of an all-terrain vehicle wishes to sell the vehicle, it is transferred in the same manner as any vehicle displaying annual registration. It is not necessary to collect another all-terrain vehicle safety fee as this is an annual fee and is transferable. It is the responsibility of the purchaser to obtain the required safety certificate for operation of the all-terrain vehicle on public property.
- V. If an all-terrain vehicle registration sticker becomes lost, stolen, or mutilated, the owner may secure a replacement sticker from the tax collector in their county of residence for a fee of \$5.30. The replacement sticker is issued through the RTS Replacement Event.

- VI. Exempt License Plates may be issued to all-terrain vehicles owned by a county, or a municipality and operated exclusively to maintain public safety and welfare of the residents of this State.
- VII. Applications for Exempt License Plates by a qualifying exempt agency shall be made on a Form VTR-62A and submitted directly to the Vehicle Titles and Registration Division Headquarters Office in Austin for approval.

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.

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Chapter 13

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SUBCHAPTER F. SPECIALIZED LICENSE PLATES; EXEMPTIONS FOR PRIVATELY OWNED VEHICLES

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.*
 - (c) *The annual fee for personalized prestige license plates is \$40, in addition to the registration fee otherwise prescribed by this chapter.*
 - (d) *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.*
 - (e) *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.*
 - (f) *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.*
- I. The department makes available to owners of qualified vehicles, special Personalized License Plates (PLP) for a fee of \$40 in addition to the regular registration fees.
- A. Personalized License Plates may be issued to all classifications of vehicles, except those vehicles receiving full or partial exemption from regular registration fees, such as vehicles displaying Soil Conservation, Farm Truck, Machinery, Farm Trailer, or Permit License Plates.
 - B. The following regulations have been promulgated by the department in regard to the selection of Personalized License Plates:
 - 1. A personalized license number that conflicts with the department's regular license plate numbering system will not be authorized.
 - 2. An application for a personalized license number that has already been issued to another applicant will not be approved.
 - 3. A Personalized License Plate may not contain more than six characters.

4. The department will not issue Personalized License Plates if the requested selection is considered obscene or objectionable. The department may cancel a PLP if, after being assigned, it is determined that the PLP is or could be considered obscene or objectionable.

Note: If the department cancels a PLP because it is found to be objectionable or obscene, a refund of the full PLP fee will be issued by the department after the plates have been collected.

5. The department will only authorize the use of spaces, hyphens, periods, or one silhouette of Texas in conjunction with the approved six alphabetical or combination of six alphabetical and numerical characters.
- C. Disabled persons have the option of having their Personalized License Plate manufactured with the universal symbol of access (wheelchair emblem). Disabled Persons who wish to purchase a Personalized License Plate which does not display the universal symbol of access may retain their disabled parking privileges by purchasing a Disabled Person Identification Placard for display on the rear view mirror (refer to Transportation Code Section 681.002).
 - D. Personalized License Plates may be displayed on a leased vehicle provided the applicant furnishes the County Tax Assessor-Collector with a copy of a written lease agreement. The deputy should record the PLP number on the lease agreement, place a copy of the lease agreement in an envelope, and forward to the department with the registration report. The International Registration Plan Branch shall forward the agreement to the Special Plates Branch.
- II. Personalized License Plates are multi-year staggered plates issued for a 12-month registration period. The expiration date is determined by the month in which the application is received and processed with the exception of those vehicles listed in paragraphs A, B and C. Each Application for Personalized License Plates, Form VTR-35A, with the \$40 fee shall be mailed directly to the department.
- A. Personalized Dealer plates will be multi-year staggered registration plates, validated with a month and year plate validation sticker. The fee is \$85.30 (\$45.30 dealer plate fee plus \$40.00 PLP fee).
 - B. Combination, Token Trailer, City Bus, Motor Bus, Private Bus, and commercial vehicles with a manufacturer's rated carrying capacity of 1 ton or more are issued license plates with a March 31st expiration date. Applications are only accepted from January 1st to February 28th each year.
 - C. When a registrant wishes to display a personalized license number on one of the special category license plates, several factors determine the expiration month. Each category of plates has specific and separate statutory fees. The statute does not allow fees to be prorated on a monthly basis. Therefore, the annual fee for each type is due although a full year's use may not be realized.
 1. Example 1: An owner has a current Personalized License Plate with a September expiration month. In December the registrant decides to display the same personalized license number on a Collegiate License Plate. The annual fee for Collegiate License Plates is \$30. The law does not allow this fee to be prorated.

The same is true of the Personalized License Plate fee; the \$40 fee cannot be prorated in order to extend the expiration month of the personalized license number to correspond with the twelve months available on the collegiate fee. The Personalized Collegiate License Plates will be manufactured with the September expiration month. The result is the registrant realizes 12 months use from the \$40 Personalized License Plate fee while only realizing 9 months use of the \$30 Collegiate License Plate fee.

2. Example 2: The opposite scenario is also possible. A registrant could have current Collegiate License Plates and applies for a personalized license number to display on the Collegiate License Plates. The month of expiration assigned to the original Collegiate License Plates is retained.
3. Example 3: The registrant may apply for a new personalized license number to be displayed on a new special category license plate to realize a full 12 months use of both statutory fees. However, eligible applicants may only be issued one set of Armed Forces, Texas Wing Civil Air Patrol, Pearl Harbor Survivor, Coast Guard Auxiliary, Vietnam Veteran, Desert Storm, Korea War Veteran, World War II Veteran, Private Nonprofit Organization or Purple Heart License Plates.

Note: The department will contact the registrant to explain that a full year's use of both fees is not possible in the scenario presented in paragraphs 1 or 2 above. If the registrant wants to acquire the plates regardless of any time loss, the department will comply with the request.

- D. If the request for a Personalized License Plate selection is approved, the department will notify the applicant to contact the county tax office to pick up the plates. (Personalized Dealer plates will be mailed directly to the dealer from the Special Plates Branch.) If the selection is not accepted, the application, the applicant's fee, and a letter explaining the reason for rejection will be mailed to the applicant.
- III. Once a personalized license number is issued, the applicant has priority to the same number for succeeding years, provided the application for renewal of the number is submitted each year with the fee of \$40.
- IV. The department assigns an expiration date to the Personalized License Plates and sends the plates to the County Tax Assessor-Collector of the county in which the owner resides for issuance. The County Tax Assessor-Collector shall issue the Personalized License Plate, the Windshield or Universal Validation Sticker and collect the registration fees prescribed by law. Once Personalized License Plates are issued, the expiration month will not change except in rare situations where the Personalized License Plate owner subsequently applies for a special category license plate with a specific expiration date in conjunction with the Personalized License Plate.
- V. Personalized Dealer License Plates will be assigned the same expiration date as the dealers GDN expiration date. The plates will be validated with a month and year sticker and mailed directly to the dealer from the Special Plates Branch.
- VI. Proof of financial responsibility must be submitted to the County Tax Assessor-Collector when Personalized License Plates are issued, renewed, or transferred to another vehicle. (See Transportation Code Section 502.153.)

- VII. Personalized License Plates are not assigned to any particular vehicle until the plates are actually issued to the owner by the County Tax Assessor-Collector. The applicant may request the plates issued to any vehicle which the applicant owns or leases, provided the vehicle is of the class for which the personalized plates were manufactured. Since the registration classification does not appear on personalized plates manufactured for passenger cars and trucks, these plates are interchangeable. Personalized plates manufactured for all other classes of vehicles have the registration classification embossed thereon and these plates may not be displayed on a vehicle of a different classification than for which the plates were made.

Note: If the applicant is late picking up the plates from the county, the registration fee is prorated from the first day of the month in which the plates are actually issued through the last day of the month and year assigned to the Personalized License Plates. At no time should the County Tax Assessor-Collector issue a month of expiration other than the original month assigned to the PLP by the department.

- A. If the vehicle to which the Personalized License Plates are being issued is either titled in the applicant's name or is leased to the applicant and is currently registered, it is necessary for the applicant to surrender the license plates displayed on the vehicle, the Windshield or Universal Validation Sticker, and the corresponding license receipt before the personalized plates are issued. The optional County Road and Bridge Fee is not collected when adjusting registration from 1 to 11 months.

Note: If credit is issued, the tax collector should inform the owner that when the vehicle is reregistered, the license receipt must be presented. The owner will then pay the prescribed registration fee minus the credit shown on the license receipt. The license receipt may be used by the registered owner of the vehicle or a subsequent purchaser to reregister that same vehicle for the forthcoming registration period only.

- B. If the vehicle to which the Personalized License Plates are being issued is either titled in the applicant's name or is leased to the applicant and is unregistered, registration fees are collected for the period for which the PLP is valid. The optional County Road and Bridge Fee is collected, if applicable.
- C. If the vehicle to which the PLPs are being issued is currently registered and a Texas Certificate of Title is applied for in conjunction with the PLP issuance, the applicant must surrender the license plates displayed on the vehicle, the Windshield Validation Sticker, and the corresponding license receipt before the PLPs may be issued. A title transaction receipt is used to transfer the ownership of the vehicle and to issue the PLP and a Windshield Validation Sticker to the vehicle. The optional County Road and Bridge Fee is not collected when adjusting registration from one to eleven months.
- D. If the vehicle to which the PLPs are being issued is unregistered and a Texas Certificate of Title is applied for in conjunction with the PLP issuance, registration fees are collected for the period for which the PLP is valid. The optional County Road and Bridge Fee is collected, if applicable.

VIII. Renewals

- A. The department will mail PLP renewal forms to the vehicle owners 90 days prior to the registration expiration date designated on the Personalized License Plates. Upon receipt, the owner must return the renewal along with the statutory fee to this department.
- B. The renewal is processed when the department receives the renewal with the PLP fee. Forty-five days prior to expiration, the Special Plates File is run against the Master Vehicle File. If the PLP is matched to a vehicle in the Master Vehicle File, the owner is mailed a renewal notice, Form 39SP. If the PLP is not matched to a vehicle in the Master Vehicle File, the owner is mailed a Courtesy Notice, Form 35C. The owner will be instructed to present the renewal notice or Courtesy Notice to the tax collector when renewing the vehicle registration. The Special Plates File may be run against the Master Vehicle File at any time prior to the expiration of the Personalized License Plates to issue either a renewal or a Courtesy Notice to untimely renewals.

Note: If the owner is late in renewing the plates, the personalized selection will be reserved for 60 days after expiration. All renewal forms received after the 60-day period are treated as a new application. New Personalized License Plates with a new month of expiration will be issued (see paragraph II).

- C. Upon receipt of the Dealers PLP renewal forms and the applicable fees, the Special Plates Branch will check the renewal form against the dealer file, to verify the dealer's GDN is currently renewed.
- D. Every six years the department will manufacture a new set of plates for the PLP owner. During each of the five years after the initial issuance of the Personalized License Plate, the multi-year plates are renewed with a Windshield Validation Sticker issued by the county tax office (plate sticker for dealers issued by the Special Plates Branch) when the owner renews the vehicle registration. If a PLP owner wishes to receive a new set of PLPs during the six-year period, a request is made to the Special Plates Branch in Austin. Upon payment of the statutory \$50 fee, the department will have the new plates manufactured.
- E. Verification of the validity of the plate renewal is made by the tax collector in order to issue the Windshield Validation Sticker.
- F. Once the PLP renewal is verified, the tax collector shall collect the appropriate annual registration fee. If the owner presents a Courtesy Notice to renew the PLP, it is necessary for the tax office to collect the registration fee and issue the validation sticker for the PLP. The Courtesy Notice is stapled to the license receipt.
- G. If a Personalized License Plate owner decides not to renew the PLPs in subsequent years, regular registration must be purchased for the vehicle from which the PLPs are removed. The tax collector shall issue new plates and a validation sticker for the vehicle and collect the appropriate annual registration fee. The owner may retain the PLP.
- H. Duplicate renewal notices, Form 39SP, may be obtained by contacting the Special Plates Branch at (512) 374-5010.

- IX. Should an owner fail to renew the PLP, the selection will be reserved for 60 days after expiration. An Application for Personalized License Plates marked "RENEWAL" is required to renew the PLP during the 60-day period. If the customer presents a Form 35SP, it can be used in lieu of an application marked "RENEWAL."

Note: All application RENEWAL forms for the PLP received by the department after the 60-day period are processed as a new application and must be handled by the Special Plates Branch.

- A. Late renewals and the PLP fee may be processed by the County Tax Assessor-Collector (at the option of the individual county) for 60 days after expiration. In addition, the regional office and the Special Plates Branch may handle late renewals.
- B. When the County Tax Assessor-Collector processes a late renewal, authorization must be obtained by telephone from the Special Plates Branch 512 374-5010. The county must record the date of the phone call and the name of the employee on the Application for Personalized License Plates marked "RENEWAL." When the renewal is authorized, the tax collector shall collect the statutory personalized plate fee in addition to the appropriate annual registration fee. The month of expiration will not change.

Note: If the renewal is applied for in the second month after expiration and the owner states that the vehicle has not been used, a "non-use" affidavit, Form VTR-64, is executed. The registration fee is prorated from the first day of the month in which the plates are actually issued to the last day of the month and year assigned to the Personalized License Plates. If the owner is unable to execute a "non-use" affidavit because the vehicle has been operated, the privilege of paying a prorated license fee is forfeited. The owner is required to pay the annual registration fee plus a penalty equal to 20 percent of the annual registration fee.

The statutory personalized plate fee and a completed Application for Personalized License Plates, Form VTR-35A, marked "RENEWAL," shall be inserted into an envelope provided by the department and mailed directly to the Budget and Finance Division, Revenue Accounting Branch in Austin. No report is required as a result of collecting the statutory personalized plate fee.

- C. When the regional office handles the renewal process, authorization must be obtained by telephone from the Special Plates Branch STS 241-5275 or 512 374-5010. The name of the employee who authorized the renewal, along with the date of the phone call is recorded on the Application for Personalized License Plates marked "RENEWAL."

The regional office will issue a Courtesy Notice with the PLP number and the owner's name recorded thereon and advise the owner to present the Courtesy Notice to the county tax office to renew the vehicle registration and receive the Windshield or Universal Validation Sticker for the PLP. The regional office will receipt the PLP fee through their cash register, and the money will be deposited. The completed Application for Personalized License Plates marked "RENEWAL" must be submitted with the money report to the Finance Division, Revenue Accounting Branch.

- D. The Special Plates Branch will maintain a log on PLPs that were renewed by telephone through the counties and the regional offices. The log shall include the plate number, the county or regional office that requested authorization, the name of the deputy or the employee, and the date the request was made. A hold will be placed on the PLP in the Special Plates File. When the money and the application are received from the county or when the application is received from the regional office, the Special Plates File will be updated and the log cleared. If the money and/or application are not received within 10 days, the Special Plates Branch will contact either the county or regional office.

Note: The Special Plates Branch should remind the deputy or regional office employee to record the date of the phone call and the name of the employee who authorized the renewal on the Application for Personalized License Plates marked "RENEWAL."

- X. Personalized License Plates are transferable from one owner to another only under the following circumstances:

- A. In the case of the death of the Personalized License Plate owner, the heir(s) may retain the current Personalized License Plate by submitting an application to the department and paying the statutory fee.

- B. A Personalized License Plate issued to a company or corporation may be transferred to an individual and vice versa by submitting an application to the department and paying the statutory fee.

Note: In the above situations, the statutory fee is required when transferring a Personalized License Plate from one owner to another, regardless of the number of months remaining on the Personalized License Plate.

- C. A Personalized License Plate may be transferred from a guardian to a minor without the payment of the statutory fee if the minor's name appears on the title record in conjunction with the guardian's name. If the minor's name does not appear on the title record, the plates may be transferred to the minor by submitting an application to the department and paying the statutory fee.

- D. A Personalized License Plate may be transferred without payment of the statutory fee if the Personalized License Plate owner's name changes due to marriage or divorce.

- XI. Once Personalized License Plates are assigned to a vehicle, the owner may, at a subsequent date during the registration year, elect to transfer the plates to another vehicle of the same classification. Also, plates originally issued to a passenger car may be transferred to a light truck and vice versa. In all instances, the vehicle to which the Personalized License Plates are being transferred must be titled or leased in the name of the person to whom the plates were issued; or title must be applied for at the time the plates are transferred. This does not apply to small trailers that do not require title - refer to the Certificate of Title Act.

It is the responsibility of the owner to whom the Personalized License Plates were issued to obtain a set of Regular Replacement License Plates from their County Tax Assessor-Collector for the fee of \$5.30 for the vehicle from which the personalized plates and the Windshield Validation Sticker were removed. This is done before the vehicle may be

operated or transferred to another owner. The replacement plates are validated with the expiration date that corresponds with the expiration date assigned to the Personalized License Plates.

- A. If the vehicle to which the Personalized License Plates are being transferred is either titled in the PLP owner's name or is leased by the PLP owner and is currently registered, it is necessary for the owner to surrender the license plates along with the corresponding license receipt before the personalized plates and new Validation Sticker are issued to the vehicle. The optional County Road and Bridge Fee is not collected when adjusting registration from 1 to 11 months on a license receipt.
- B. If the vehicle to which the PLPs are being transferred is either titled in the PLP owner's name or is leased by the PLP owner and is unregistered, registration fees, less the \$.30 reflectorization fees are collected for the period for which the PLP is valid. The optional County Road and Bridge Fee is collected, if applicable.
- C. If the vehicle to which the PLPs are being transferred is currently registered and a Texas Certificate of Title is applied for in conjunction with the transfer of the personalized plates, it is necessary for the applicant to surrender the license plates and the corresponding license receipt before the Personalized License Plates and new Validation Sticker are transferred to the vehicle. The optional County Road and Bridge Fee is not collected when adjusting registration from 1 to 11 months on a license receipt.
- D. If the vehicle to which the Personalized License Plates are being transferred is unregistered and a Texas Certificate of Title is applied for in conjunction with the transfer of the personalized plates, registration fees, less the \$.30 reflectorization fee, are collected for the period for which the PLP is valid. The optional County Road and Bridge Fee is collected, if applicable.
- E. Except for transfers from passenger to light truck (one ton or less) and vice versa, if an owner desires to display the Personalized License Plates on a vehicle of a different classification, the Personalized License Plates to the county tax collector and a set of \$5.30 regular replacement license plates secured. The owner must then apply directly to the department for a new set of PLPs for the appropriate classification. A copy of the license receipt, showing the surrendered personalized plates have been replaced with regular plates must accompany the request. The plates will be manufactured and mailed to the owner's county tax collector's office for issuance. The month of expiration will not change unless the new PLP is manufactured for a vehicle classification with March expiration

Note: Applications for a PLP placed on a vehicle in a classification which requires a March expiration are only accepted during the period beginning January 1 and ending February 28.

- XII. The only time the \$5 minimum registration fee applies to Personalized License Plates is when the plates are issued to an unregistered vehicle during the latter part of a registration year and the registration fee is collected for 1 month, 2 months, 3 months, etc. If the plates are transferred to a currently registered vehicle, the prorated credit amount shown below the registration fee on the fee schedule is used to calculate credit or to collect an additional fee to adjust the vehicle's registration expiration date.

- XIII. If an owner's license receipt becomes lost or destroyed, a duplicate receipt may be issued for the statutory fee of \$2. A duplicate receipt should be obtained from the county in which the original receipt was issued. The duplicate of an exchange receipt must reflect either the credit due or additional fee collected.
- XIV. Replacement Personalized License Plates
- A. If Personalized License Plates become lost, stolen, or damaged, the owner must obtain regular replacement license plates for the vehicle. The tax collector shall collect the statutory \$5.30 fee and issue the replacement plates.
 - B. After obtaining the replacement license plates, the owner may submit a written request to the department for replacement Personalized License Plates. The request must be accompanied by a copy of the receipt issued by the county showing that the personalized plates have been replaced with regular replacement plates. If the request is approved, the department shall manufacture a new set of PLPs at no charge.
 - C. If the request for replacement Personalized License Plates is submitted and the records indicate that the vehicle displaying the plates is reported stolen, a set of replacement Personalized License Plates will not be issued until such time as the vehicle is recovered or the PLPs have expired.

Note: Substitute personalized plates are not issued.

- D. The department will forward the replacement PLPs to the tax office and notify the owner to contact the tax office for issuance of the replacement PLPs.
- E. The tax collector will issue the replacement personalized plates and new validation sticker. The owner is required to surrender the regular replacement plates and validation sticker that were previously assigned to the vehicle. The replacement personalized plates are reported by the new validation sticker number issued by the county tax office.

Note: The following exception to the procedures outlined in this Section applies only if a registrant desires a new set of PLPs due to cosmetic damage and the license number is legible. The registrant should be instructed to contact the Special Plates Branch in Austin. The replacement PLPs will be forwarded to the tax office and the registrant notified to contact the tax office for issuance of the replacement PLPs. The owner is required to surrender the damaged PLPs.

- F. If a Personalized Dealer License Plate is lost, stolen, or damaged, the dealer should contact the Special Plates Branch. A replacement Dealer Personalized Plate and the month and year sticker will be issued upon payment of the \$45.30 fee.

XV. Replacement Validation Stickers

- A. If a Windshield Validation Sticker becomes lost, stolen, or damaged, a replacement Windshield Validation Sticker is issued from the regular allotment of stickers furnished to the tax collectors. The county shall collect the statutory \$5.30 fee.
- B. If the vehicle is not equipped with a windshield, replacement License Plate Validation Stickers shall be issued.

- C. When a sticker is issued on a replacement basis, the notation "Replacement Sticker" shall be listed in the appropriate space on the ledger page.
 - D. If a Dealer license plate validation sticker becomes lost, stolen, or damaged, contact the Special Plates Branch at (512) 374-5010.
- XVI. Personalized License Plates displayed on vehicles other than those to which issued or transferred are subject to immediate cancellation. Such vehicles are considered unregistered and subject to regular registration according to their classification for the entire registration year plus a 20% penalty of such fee. Also, whoever shall operate or permit to be operated upon a public highway a vehicle so registered may be fined in a sum not to exceed \$200.
- XVII. Hot Check Policy
- A. When the Texas State Treasury Department returns a check to the Revenue Accounting Branch which has been returned by the bank unpaid, it will be the responsibility of the Revenue Accounting Branch to notify the PLP owner and to collect the outstanding fees.
 - 1. If the check is returned prior to the issuance of the Personalized License Plate or the issuance of either the renewal notice or Courtesy Notice, the Revenue Accounting Branch will notify the owner using the standard letter for returned checks. The Special Plates Branch shall be notified so that the PLP can be removed from the manufacturing list or the renewal flag can be removed from the Special Plates File preventing the issuance of either a renewal notice or Courtesy Notice.
 - 2. If the check is returned after the plate, renewal notice, or Courtesy Notice has been issued, the Revenue Accounting Branch will notify the PLP owner using a 10-day letter. The 10-day letter will be sent certified mail, return receipt requested. A copy of the letter will be sent to the county. If there is no response, a code sheet should be sent to the Vehicle Data Management Branch to have the notation "PLP Hot Check D12-5" placed in the Master Vehicle File. A copy of this code sheet should remain on file until the money is collected.
 - 3. If the money is received after the notation has been placed in the Master Vehicle File, the Accounting Branch shall send a copy of the original code sheet to the Vehicle Data Management Branch with a note to delete the notation from the Master Vehicle File.
 - B. When the regional office has accepted a check for Personalized License Plates on a late renewal and that check is returned unpaid by the bank, it will be the responsibility of the regional office to notify the PLP owner and to collect the outstanding fees.
 - 1. The Revenue Accounting Branch should be notified immediately that the check was returned so that the money can be backed out of the proper account.
 - 2. The owner should be notified that the check was returned unpaid and the owner must submit a cashier's check or money order to the department within 10 days or the plates will be canceled. A copy of the letter should be sent to the county.

3. If there is no response to the 10-day letter, a code sheet should be prepared and sent to the Vehicle Data Management Branch so that the notation "PLP Hot Check VTR-_____" will be placed in the Master Vehicle File. The regional office should place their abbreviated name in the notation.
4. If the money is received after the notation has been placed in the Master Vehicle File, the regional office should contact the Revenue Accounting Branch to notify them of the collection. The regional office will receipt the money through their cash register using the miscellaneous key. A notation should be made on the money report for the reason the money is reported as miscellaneous. The money should be reported as a new PLP in ROSCOE. A copy of the original code sheet should be sent to the Vehicle Data Management Branch with a note to delete the "PLP Hot Check" notation.

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Sec. 502.252. Certain Specialized Plates Available Personalized.

A person applying for license plates under Section 502.2555, 502.258, 502.259, 502.260, 502.261, 502.262, 502.263, 502.264, 502.265, 502.269, 502.270, 502.271, 502.272, 502.273, 502.274, 502.289, 502.291, or 502.294 may:

- (1) have a license plate number assigned by the department; or*
- (2) apply for personalized prestige license plates under Section 502.251.*

- I. A personalized license number may also be displayed on several of the special category license plates issued by the department. The \$40 statutory fee for Personalized License Plates and the statutory fee for the special plate category must be submitted to the Special Plates Branch with the application for the special category license plate on which the applicant wishes to display a personalized license number. The regular vehicle registration fee prescribed by law (if applicable) will be collected or adjusted by the county tax collector upon issuance of the special license plates. The following special category license plates are eligible to display a personalized license number.
 - A. Personalized Armed Forces License Plates are available for a fee of \$50 (\$40 Personalized License Plate fee plus \$10 Armed Forces License Plate fee) in addition to the regular registration fees prescribed by law.
 - B. Personalized Classic Vehicle License Plates are available for a fee of \$55 (\$40 Personalized License Plate fee plus \$15 Classic License Plate fee) in addition to the regular registration fees prescribed by law.
 - C. Personalized Coast Guard Auxiliary License Plates are available for a fee of \$50 (\$40 Personalized License Plate fee plus \$10 Coast Guard Auxiliary License Plate fee) in addition to the regular registration fees prescribed by law.
 - D. Personalized Collegiate License Plates are available for a fee of \$70 (\$40 Personalized License Plate fee plus \$30 Collegiate License Plate fee) in addition to the regular registration fees prescribed by law.
 - E. Personalized Desert Storm Veteran License Plates are available for a fee of \$40 in addition to the regular registration fees prescribed by law.
 - F. Personalized Pearl Harbor Survivor License Plates are available for a fee of \$43 (\$40 Personalized License Plate fee plus \$3 Pearl Harbor Survivor License Plate fee). The law allows eligible applicants who apply for Pearl Harbor Survivor License Plates to register one vehicle without payment of the regular registration fees prescribed by law. However, if the applicant is the surviving spouse of a Pearl Harbor Survivor, the regular registration fees prescribed by law must be collected.
 - G. Personalized Purple Heart License Plates are available for a fee of \$43 (\$40 Personalized License Plate fee plus \$3 Purple Heart Recipient License Plate fee). The law allows eligible applicants who apply for Purple Heart License Plates to register one vehicle without payment of the regular registration fees prescribed by law.

- H. Personalized State Capitol License Plates are available for a fee of \$70 (\$40 Personalized License Plate fee plus \$30 State Capitol License Plate fee) in addition to the regular registration fees prescribed by law.
- I. Personalized Texas Aerospace Commission License Plates are available for a fee of \$70 (\$40 Personalized License Plate fee plus \$30 Texas Space Commission License Plate fee) in addition to the regular registration fees prescribed by law.
- J. Personalized Texas Wing Civil Air Patrol License Plates are available for a fee of \$50 (\$40 Personalized License Plate fee plus \$10 Texas Wing Civil Air Patrol License Plate fee) in addition to the regular registration fees prescribed by law.
- K. Personalized Vietnam Veteran License Plates are available for a fee of \$40 in addition to the regular registration fees prescribed by law.
- L. Personalized Private Nonprofit Organization License Plates are available for a fee of \$65 per year (\$40 Personalized License Plate fee plus \$25 Private Nonprofit Organization License Plate fee) in addition to the regular registration fees prescribed by law.
- M. Personalized Marine Corps League License Plates are available for a fee of \$50 (\$40 Personalized License Plate fee plus \$10 Marine Corps League License Plate fee) in addition to the regular registration fees prescribed by law.
- N. Personalized Korea War Veteran License Plates are available for a fee of \$40 in addition to the regular registration fees prescribed by law.
- O. Personalized World War II Veteran License Plates are available for a fee of \$40 in addition to the regular registration fees prescribed by law.
- P. Personalized State of the Arts License Plates are available for a fee of \$65 (\$40 Personalized License Plate fee plus \$25 State of the Arts License Plate fee) in addition to the regular registration fees prescribed by law.
- Q. Personalized United States Olympic Committee License Plates are available for a fee of \$60 (\$40 Personalized License Plate fee plus \$20 United States Olympic Committee License Plate fee) in addition to the regular registration fee prescribed by law.
- R. Personalized Peace Officer License Plates are available for a fee of \$60 (\$40 Personalized License Plate fee plus \$20 Peace Officer License Plate fee) in addition to the regular registration fee prescribed by law.
- S. Personalized Houston Livestock Show and Rodeo License Plates are available for a fee of \$70 (\$40 Personalized License Plate fee plus \$30 Houston Livestock Show and Rodeo License Plate fee) in addition to the regular registration fee prescribed by law.
- T. Personalized Read to Succeed License Plates are available for a fee of \$70 (\$40 Personalized License Plate fee plus \$30 Read to Succeed License Plate fee) in addition to the regular registration fee prescribed by law.
- U. Personalized Volunteer Advocate License Plates are available for a fee of \$70 (\$40 Personalized License Plate fee plus \$30 Volunteer Advocate License Plate fee) in addition to the regular registration fee prescribed by law.

- V. Personalized Keep Texas Beautiful License Plates are available for a fee of \$65 (\$40 Personalized Keep Texas Beautiful License Plate fee plus \$25 License Plate fee) in addition to the regular registration fee prescribed by law.
- W. Personalized Big Bend National Park License Plates are available for a fee of \$90 (\$40 Personalized Big Bend National Park License Plate fee plus \$50 License Plate fee) in addition to the regular registration fee prescribed by law.
- X. Personalized Animal Friendly License Plates are available for a fee of \$65 (\$40 Personalized Animal Friendly License Plate fee plus \$25 License Plate fee) in addition to the regular registration fee prescribed by law.
- Y. Personalized Gold Star Mother License Plates are available for a fee of \$50 (\$40 Personalized License Plate fee plus \$10 License Plate fee) in addition to the regular registration fee prescribed by law.
- Z. Personalized Boy Scout of America License Plates are available for a fee of \$70 (\$40 Personalized License Plate fee plus \$30 License Plate fee) in addition to the regular registration fee prescribed by law.
- AA. Personalized Prestige Dealer's License Plates are available for a personalized plate fee of \$40, plus the fee prescribed by Transportation Code Chapter 503. A dealer must notify the Motor Vehicle Division who will submit a request to the Division, Special Plates Branch, for the Personalized License Plate to be manufactured.

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Sec. 502.2525 Discontinuance of Certain Specialized License Plates.

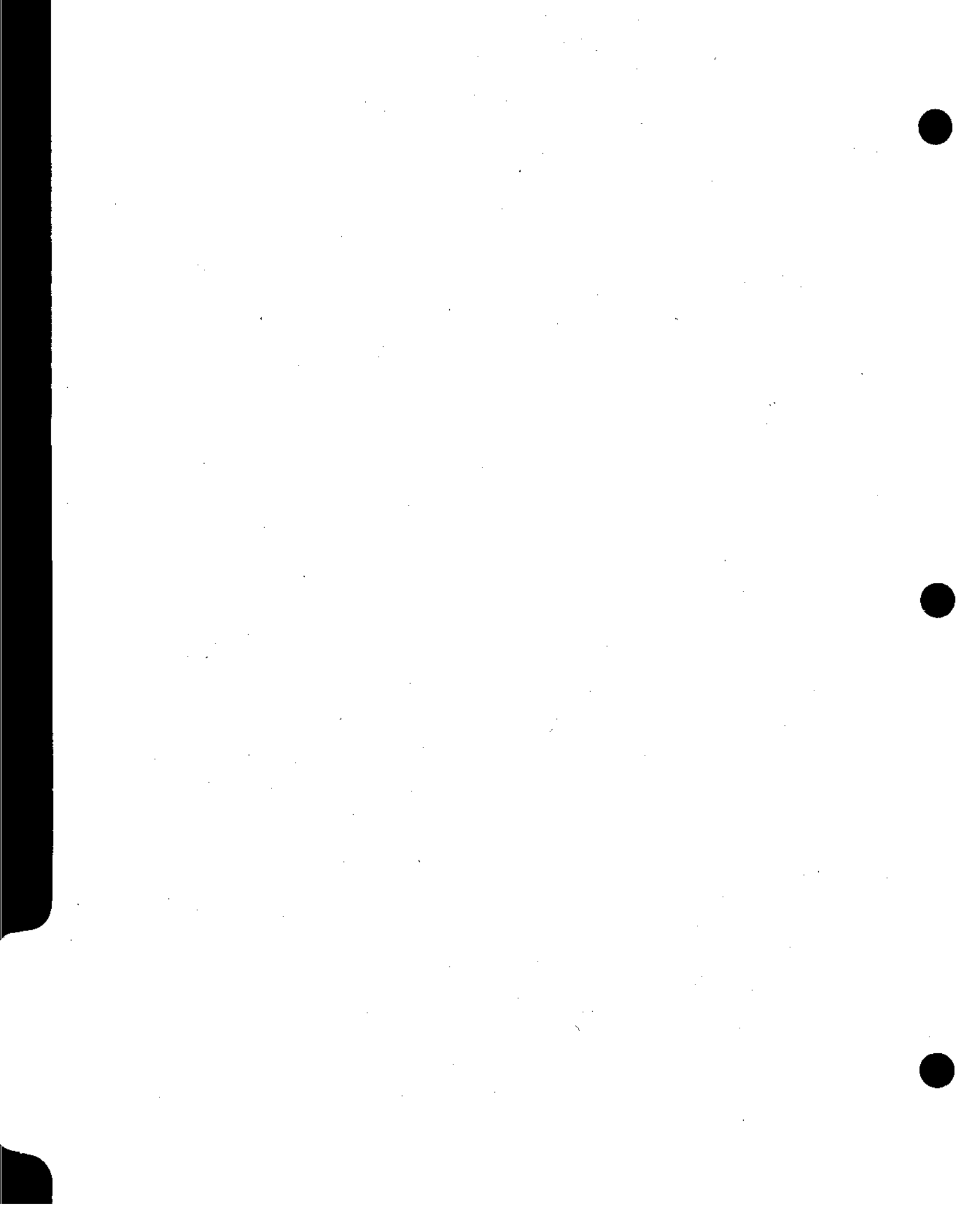
- (a) *This section applies only to license plates authorized by:*
- (1) *Section 502.269;*
 - (2) *Section 502.270;*
 - (3) *Section 502.2703;*
 - (4) *Section 502.271;*
 - (5) *Section 502.272;*
 - (6) *Section 502.2731;*
 - (7) *Section 502.291, as added by Chapter 165, Acts of the 75th Legislature, Regular Session, 1997;*
 - (8) *Section 502.291, as added by Chapter 657, Acts of the 75th Legislature, Regular Session, 1997;*
 - (9) *Section 502.292, as added by Chapter 61, Acts of the 75th Legislature, Regular Session, 1997;*
 - (10) *Section 502.292, as added by Chapter 397, Acts of the 75th Legislature, Regular Session, 1997;*
 - (11) *Section 502.293, as added by Chapter 511, Acts of the 75th Legislature, Regular Session, 1997;*
 - (12) *Section 502.293, as added by Chapter 1247, Acts of the 75th Legislature, Regular Session, 1997;*
 - (13) *Section 502.294, as added by Chapter 1222, Acts of the 75th Legislature, Regular Session, 1997;*
 - (14) *Section 502.295, as added by Chapter 581, Acts of the 75th Legislature, Regular Session, 1997.*
- (b) *Except as provided by Subsections (d) and (e), on or after September 1, 2004, the department may continue to issue license plates to which this section applies only if before that date at least:*
- (1) *3,500 sets of the license plates authorized by a section of this subchapter specified by Subsection (a) have been issued or presold;*
 - (2) *\$15,000 has been received by the department from the issuance of license plates under that section; or*
 - (3) *\$15,000 has been deposited with the department for the continued issuance of those license plates.*
- (c) *If before September 1, 2004, one of the conditions described by Subsection (b) is not met for a type of license plate to which this section applies, the section of this subchapter that authorizes the issuance of that type of license plate expires on that date.*
- (d) *On or after September 1, 2004, the department may continue to issue license plates under:*

- (1) *Section 502.270 for a particular institution of higher education or private college or university only if before that date:*
 - (A) *1,500 sets of license plates for the particular institution, college, or university have been issued or presold;*
 - (B) *\$15,000 has been received by the department from the issuance of license plates for that institution, college, or university; or*
 - (C) *\$15,000 has been deposited with the department for the continued issuance of the license plates for that institution, college, or university; or*
- (2) *Section 502.2703 for a particular professional sports team only if before that date:*
 - (A) *5,000 sets of the license plates for that sports team have been issued or presold;*
 - (B) *\$15,000 has been received by the department from the issuance of license plates for that sports team; or*
 - (C) *\$15,000 has been deposited with the department for the continued issuance of license plates for that sports team.*
- (e) *If before September 1, 2004, the department has not issued any license plates under Section 502.203, that section expires on that date.*
- (f) *Money deposited with the department under Subsection (b)(3), (d)(1)(C), or (d)(2)(c) shall be returned by the department to the person who made the deposit only after the requisite number of license plates under those subsections are issued or presold.*

Sec. 502.2526. Specialized License Plates Authorized After January 1, 1999.

- (a) *This section applies only to specialized license plates that are authorized to be issued by a law that takes effect on or after January 1, 1999.*
- (b) *The department may manufacture the specialized license plates only if a request for manufacture of the license plate is filed with the department. The request must be:*
 - (1) *made on a form adopted by the department;*
 - (2) *filed before the fifth anniversary of the effective date of the law that authorizes the issuance of the specialized license plates; and*
 - (3) *accompanied by:*
 - (A) *a deposit of \$15, 000; or*
 - (B) *applications for issuance of at least 3,500 sets of the license plates plus the fees for issuance of that number of sets.*
- (c) *Money deposited with the department under Subsection (b)(3)(A) shall be returned to the person who made the deposit only if 3,500 sets of the applicable license plates are issued or presold.*
- (d) *If a request is not filed with the department before the date specified by Subsection (b)(2), the law that authorizes the issuance of the specialized license plates expires on that date.*

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Chapter 14

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Sec. 502.253. Persons With Disabilities.

- (a) *The department shall provide for the issuance of specially designed license plates for motor vehicles with a manufacturer's rated carrying capacity of two tons or less regularly operated for noncommercial use by or for the transportation of a person with a permanent disability.*
- (b) *In this section:*
 - (1) *"Disability" and "mobility problem that substantially impairs a person's ability to ambulate" have the meanings assigned by Section 681.001.*
 - (2) *"Legally blind" means a condition described by Section 681.001(2)(B) or (C).*
- (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) *Subject to Subsection (1), the first application for registration must be accompanied by a written statement of a physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the Veterans Administration, certifying to the department that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. The statement must include a certification of whether a mobility problem, if applicable, is temporary or permanent. 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*

Note: All applications for disabled person identification insignia MUST submit a written statement (bottom half of VTR-214 or written prescription) from a physician to comply with the provisions of Transportation Code, Chapter 681, which requires such statement from a physician.

- (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.*
- (h) *A person entitled to register a vehicle under this section is entitled to a set of special license plates under this section for each motor vehicle with a manufacturer's rated carrying capacity of two tons or less owned by the person that is equipped with special equipment that:*
 - (1) *is designed to allow a person who has lost the use of one or both of the person's legs to operate the vehicle; and*
 - (2) *is not standard equipment on that type of vehicle for use by a person who has use of both of the person's legs.*
- (i) *If a first application for registration under this section is made by or on behalf of a person with a mobility problem caused by a disorder of the foot, the written statement required by Subsection (e) may be issued by a person licensed to practice podiatry in the state or a state adjacent to this state. In the subsection, "podiatry" has the meaning assigned by Section 681.001.*

Note: Refer to Transportation Code, Chapter 681, in this manual for further information including parking privileges for the disabled.

- I. The Department of Transportation makes available two different types of disabled person identification. Specially designed license plates are available in lieu of regular license plates for display on motor vehicles having a manufacturer's rated carrying capacity of two tons or less (noncommercial use only), operated by or for the transportation of permanently disabled persons. Removable windshield placards are available for issuance to temporarily and permanently disabled persons.
 - A. The term "disabled" means a person who has mobility problems that substantially impair the person's ability to ambulate or who is legally blind as that term is defined by statute.
 - B. Such a disability must be of a permanent nature in order to obtain Disabled Person License Plates or a Permanently Disabled Person Identification Placard. Temporarily Disabled Person Identification Placards are available for issuance to persons who have a temporary disability.
 - C. There is no additional fee charged for the issuance of Disabled Person License Plates other than the regular vehicle registration fees prescribed by law. The fee for Permanently and Temporarily Disabled Person Identification Placards is \$5.
 - D. The number of disabled person identifiers a disabled person may be issued is limited by law. A disabled person may apply for either of the following:

One Permanently Disabled Person Identification Placard and one or more sets* of Disabled Person License Plates (or one or more plates* for Disabled Person Motorcycle License Plate).

*Additional sets of Disabled Person License Plates may only be obtained for vehicles specially equipped for operation by a person who has lost the use of one or both legs.

Or,

No more than two Permanently Disabled Person Identification Placards.

- II. An initial application may be filed for disabled person license plates or identification placards with the county tax assessor-collector in the county in which the applicant resides. The applicant may be the owner of a registered vehicle that is regularly operated by or for the transportation of a disabled person; or a disabled person who is not a vehicle owner.
- A. Application must be made on a form prescribed by the department and shall, at a minimum, require the name, address, and signature of the disabled person, and the applicant's Texas driver's license number or the number of a personal identification card issued to the applicant issued by the Texas Department of Public Safety; or an out-of-state current driver's license number issued to a non-resident individual serving in the United States military at a military installation in this state.
- B. An initial application for disabled person license plates and an identification placard must be accompanied by evidence that the operator or regularly transported person is disabled, unless otherwise exempted by law or this section. Such evidence of disability must contain a certification as to whether the disability is temporary or permanent and the disabled person's name.
- C. The application must be signed by: (1) a physician who is either licensed to practice medicine in Texas; (2) a physician who is licensed to practice medicine in a state adjacent to Texas (AR, LA, NM, and OK); (3) a physician who is practicing medicine in the U.S. Military on a military installation in Texas; (4) a physician practicing medicine in a Veterans Administration medical facility; or (5) a person licensed to practice podiatry in Texas or a state adjacent to Texas (AR, LA, NM, and OK), if the application is made by or on behalf of a person with a mobility problem caused by a disorder of the foot.
- D. The disability statement signed by the physician or podiatrist must also indicate whether the disability is a mobility disability as described by Transportation Code, Section 681.001 (5)(B) or (C).
1. Disability evidence must be a disability statement, as it appears on the application for disabled person license plates or identification placards, which has been correctly completed and signed in the presence of a notary; or a written prescription.
 2. Exemptions from accompanying documentation are allowed by the department when issuing disabled person identification placards to an organization that regularly transports disabled persons in vehicles it owns or controls if such

organization is prohibited by law from disclosing the identities of their clients. In such cases, the application may be made in the name of the organization. In addition, accompanying documentation described in paragraph (B) of this subsection will not be required. Such organizations shall present an "Exempt" Texas Vehicle Registration Receipt for each disabled person identification placard requested.

3. Exemptions from accompanying documentation are allowed by the department when issuing disabled person identification placards and disabled person license plates to certain institutions, facilities, or residential retirement communities that are licensed under Chapter 242, 246, or 247 of the Health and Safety Code. Refer to Section 502.2531 for additional information.

- III. Disabled Person License Plates are manufactured with the International Symbol of Access embossed in the center of the license plate and are issued for display on motor vehicles with a manufacturer's rated carrying capacity of two tons or less (noncommercial use only) regularly operated by or for the transportation of permanently disabled persons.

Note: Effective September 1, 1997, all disabled parking placards issued will bear a hologram designed to prevent the reproduction of the placard or the production of a counterfeit placard. Also, the applicant's Texas Driver's License Number or Texas Identification Number issued by the Texas Department of Public Safety will be recorded on the placard.

- IV. Permanently or Temporarily Disabled Person Identification Placards are available for a fee of \$5 which must be submitted along with the Application for Disabled Person Identification Placard and/or Disabled Person License Plate, Form VTR-214, to the applicant's County Tax Assessor-Collector's office.

The placards are designed to hang from the vehicle's rearview mirror when the vehicle is parked in a disabled parking space. If the vehicle in which the placard is to be displayed does not have a rearview mirror, the placard should be displayed on the center portion of the dashboard, in a manner that is clearly visible through the windshield.

When a Disabled Person Identification Placard is placed on the rearview mirror of a vehicle transporting a disabled person, the vehicle operator is afforded the same parking privileges as the operator of a vehicle displaying Disabled Person License Plates. The placard should be removed from the vehicle's rearview mirror when the vehicle is in motion.

All Disabled Person Identification Placards issued on or after September 1, 1999 will have both an expiration date area that is at least 3 inches in height in addition to a month/year hole-punch system expiration date.

- A. Effective September 1, 1999, there will be two types of Permanently Disabled Person Identification Placards that are valid for a period of four year from the month of issuance.

Note: The month to punch out on the Permanently Disabled Placard is the same month of issuance, not the previous month as is used in issuing new registration.

1. **Blue** Permanent Disabled Identification Placards
 - a. Blue Permanent Disabled Identification Placards will be issued to disabled persons who either cannot walk without the use of or assistance from an assistance device, including a brace, cane, crutch, another person or prosthetic device; or cannot ambulate without a wheelchair or similar device.
 - b. Vehicles displaying Blue Permanent Disabled Identification Placards will be able to park in **any** disabled person parking spaces when the disabled person parking spaces are color-coded if the vehicles are being operated by the disabled person or used to transport the disabled person for which the placard was issued. The blue-coded disabled person parking spaces will be the disabled parking spaces nearest the entrances to buildings.
 2. **Red** Permanent Disabled Identification Placards
 - a. Red Permanent Disabled Identification Placards will be issued to all other permanently disabled persons who have permanent disabilities other than the specific mobility-related disabilities as mentioned in 1(a).
 - b. Vehicles displaying Red Permanent Disabled Identification Placards will be able to park in handicapped parking spaces that are not blue color-coded if the vehicles are being operated by the disabled person or used to transport the disabled person for which the placard was issued.
- B. Effective July 1, 2000, there will be **two** types of Temporarily Disabled Person Identification Placards which are valid for a period of six months from the month of issuance, or until the end of the disability, whichever occurs first.
1. **Blue** Temporarily Disabled Identification Placards
 - a. Blue Temporarily Disabled Identification Placards will be issued to disabled persons who either cannot walk without the use of or assistance from an assistance device, including a brace, cane, crutch, another person or prosthetic device; or cannot ambulate without a wheelchair or similar device.
 - b. Vehicles displaying Blue Temporarily Disabled Identification Placards will be able to park in any disabled person parking spaces when the disabled person parking spaces are color-coded if the vehicles are being operated by the disabled person or used to transport the disabled person for which the placard was issued. The blue-coded disabled person parking spaces will be the disabled parking spaces nearest the entrances to buildings.
 2. **Red** Temporarily Disabled Identification Placards
 - a. Red Temporarily Disabled Identification Placards will be issued to all other temporarily disabled persons who have temporary disabilities other than the specific mobility-related disabilities as mentioned in 1(a).
 - b. Vehicles displaying Red Temporarily Disabled Identification Placards will be able to park in handicapped parking spaces that are not blue color-coded if the vehicles are being operated by the disabled person or used to transport the disabled person for which the placard was issued.

- C. Temporary Disabled Person Identification Placards are valid for six months or until the termination of the applicant's disability, whichever occurs first. The six-month period is calculated from the month of issuance; therefore, if a person's temporary disability extends for more than the six-month period for which the placard was issued, the applicant must reapply for a new identification placard at the prescribed fee. If a person's disability ends before the expiration of the identification placard, the placard should be destroyed since the person to whom the placard was issued would no longer qualify under the law for parking privileges as a disabled person.

Note: If two temporary placards are purchased, they are validated for the same six-month period.

- D. If a placard becomes lost or destroyed, the disabled person must reapply to the county tax collector, completing a new Form VTR-214 (NOT the disability statement) for a new identification placard and pay the prescribed \$5 fee.
- E. Upon expiration of Permanently Disabled Person Windshield Placards, placard holders must present the following to the county tax office in the applicant's county of residence in order to renew the placard(s):
1. The expiring windshield placard(s);
 2. A Form VTR-214 with the top half completed (NOT the disability statement), including the signature of the disabled person; and

Note: The applicant's Texas driver's license number or Texas identification number must be recorded on the VTR-214.

3. \$5.00 per placard (limit two.)

The department does not maintain an automated file of placards issued. Each county tax office must maintain a file of the county copies of the Form VTR-214 in order to verify physician's or podiatrist's approval if replacement placards or license plates are needed in the future and to verify the number of placards held by the applicant. The original copy is to be retained by the applicant. The expired placard(s) that is being replaced should be destroyed and discarded. If the previous application is not available, the applicant must reapply to the county tax collector, completing a new Form VTR-214 as an initial application as listed in Section II.

4. When renewing disabled placards issued prior to July 1, 2000, permanently disabled persons will continue to receive blue permanent disabled person placards regardless of the type of permanent disability they have. A new VTR-214 with a physician's signature indicating what type of permanent disability the applicant has is not required.
- V. Senate Bill 793, Acts of the 71st Legislature, Regular Session, provides statutory authority to grant reciprocal parking privileges to the owner or operator of a vehicle used for the transportation of disabled persons when the vehicle displays a license plate or identification card that bears the international symbol of access which has been issued by another state or country.

- VI. Transportation Code Chapter 681 defines “refueling service” as the service of pumping motor vehicle fuel into the fuel tank of a motor vehicle and provides refueling services to a disabled driver of a vehicle that displays disabled person identification authorized under this Section (Transportation Code Section 502.253).
- A. Refueling services shall be provided by each person, firm, partnership, association, trustee, or corporation that operates a gasoline service station or other facility that offers gasoline or other motor vehicle fuel for sale to the public from the facility. The refueling service for disabled drivers is limited only to gasoline and diesel fuel. The price charged for the motor vehicle fuel provided to a disabled driver may not be greater than the price the facility would otherwise charge the public to purchase motor vehicle fuel at the self-service price.
 - B. The provisions of Transportation Code Chapter 681 do not apply to a gasoline service station or other facility that offers gasoline or other motor vehicle fuel for sale to the public if the station or other facility has only remote-controlled pumps and never provides pump island service. In addition, the Transportation Code provides a station or facility that ordinarily provides pump island service with an exemption from providing the service if during regularly scheduled hours the station or facility does not provide pump island service for security reasons.
 - C. As a service to disabled drivers, the department has printed cards which outline the refueling privileges extended to disabled persons under Transportation Code Chapter 681. The Department of Transportation does not have any enforcement authority in regard to this law. Complaints should be directed to the disabled person's district attorney, county attorney, or the office of the Texas Attorney General.
- VII. Issuance of Disabled Person License Plates
- A. Disabled Person License Plates are multi-year license plates validated each year with a Windshield or Plate sticker upon payment of the applicable registration fees. When Disabled Person License Plates are initially issued for display on a motor vehicle with a manufacturer's rated carrying capacity of two tons or less that is currently registered, the Disabled Person plates are issued on an even exchange basis at “no charge.” The plates currently displayed on the vehicle and the Windshield Validation Sticker (or plates with the universal year and month stickers affixed) must be removed and surrendered to the tax office. The Disabled Person plates are validated with the expiration month and year that correspond with the expiration of the plates and Windshield (or Universal year and month stickers) surrendered to the tax office.
 - B. When issuing Disabled Person License Plates to a new or unregistered vehicle, the vehicle must be registered for a 12-month registration period and the appropriate registration fees collected.
 - C. If an owner sells or trades a vehicle to which Disabled Person License Plates have been issued, the Disabled Person License Plates and the Windshield Validation Sticker, or plates with the license plate stickers must be removed from the vehicle and surrendered to the tax office. Regular \$5.30 replacement license plates and stickers must be purchased and placed on the vehicle prior to the transfer. The registration month and year will remain the same.

D. Disabled person license plates are non-transferable between vehicles.

In the event Disabled Person License Plates or the Windshield Validation Stickers are lost, stolen, or mutilated, the owner may secure replacement plates/stickers for the statutory replacement fee.

Sec. 502.2531. Issuance of Disabled Plates to Certain Institutions.

- (a) *The department shall provide for the issuance of the specially designed license plates under Section 502.253 for a van or bus operated by an institution, facility, or residential community for the elderly or for disabled veterans in which a person described by Section 502.253(b) or 502.254(a) resides, including an institution licensed under chapter 242, Health and Safety Code, and a facility licensed under Chapter 246 or 247 of that code.*
- (b) *The application for registration must be made in the manner provided by Section 502.253(d) or 502.254(d), as applicable, and be accompanied by a written statement signed by the administrator or manager of the institution, facility, or retirement community certifying to the department that the institution or facility regularly transports, as a part of the services that the institution, facility, or retirement community provides, one or more persons described by Section 502.253(b) or 502.254(a) who reside in the institution, facility, or retirement community. The department shall determine the eligibility of the institution, facility, or retirement community on the evidence the applicant provides.*

- I. Institutions, facilities, or residential retirement communities that are licensed by the Texas Department of Human Service (DHS) and regularly transport disabled residents may apply for disabled person license plates for a van or a bus or blue permanent disabled person identification placards.
 - A. If an eligible institution, facility or residential retirement community desires a set of disabled person license plates for a bus, the county must notify the Special Plates Branch in Austin, as disabled person private bus plates will be manufactured upon request. The Special Plates Branch will have the disabled person private bus license plates manufactured and mailed to the appropriate county. The institution may then go to the county for issuance of the disabled person private bus license plates.
 - B. When Disabled Person License Plates are initially issued for display on a van or bus that is currently registered, the Disabled Person plates are issued on an even exchange basis at "no charge." The plates currently displayed on the vehicle and the Windshield Validation Sticker (or plates with the universal year and month stickers affixed) must be removed and surrendered to the tax office. The Disabled Person plates are validated with the expiration month and year that correspond with the expiration of the plates and Windshield (or Universal year and month stickers) surrendered to the tax office.
 - C. When issuing Disabled Person License Plates to a new or unregistered vehicle, the vehicle must be registered for a 12-month registration period and the appropriate registration fees collected.
 - D. If an institution, facility, or residential retirement community sells or trades a vehicle to which Disabled Person License Plates have been issued, the Disabled Person License Plates and the Windshield Validation Sticker, or plates with the license plate stickers must be removed from the vehicle and surrendered to the tax office. Regular replacement license plates and stickers must be purchased and placed on the vehicle prior to the transfer. The registration month and year will remain the same.
 - E. Disabled Person License Plates are non-transferable between vehicles.

- II. In these instances, a doctor's signature is not required on the application for disabled person license plates and/or identification placards. The administrator or manager of the institution, facility, or retirement community will sign the application and put the DHS license number in lieu of the driver's license or identification number.

In addition, the administrator or manager must prepare a statement to attach to the application that indicates the following: The name and address of the institution, facility, or retirement community; the administrator or manager's name; a statement that the institution, facility, or retirement community transports disabled persons; a statement that the institution, facility, or retirement community is licensed by the Texas Department of Human Services (DHS); and the license number issued by DHS.

- III. Institutions, facilities, or residential retirement communities are not restricted in the quantity of disabled person license plates or placards they can obtain. However, the institution, facility, or residential retirement community must submit a Texas Vehicle Registration Receipt for each van or bus for which disabled person license plates or identification placards is requested.
- IV. If the Vehicle Registration Receipt indicates that the van or bus is not owned by the institution, facility, or residential retirement community, then a separate written statement must also be submitted, stating that the van or bus is in the possession and control of the institution, facility, or residential retirement community and that it is operated for the transportation of its disabled residents.



Chapter 15

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Sec. 502.254. Veterans With Disabilities.

- (a) *The department shall issue special license plates for motor vehicles with a manufacturer's rated carrying capacity of two tons or less that are owned by veterans of the United States armed forces. A veteran is entitled to register, for the person's own use, two passenger cars or light trucks under this section 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 under this section 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) *License plates issued under this section 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 the fee prescribed by Section (g) 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).*
- (f) *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.*
- (g) *The fee for issuance of license plates under this section is:*
 - (1) *\$3 for the first set of license plates; and*
 - (2) *the applicable annual fee prescribed by Section 502.161 for each additional set of license plates.*
- (h) *If a plate is canceled under Section (f)(1), the owner may then register another vehicle under this section without charge.*
- (i) *The department may adopt rules to administer this section.*

- I. Texas residents who are veterans of the Armed Forces of the United States, and who, as a result of military service, receive compensation from the Federal Government for a service-connected disability of at least 60% or at least 40% due to the amputation of a lower extremity, are entitled to receive two sets of special Disabled Veteran License Plates. The first set of Disabled Veteran License Plates will cost \$3.00, while the second set of Disabled Veteran License Plates will cost the regular registration fees.

Note: Some disabled veteran organizations may also qualify for Disabled Veteran License Plates. In addition, a van or bus operated by an institution, facility or residential retirement community for disabled veterans may qualify for the specially designed license plates.

- A. A veteran who qualifies may register with Disabled Veteran License Plates two motor vehicles having a manufacturer's carrying capacity of two tons or less.
- B. The vehicles for which such plates are requested must be used for the veteran's own personal use and must be titled in Texas in the name of the veteran (joint ownership with the veteran's spouse is permissible.) If the vehicles are titled in a name other than that of the veteran (or veteran and spouse), the veteran must have the legal right of possession and control of the vehicle; and it must be used for the veteran's own personal use. In such instances, an affidavit to that effect must be executed by the veteran and attached to the Application for Disabled Veteran License Plates. If the veteran has a leased vehicle, a copy of the lease agreement should be attached to the application.
- C. Disabled Veteran License Plates are specially designed multi-year license plates which have the letters "DV" appearing as a prefix or suffix in the license number. The words "Disabled Vet" appear on the plates. These plates have staggered registration.
- D. A vehicle on which these plates are displayed is exempt from the payment of parking fees, including those collected through parking meters, charged by any governmental authority other than a branch of the Federal Government when being operated by or for the disabled veteran. This exemption applies only to parking fees and does not exempt the owner from the payment of title application fees or other statutory fees; nor does it exempt the owner from compliance with other laws and ordinances regulating parking, such as parking in restricted areas or no parking zones, overtime parking, etc.

Note: Attorney General's Opinion No. H-1291 specifically states: Disabled veterans and other individuals who qualify under Transportation Code Section 502.253 may obtain a special symbol to attach to their automobiles which will permit them to park at a meter without payment of the fee and without regard to the amount of time designated for parking there. However, a disabled veteran's license plate alone does not exempt an automobile from parking requirements which limit the amount of time at which an individual may park at a meter.

- E. Vehicles displaying Disabled Veteran license plates, which are being operated by the disabled veteran or used for the transportation of the disabled veteran for which the DV plates were obtained, can now park in parking spaces specifically designated for persons with disabilities. If the specifically designated parking spaces are blue and red color-coded, vehicles displaying DV plates can park in red-coded spaces only. If

the disabled veteran desires to park in the blue-coded spaces, a blue identification placard would be required. For additional information regarding placards, please refer to Section 502.253.

- II. Application for Disabled Veteran License Plates, Form VTR-615, must be submitted directly to the department's Division Headquarters Office in Austin. The plates may be issued at any time during the year. The Form VTR-615 is a two-part form. Section 1 must be completed by the veteran who must then send it to the Veterans Affairs Regional Office or the branch of service through which compensation is drawn, with a request that the applicant complete Section 2 of the form, verifying the veteran's disability rating, and return it to the applicant. When the application is returned, the applicant must then mail it to the department with the statutory application fee of \$3 and proof of financial responsibility (see Transportation Code Section 502.153) for the first set of Disabled Veteran License Plates ordered.

Note: County Veterans Service Officers are not qualified to execute Section 2 of the application except in cases when organizations are applying for the Section 2 of the application must be executed by an officer of the Veterans Administration or, if compensation is drawn through a branch of the U.S. Armed Forces, by an officer of the appropriate service branch.

- A. All applications that cannot be approved will be rejected and the applicant will be advised of the reason for the rejection. Any money remitted will be returned along with the application.
- B. Disabled Veteran License Plates are issued only to Texas residents. Any application that shows the veteran's address to be out of state will be rejected for clarification of the applicant's resident status.
- C. If the application is approved, the first set of Disabled Veteran License Plates and receipt will be mailed directly to the veteran. If a second set of Disabled Veteran License Plates was requested, the Special Plates Branch will mail the applicant's second set of plates to the veteran's resident county and notify the applicant that the plates are ready for pick up at the county. The applicant must take proof of financial responsibility for the vehicle that will display the second set of plates to the county and pay the regular registration fees in order to receive the plates and license receipt.
- D. When the veteran receives the first set of Disabled Veteran License Plates and places them on a vehicle, if the license plates removed from the vehicle are still current, the veteran may receive a refund for the unexpired portion of the registration fee. In such instances, if the veteran desires a refund, the old license plates and receipt should be surrendered to a Division Regional Office or the Special Plates Branch in Austin along with a request for a refund. The refund request must be in writing and must be accompanied by the applicant's copy of the new license receipt showing the Disabled Veteran License Plate number on each vehicle as evidence that such plates were assigned to the vehicle. The applicant's copy of the new license receipt will be returned to him when the refund is approved.
- E. If an applicant ordered a second set of Disabled Veteran License Plates, the county will follow the same procedures as outlined in the Personalized License Plate procedures, Transportation Code Section 502.251.

- III. Each year, prior to the renewal period, the department will mail renewal forms to veterans who have current Disabled Veteran License Plates for the first applicable vehicle. These renewal forms will provide a space to certify that the veteran's disability rating has not been reduced to less than 60% or 40% due to the amputation of a lower extremity. If qualified to renew the plates, the veteran may endorse the form and return it to the Division in Austin along with a \$3 fee and proof of financial responsibility for the first set of Disabled Veteran License Plates ordered. When renewing Disabled Veteran License Plates, the veteran will not be required to execute a new application, Form VTR-615, and obtain verification of the disability rating from the Veterans Administration or appropriate branch of service, since such verification was obtained when the plates were initially issued.
- IV. The event a veteran does not receive a renewal form from the department for the vehicle, Section 1 of the application, Form VTR-615, may be completed by the veteran; and it will serve as a means of renewing Disabled Veteran License Plates in lieu of the standard renewal form. In such cases, the word "RENEWAL" should be noted on the face of the application to indicate that it is a renewal and not an initial application. Upon receipt of the renewal form or Form VTR-615, the department will update the veteran's records and prepare a new license receipt for the forthcoming registration year. The receipt and the appropriate special plate "year" validation sticker will be mailed directly to the veteran.

For the second set of Disabled Veteran License Plates, the veteran should receive a three-part renewal for that vehicle. The veteran can then obtain a new windshield validation sticker at any location within the applicant's county that processes registration renewals.

- V. If Disabled Veteran License Plates are lost, stolen, or mutilated, the owner may secure another set of Disabled Veteran License Plates from any of the Division Regional Offices for a fee of \$1. Application for such replacements may be made on the standard Application for Replacement or by letter.
- VI. If a veteran desires to dispose of a vehicle to which Disabled Veteran License Plates are affixed, it is the veteran's responsibility to remove the plates and retain them until the veteran is ready to place them on another vehicle belonging to the veteran. The vehicle from which such plates are removed becomes an unregistered vehicle and must be registered with regular license plates for a period of 12 months from the date of application for registration. In no case shall a county tax collector issue regular replacement license plates for a vehicle from which Disabled Veteran License Plates have been removed.
- VII. When a veteran secures a new or different vehicle, the Disabled Veteran License Plates may be transferred to such vehicle. If the vehicle to which the Disabled Veteran License Plates are being transferred is not currently titled in the veteran's name, an application for title must be filed with the veteran's County Tax Assessor-Collector. The plates shall be transferred as follows:
 - A. The tax office shall process the application for title in the usual manner. The tax office should not, however, collect any registration fees with this type of transaction. Instead, the Disabled Veteran License Plate number is to be shown in the license number space on the application, and the applicant must attach to the transaction the license receipt describing the old vehicle, a properly executed Application for Transfer of Special License Plates, Form VTR-420-UT, and a photocopy of the

owner's proof of financial responsibility (see Transportation Code Section 502.153). No transfer fee is required to transfer the license plates to another vehicle.

- B. The tax collector should attach the Application for Transfer of Special License Plates, Form VTR-420-UT, to the top of each transaction and forward such transaction to the department under separate cover, marked "Special Handling."
- C. When the transaction is received by the Division in Austin, the veteran will be issued a new license receipt describing the vehicle to which the plates were transferred. Also, a copy of the license receipt will be mailed to the applicant's county tax collector with instructions to destroy their copy of the old receipt and file the new receipt in its place.
- D. If the vehicle to which the Disabled Veteran License Plates are being transferred was previously registered for the current year, the applicant should surrender such license plates and license receipt to the county tax collector at the time of application for transfer of title. If the applicant desires a refund for the unexpired portion of the registration fee, the current license plates and receipt may be surrendered to a Division Regional Office or the Special Plates Branch in Austin along with a request for a refund. The refund request must be in writing and must be accompanied by the applicant's copy of the receipt for title, showing that the Disabled Veteran license number is being displayed on the newly acquired vehicle, which is being transferred into the applicant's name. The applicant's copy of the license receipt will be returned to him when the refund is approved.

VIII. When a dealer sells a new or unregistered vehicle to a disabled veteran and the veteran already has a set of Disabled Veteran License Plates which the veteran wishes to transfer to the new vehicle, such vehicle should be operated on a Dealer's Temporary Cardboard Buyer's Tag until such time (not to exceed 20 days) as an application for certificate of title is filed and a receipt for title is issued in the veteran's name. The veteran should not place the special plates on the newly acquired vehicle until the department has issued a new windshield sticker for the vehicle. At that time, the veteran may then place the Disabled Veteran License Plates on the new vehicle.

- A. If a veteran purchases a new or unregistered vehicle and does not have a current set of Disabled Veteran License Plates, the veteran may, in lieu of purchasing regular registration, submit an Application for Disabled Veteran License Plates, Form VTR-615, along with proof of financial responsibility, to the county tax collector at the time the veteran files for application for certificate of title. In such instances, the license number space on the application for title should be left blank; and a note should be stapled to the front of the transaction stating "Disabled Veteran." The application for "DV" plates should be stapled on the front of the complete transaction [including the \$3 "DV" application fee if for issuance of the first set of "DV" plates] and forwarded under separate cover.
- B. Upon approval of the application, the plates and receipt will be issued from the Special Plates Branch in Austin. If the vehicle was purchased from a dealer, it may be operated on a Dealer's Temporary Cardboard Tag for a period of up to 20 days pending the issuance of the Disabled Veteran License Plates. Otherwise, the vehicle may not be operated until the plates are received from the department.

- C. If the veteran cannot wait for the plates to be issued by the department, regular registration may be purchased at the time the veteran files the application for title with the county tax collector. In this case, the Application for Disabled Veteran License Plates should be handled separately and submitted directly to the department's Special Plate Branch in Austin.
- IX. A "Disabled Person" License Plate symbol may no longer be issued for display on a Disabled Veteran License Plate. Disabled persons have the option of purchasing a license plate displaying the universal symbol of access (wheelchair emblem) and department issued license number or purchasing a windshield placard. Disabled persons who wish to purchase a Disabled Veteran License Plate and retain their disabled parking privileges should purchase a Disabled Person Windshield Placard.
- X. Disabled Veteran Organizations

An organization owning its own motor vehicle which is used exclusively for the transportation, without charge, of disabled veterans of the armed forces of the United States who, as the result of military service, have suffered service-connected disabilities is also eligible to receive Disabled Veteran License Plates. A statement by the Veterans County Service Officer of the county in which the vehicle is registered, or by the Veterans Affairs Regional Office that the vehicle is exclusively used for the transportation of disabled veterans without charge to them, is sufficient evidence that the organization is qualified to receive Disabled Veteran License Plates.

 - A. The disability percentage factor does not apply in cases when an organization is making application for Disabled Veteran License Plates.
 - B. A qualified organization can register with Disabled Veteran License Plates one motor vehicle, regardless of the vehicle's registration classification or carrying capacity, provided such vehicle is owned by the organization and used exclusively to transport disabled veterans without charge to them. If such a vehicle displaying Disabled Veteran License Plates is used for purposes other than to transport disabled veterans without charge, it will be subject to regular registration according to its classification and a penalty equal to twenty percent of the applicable registration fee will be collected.
- XI. The surviving spouse of a deceased disabled veteran is entitled to register one motor vehicle with Disabled Veteran License Plates so long as the surviving spouse remains unmarried.
 - A. The deceased spouse need not have been issued Disabled Veteran License Plates. The surviving spouse must submit proof that the deceased spouse was a disabled veteran and a sworn statement that the surviving spouse has remained unmarried.
 - B. Following the initial issuance of Disabled Veteran License Plates, the surviving spouse may continue to renew such plates by completing a renewal notice that is sent to the surviving spouse each year by the department. The surviving spouse will be required to sign the renewal notice, which verifies that he/she is unmarried. Upon completion of the renewal, it must be returned to the department with the appropriate fee and proof of financial responsibility.

Sec. 502.255. Congressional Medal of Honor Recipients.

- (a) *A recipient of a Congressional Medal of Honor awarded under Title 10, United States Code, is entitled to register, for the person's own use, one passenger car or light truck without payment of a registration fee or service charge.*
- (b) *The department shall issue specially designed license plates for registration under this section. The department shall assign the license plate number.*
- (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) *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 without charge by applying to the county assessor-collector of the county of the person's residence for an annual registration insignia.*
- (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. The owner may then register another vehicle under this section without charge.*

- I. A recipient of the Congressional Medal of Honor is entitled to register, for his own use, one passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less without payment of any registration fee or service charge.
 - A. Congressional Medal of Honor License Plates are issued exclusively by the Division Headquarters Office in Austin. To acquire such plates, an applicant must submit proof of his eligibility to receive the plates. Such proof shall be a copy of any type of official United States Government document that names the applicant as a recipient of the award.
 - B. Congressional Medal of Honor License Plates are "annual" plates issued for the established registration period of April 1st through March 31st of the following year. The plates are embossed with the legend "Congressional Medal of Honor".
 - C. The vehicle to which such plates are issued must be titled in the name of the Congressional Medal of Honor winner (joint ownership with spouse is permissible). A person operating a vehicle with Congressional Medal of Honor License Plates has the same parking privileges as a person operating a vehicle bearing Disabled Veteran License Plates. (Transportation Code Section 502.254)
 - D. If the application for Congressional Medal of Honor License Plates is approved by the department, the license plates and license receipt will be mailed directly to the applicant by the department. A copy of the Congressional Medal of Honor license receipt will also be mailed to the applicant's county tax collector for filing purposes. If the vehicle to which such plates are being issued was already registered for the current year, then the applicant may surrender the plates and receipt to the department and request a refund for the unexpired portion of the registration fee. The refund procedure is the same as that provided for Disabled Veteran License Plates. (Transportation Code Section 502.254.)

- II. Each year, prior to the renewal period, the owner will receive a renewal form from the department advising that it is time to renew the plates. To renew the plates, the owner should complete the form and return it to the department. Upon return of the completed renewal form, the department will prepare for mailing the forthcoming year's plates in January.
- III. If Congressional Medal of Honor License Plates are lost, stolen, or mutilated, the owner may notify the department in Austin by telephone or by letter and request a replacement set of Congressional Medal of Honor License Plates. (A telephone request should be followed up by a written request for replacements.) In response, the department will issue a new set of Congressional Medal of Honor License Plates at "no charge" using a Replacement license receipt. The owner will be advised to surrender his current license receipt and any remaining plate to the department for cancellation.

In emergency situations, when the owner needs to operate his vehicle and cannot wait for the replacement Congressional Medal of Honor License Plates to be issued by the department, the department may notify the owner's County Tax Assessor-Collector to issue a set of regular replacement plates at "no charge" for use only during that period before the Congressional Medal of Honor License Plates are received. The owner should be advised that the regular replacement plates must be returned to the county or surrendered to the department for cancellation when the new plates arrive.

- IV. If an owner sells or trades a vehicle for which Congressional Medal of Honor License Plates have been issued and secures another vehicle, the plates are transferred to the newly acquired vehicle without charge. If the vehicle to which the plates are being transferred is not currently titled in the name of the person to whom such plates were issued, an application for title must be filed with the County Tax Assessor-Collector. Such plates shall be transferred in accordance with the following:
 - A. The Congressional Medal of Honor license number is to be shown in the license number space on the application for title, and the applicant must attach to the transaction the Congressional Medal of Honor license receipt describing the old vehicle.
 - B. The tax office shall process the application for title in the usual manner and issue a receipt for title application. The regular \$13 title fee and the appropriate tax must be collected.
 - C. The tax office should place the Application for Transfer of Special License Plates, Form VTR-420-UT, in front of all other documents on the face of the title application. These transactions should be identified and mailed under separate cover to the regional office. When the title transaction is approved by the regional office and forwarded to the Headquarters Office in Austin, the applicant will be issued a new license receipt describing the vehicle to which the plates were transferred.
 - D. If the vehicle being transferred is currently registered, the applicant should surrender the current license plates and receipt to the tax office at the time of filing an application for title; or if the applicant desires a refund for the unexpired portion of the registration fee, plates and receipt are surrendered to the department. The refund procedure is the same as that provided for Disabled Veteran License Plates. (Transportation Code Section 502.254.)

- V. In the event an owner wishes to transfer Congressional Medal of Honor License Plates to another vehicle that is already titled in the owner's name, the owner should be advised to submit a written request directly to the department in Austin. The request should describe the new vehicle and should be accompanied by the Congressional Medal of Honor license receipt describing the old vehicle. If in proper order, the owner will be issued a new license receipt describing the vehicle to which the plates were transferred.
- VI. When Congressional Medal of Honor License Plates are removed from one vehicle and transferred to another, the vehicle from which such plates are removed becomes an unregistered vehicle and must be registered with regular registration by the owner, or by the first retail purchaser if the vehicle is to be sold. The registration shall be issued for a period of 12 months from the date of application. Under no circumstances should replacement plates be issued for a vehicle from which Congressional Medal of Honor License Plates are removed.
- VII. All computer inquiries by Congressional Medal of Honor license numbers must include the letters "CMOH" as a prefix to the two-digit license number appearing on the license plate. The letters "CMOH" are used as a prefix in the computer system to avoid duplications with other two-digit license numbers that were previously issued as "personalized" license numbers.

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Sec. 502.2555. Air Force Cross or Distinguished Service Cross, Army Distinguished Service Cross, Navy Cross, or Medal of Honor Recipients.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks owned by recipients of the Air Force Cross or Distinguished Service Cross, the Army Distinguished Service Cross, the Navy Cross or the Medal of Honor.*
- (b) *License plates issued under this section must include the words "Legion of Valor."*
- (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:*
 - (A) *\$3 for the first set of license plates issued under this section; and*
 - (B) *\$15 for each additional set(s) of license plates issued under this section;*
 - (3) *submits proof that the person has been awarded the Air Force Cross or Distinguished Service Cross, the Army Distinguished Service Cross, the Navy Cross, or the Medal of Honor; and*
 - (4) *submits proof that the person 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 treasury 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 who registers one or more vehicles under this section is entitled to only one exemption from the fee under Section 502.161.*
- (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.*

- I. A recipient of the Legion of Valor is entitled to register, for their own use, one or more passenger cars or light commercial vehicles having a manufacturer's rated carrying capacity of one ton or less. The first set of Legion of Valor license plates cost \$3. Additional sets of Legion of Valor license plates are \$15 plus regular registration fees.
 - A. Legion of Valor License Plates are issued exclusively by the Division Headquarters Office in Austin. To acquire the plates, applicants must submit a letter of application and proof of their eligibility to receive the plates. Such proof shall be a copy of any type of official United States Government document that the applicant is either on active duty or has been honorably discharged from the U.S. Armed Forces, and is the recipient of one of the following military decorations:

Air Force Cross	Navy Cross
Air Force Distinguished Service Cross	Congressional Medal of Honor
Army Distinguished Service Cross	

- B. Legion of Valor License Plates are “annual” plates that are issued for the established registration period of April 1st through March 31st of the following year. The plates are embossed with the legend “Legion of Valor.”
 - C. The vehicles to which the plates are issued must be titled in the name of the Legion of Valor recipient (joint ownership with spouse is permissible). A person operating a vehicle with Legion of Valor License Plates has the same parking privileges as a person operating a vehicle bearing Disabled Veteran License Plates. (See Transportation Code Section 502.254.)
 - D. If the department approves the issuance of the first set of Legion of Valor License Plates, the license plates and license receipt will be mailed directly to the applicant by the department. If the vehicle to which such plates are being issued was already registered for the current year, then the applicant may surrender the plates and receipt to the department and request a refund for the unexpired portion of the registration fee. The refund procedure is the same as that provided for Disabled Veteran License Plates.
 - E. If an applicant ordered additional sets of Legion of Valor License Plates, the county will follow the same procedures as outlined in the Personalized License Plate procedures, Transportation Code Section 502.251.
- II. Each year, prior to the renewal period, the owner will receive the renewal forms from the department advising that it is time to renew the plates. The applicant returns the renewal form, the \$3 fee, and proof of financial responsibility to the department for the first set of Legion of Valor License Plates. Upon return of the completed renewal form, proof of financial responsibility, and the \$3 fee, the department will prepare for mailing the forthcoming year's plates in January.
 - III. If the first set of Legion of Valor License Plates are lost, stolen, or mutilated, the owner may notify the department in Austin by telephone or by letter and request a replacement set of Legion of Valor License Plates. (A telephone request should be followed up by a written request for replacements.) In response thereto, the department will issue a new set of Legion of Valor License Plates at “no charge” using a Replacement Receipt. The owner will be advised to surrender the current license receipt and any remaining plate to the department for cancellation.

If the additional set of Legion of Valor License Plates are lost, stolen, or mutilated, the owner should follow the same procedures as above. A new set of Legion of Valor License Plates will be sent to the county in which the applicant resides. The applicant must pick up the additional set of Legion of Valor License Plates at the county. The plates will be issued for the \$5.30 replacement fee.

In emergency situations, if the owner needs to operate the vehicle and cannot wait for the replacement Legion of Valor License Plates to be issued by the department, the department may notify the owner's County Tax Assessor-Collector to issue a set of

regular replacement plates at "no charge" for use only during that period before Legion of Valor License Plates are received. The owner should be advised that the regular replacement plates must be returned to the county or surrendered to the department for cancellation when the new Legion of Valor plates arrive.

- IV. If an owner sells or trades a vehicle for which Legion of Valor License Plates have been issued and secures another vehicle, the owner may transfer the plates to the newly acquired vehicle without charge. If the vehicle to which the plates are being transferred is not currently titled in the name of the person to whom such plates were issued, an application for title must be filed with the County Tax Assessor-Collector. The plates shall be transferred as follows:
 - A. The Legion of Valor license number is to be shown in the license number space on the application for title, and the applicant must attach to the transaction the Legion of Valor license receipt describing the old vehicle. The tax office should not issue a license receipt of any kind with this type of transaction.
 - B. The tax office shall process the application for title in the usual manner and issue a receipt for title application. The regular \$13 title fee and the appropriate tax must be collected.
 - C. The tax office should place the Application for Transfer of Special License Plates, Form VTR-420-UT, in front of all other documents on the face of the title application. These transactions should be identified and mailed under separate cover to the regional office. When the title transaction is approved by the regional office and forwarded to the Headquarters Office in Austin, the applicant will be issued a new license receipt describing the vehicle to which the plates were transferred.
 - D. If the vehicle being transferred is currently registered, the applicant should surrender the current license plates and receipt to the tax office at the time the application for title is filed; or, if the applicant desires a refund for the unexpired portion of the registration fee, the plates and receipt may be surrendered to the department. The refund procedure is the same as that provided for Disabled Veteran License Plates.
- V. In the event owners wish to transfer the Legion of Valor License Plates to another vehicle that is already titled in their name, they should be advised to submit a Form VTR-420-UT directly to the department in Austin. The request should describe the new vehicle and should be accompanied by the Legion of Valor license receipt describing the old vehicle. If in proper order, the owner will be issued a new license receipt describing the vehicle to which the plates were transferred.
- VI. When the first set of Legion of Valor License Plates are removed from one vehicle and transferred to another, the vehicle from which such plates are removed becomes an unregistered vehicle and must be registered with regular registration by the owner, if the owner continues to operate the vehicle, or by the first retail purchaser if the vehicle is to be sold. The registration shall be issued for a period of 12 months from the date of application. Under no circumstances should replacement plates be issued for a vehicle from which Legion of Valor License Plates are removed.

For additional sets, the applicant should secure regular replacement plates and sticker for the \$5.30 replacement fee for the vehicle from which the Legion of Valor plates were removed.

- VII. The surviving spouse of a person who would be eligible for license plates under Section 502.2555 is entitled to register one motor vehicle under that section as long as the spouse remains unmarried.

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.*
- I. Texas Guard License Plates may be issued to active members of the Texas Army National Guard, Texas Air National Guard, and Texas State Guard, or by retired guard members who have completed 20 years of satisfactory federal service. Armed Forces Reserve License Plates may be issued to members of a reserve component of the United States Armed Forces.
- A. The provisions of this law are different from other special license plate laws in that the fee for Texas Guard License Plates is the regular registration fee prescribed by statute, and the applicant pays the fee directly to the department rather than to the County Tax Assessor-Collector. All fees collected for Texas Guard License Plates or Armed Forces Reserve License Plates are to be deposited in the State Highway Fund.
 - B. Texas Guard License Plates are designed as multi-year plates with June 30th expiration. The legend "Texas Guard" is embossed thereon. Armed Forces Reserve License Plates are also multi-year plates with June 30th expiration; however, graphic sheeting is utilized instead of embossing. The plates are issued exclusively by the

Division, Special Plates Branch, in Austin. To qualify for Texas Guard or Armed Forces Reserve License Plates:

1. The applicant must be an active member of the Texas Army National Guard, the Texas Air National Guard, the Texas State Guard, or must be a retired guard member who has completed 20 years of satisfactory federal service; or be a member of a reserve component of the United States Armed Forces.
 2. The vehicle for which the special license plates are requested must be titled in the applicant's name (joint ownership with spouse is permissible). If the vehicle is titled in a name other than that of the applicant, the applicant must have the legal right of possession and control of the vehicle; and it must be used for the applicant's own personal use. In such instances, an affidavit to that effect must be executed by the applicant and attached to the application for these special license plates.
 3. The special license plates may be placed on a leased vehicle provided a copy of the long-term lease agreement is attached to the application.
- C. A guardsman or reserve member may apply for unlimited sets of plates to display on passenger cars or light commercial vehicles having a manufacturer's rated carrying capacity of one ton or less. A separate application must be submitted for each vehicle.
- D. To acquire Texas Guard License Plates, an applicant must submit to the department an Application for Texas Guard License Plates, Form VTR-139. The applicant must complete the top portion of the application and a certifying officer within the applicant's unit should then verify the bottom portion.
1. Those applicants who are retired and who are requesting Texas Guard License Plates should attach a letter of eligibility from the Department of Defense, Department of the Army, or the Department of the Air Force stating that the retired guard member has 20 years satisfactory federal service.
 2. The department will also accept copies of discharge papers provided they note that the applicant is retired, has 20 or more years of service, and has been discharged honorably. The bottom portion of the Form VTR-139 does not have to be completed if the applicant is a retiree. When properly completed, the application, prescribed fee, letter of eligibility (if required) and valid proof of financial responsibility should be mailed to the department.
- E. To acquire Armed Forces Reserve License Plates, an applicant must submit to the department an application for Texas Guard License Plates or Armed Forces Reserve License Plates, Form VTR-139, along with proof that the applicant is an active member of a reserve component of the United States Armed Forces and valid proof of financial responsibility.
- F. The fee for Texas Guard or Armed Forces Reserve License Plates is the regular registration fee prescribed by law and is based on the year model of passenger cars or the gross weight (empty weight plus carrying capacity) of commercial motor vehicles.
- G. The registration year for Texas Guard or Armed Forces Reserve License Plates extends from July 1st through June 30th of the succeeding year. The license plate fee.

will be prorated monthly if the plates are issued for less than 12 months. When the application is received and approved by the Division, the plates will be mailed to the applicant. The plates must then be renewed annually through the department.

- II. Each year during the month of May, the department will mail special renewal application forms to vehicle owners who have current Texas Guard or Armed Forces Reserve License Plates. These renewal forms will have the appropriate renewal fee preprinted thereon (regular annual license fee for that particular vehicle).
 - A. Also, the renewal forms will advise the owner that it is time to renew the plates and that if the owner desires to do so, the form should be completed by verifying that the owner is still either an active member of the Guard, a retired Guardsman or a member of a reserve component of the United States Armed Forces and return it to the department with the proper renewal fee and valid proof of financial responsibility.
 - B. Upon return of the completed renewal form and fee, the department will prepare a new license receipt and mail a copy of the receipt and the forthcoming year's validation sticker directly to the applicant.
- III. If Texas Guard or Armed Forces Reserve License Plates become lost, stolen, or mutilated, the owner may secure replacement Texas Guard or Armed Forces Reserve License Plates from any Division Regional Office for a fee of \$2. Application for such replacements may be made on the standard Application for Replacement, or by letter. The regional office shall issue the replacement plates; and the owner shall be advised to surrender his current license receipt and any remaining plate to the department for cancellation.
- IV. If the owner of a vehicle registered with Texas Guard License Plates either ceases to be an active member of the Guard or disposes of the vehicle during the year, and has no intentions of registering another vehicle with Texas Guard License Plates, the special plates are returned to the department for cancellation. To request a refund of the unused portion of the registration fee, the guardsman must submit a written request with the surrendered plates.
 - A. Likewise, if the owner of a vehicle registered with Armed Forces Reserve License Plates either ceases to be a member of a reserve component of the United States Armed Forces or disposes of the vehicle during the year with no intentions of registering another vehicle with Armed Forces Reserve License Plates, the owner is required to return the special plates to the department for cancellation; and if the reservist desires a refund of the unused portion of the registration fee, a written request must accompany the surrendered plates.
 - B. At the time the Texas Guard or Armed Forces Reserve License Plates are removed from the vehicle, the vehicle becomes unregistered and must be registered with regular registration by the owner or by the first retail purchaser if it is to be sold. In such instances, the county tax collector shall register the vehicle for one year from the date of application under the same conditions as prescribed for an unregistered new or out-of-state passenger car or light truck. Under no circumstances should regular replacement license plates be issued for a vehicle from which Texas Guard or Armed Forces Reserve License Plates have been removed.

- V. If an owner disposes of a vehicle for which Texas Guard or Armed Forces Reserve License Plates have been issued and secures another vehicle, the plates may be transferred to the newly acquired vehicle as follows:
- A. The vehicle to which the Texas Guard or Armed Forces Reserve License Plates are being transferred must be titled in the name of the person to whom such plates were issued.
 - 1. The owner must file an application for title with the Tax Assessor-Collector.
 - 2. The Texas Guard or Armed Forces Reserve license number is to be shown in the license number space on the title application; and the applicant must attach to the transaction an Application for Transfer of Special License Plates, Form VTR-420-UT, along with the license receipt describing the old vehicle. The tax office should not collect any type of registration transfer fee or issue any type of license receipt with this type of transaction.
 - 3. The tax office will process the application for title in the usual manner and issue a receipt for title application. The regular \$13 title fee and the appropriate tax must be collected.
 - 4. The tax office should place the Application for Transfer of Special License Plates, Form VTR-420-UT, and valid proof of financial responsibility in front of all other documents on the face of the title application. These transactions should be identified and mailed under separate cover to the Headquarters Office in Austin. Then the applicant will be issued a new license receipt describing the vehicle to which the plates were transferred.
 - 5. If the vehicle being transferred is currently registered, the applicant should surrender the current license plates and receipt to the tax office at the time of filing application for title. If the applicant requires a refund for the unexpired portion of the registration fee, the plates and receipt are surrendered to the department. The refund procedure is the same as that provided for Disabled Veteran License Plates (Transportation Code Section 502.)
 - B. In the event the owner wishes to transfer Texas Guard or Armed Forces Reserve License Plates to another vehicle titled in the owner's name, the owner should be advised to submit an Application for Transfer of Special License Plates along with valid proof of financial responsibility, Form VTR-420-UT, directly to the Special Plates Branch in Austin along with the license receipt describing the old vehicle. If the application is in proper order, the owner will be issued a new license receipt describing the vehicle to which the plates were transferred.
 - C. When the special license plates are removed from one vehicle and transferred to another, the vehicle from which such plates are removed becomes unregistered. The vehicle must then be registered with regular registration either by the owner or by the first retail purchaser if it is to be sold. The registration shall be issued for a period of 12 months from the date of application for registration. Under no circumstances should replacement plates be issued for a vehicle from which Texas Guard or Armed Forces Reserve License Plates are removed.

- VI. If a guardsman or a member of a reserve component of the United States Armed Forces purchases an unregistered vehicle and does not have a current set of either Texas Guard or Armed Forces Reserve License Plates, in lieu of purchasing regular registration, the owner may submit the appropriate application (Form VTR-139 for Texas Guard License Plates or Armed Forces Reserve License Plates) with valid proof of financial responsibility and the prescribed registration fee to the county tax collector at the time of application for certificate of title. In such instances, the license number space on the application for title should be left blank; and a note should be stapled to the front of the transaction stating which type of license plates are desired.
- VII. The complete transaction, including the applicant's payment covering the prescribed registration fee, should be kept together and forwarded to the Headquarters office under separate cover. If the title transaction is approved, the Special Plates Section will subsequently issue the Texas Guard or Armed Forces Reserve License Plates.
 - A. In the event the applicant purchased the vehicle from a dealer, the vehicle may be operated on a Dealer's Temporary Cardboard Tag for a period of up to 20 days pending the issuance of the special license plates. Otherwise, the vehicle may not be operated until the plates are received from the department.
 - B. If the applicant cannot wait for the plates to be issued by the department, regular registration may be purchased at the time of application for title. In this case, the application for either Texas Guard or Armed Forces Reserve License Plates should be handled separately and submitted directly to the Special Plates Branch in Austin. Upon receipt of the special plates, the applicant may request a refund on the regular registration fee.

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Sec. 502.257. Former Prisoners of War.

- (a) *A person is entitled to register under this section, for the person's own use, passenger cars and light trucks 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:*
 - (1) *\$3 for the first set of license plates issued under this section; and*
 - (2) *\$15 for each additional set of license plates issued under this section.*
- (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.*
- (g) *A person who registers one or more vehicles under this section is entitled to only one exemption from the fee under Section 502.161.*

- I. Former Prisoner of War License Plates (POW) may be issued for a fee of \$3 for the first set and \$15 for additional set(s) to any Texas resident (or a member of the armed forces currently stationed in Texas) who was captured and incarcerated by an enemy of the United States during a period of conflict with the United States. Former POW License Plates may also be issued to a Former POW's surviving spouse, so long as the surviving spouse remains unmarried.
 - A. POW License Plates are issued exclusively by the Division Headquarters Office in Austin. To acquire the first set of plates, an applicant must submit to the department an Application for Former Prisoner of War or Purple Heart Recipient License Plates, Form VTR-420, accompanied by proof of eligibility to receive the plates, proof of financial responsibility and the \$3 fee. Such proof shall be a copy of any type of official U.S. Government document that identifies the applicant as former prisoner of war or certification from the Veteran's Administration that the applicant is a former prisoner of war.

- B. If additional sets are requested, the applicant must submit to the department an Application for Former Prisoner of War or Purple Heart Recipient License Plates, Form VTR-420, proof of eligibility to receive the plates, and the \$15 fee.
 - C. POW License Plates are annual license plates. The plates have the legend "Former POW" embossed thereon, and are validated with windshield validation stickers. These plates may be issued at any time during the year upon receipt of proper application and the statutory \$3 fee. The fee may not be prorated.
 - D. A former prisoner of war who is eligible to receive POW License Plates is entitled to register annually one or more passenger cars or light commercial vehicles having a manufacturer's rated carrying capacity of one ton or less.
 - E. The vehicle(s) for which POW License Plates are requested must be titled in the applicant's name (joint ownership with spouse is permissible). If the vehicle(s) are titled in a name other than that of the applicant, the applicant must have the legal right of possession and control of the vehicle; and it must be used for the applicant's own personal use. In such instances, an affidavit to that effect must be executed by the applicant and attached to the Application for POW License Plates. If the applicant has a leased vehicle, a copy of the lease agreement should be attached to the application.
 - F. If the department approves the issuance of the first set of POW License Plates, the license plates and license receipt will be mailed directly to the applicant by the department. If the vehicle to which the POW License Plates are being issued is already registered for the current year, then the applicant may surrender the plates and receipt to the department and request a refund for the unexpired portion of the registration fee. The refund procedure is the same as that provided for Disabled Veteran License Plates. (Transportation Code Section 502.254.)
 - G. If an applicant ordered additional set(s) of POW License Plates, the county will follow the same procedures as outlined in the Personalized License Plate procedures, Transportation Code Section 502.251.
- II. Each year prior to the renewal period, the owner will receive the renewal form from the department advising that it is time to renew the plates. The applicant will return the renewal form, the \$3 fee, and proof of financial responsibility to the department for the first set of POW License Plates. Upon receipt of the renewal form and fees, the department will prepare a new license receipt and mail a copy of the receipt and the forthcoming year's windshield sticker directly to the applicant.

For additional sets of license plates, the applicant must return the renewal form and a \$15 fee for each additional set of plates to the department. No proof of financial responsibility is sent for the additional sets of POW License Plates. The applicant will receive a three-part renewal for the vehicles. The applicant may then obtain the new validation stickers at the applicant's local tax office. The applicant must provide proof of financial responsibility to the tax office in order to receive the new validation sticker.

- III. If the first set of POW License Plates are lost, stolen, or mutilated, the owner may secure replacement POW License Plates from any Division Regional Office. Application for such replacements may be made on the standard Application for Replacement or by letter. The replacement POW License Plates will be issued at the \$5.30 replacement fee

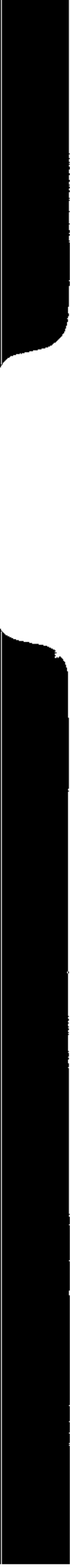
and any remaining plates are returned to the department for cancellation.

If the additional sets of POW License Plates are lost, stolen, or mutilated, the owner should follow the same procedures as above. A new set of POW License Plates will be sent to the county in which the applicant resides. The applicant must pick up the additional set of POW license plates at the county.

- IV. If an owner sells or trades a vehicle for which POW License Plates have been issued and secures another vehicle, the owner may, transfer the POW License Plates to the newly acquired vehicle without charge. If the vehicle to which the POW License Plates are being transferred is not currently titled in the name of the person to whom such plates were issued (see paragraph I, E, for exception), an application for title must be filed with the owner's County Tax Assessor-Collector. The plates shall be transferred as follows:
 - A. The POW license number is to be shown in the license number space on the application for title; and the applicant must attach to the transaction an Application for Transfer of Special License Plates, Form VTR-420-UT, along with valid proof of financial responsibility, and the POW license receipt describing the old vehicle.
 - B. The tax office shall process the application for title in the usual manner and issue a receipt for title application. The regular \$13 title fee and the appropriate tax must be collected.
 - C. The tax office should place the Application for Transfer of Special License Plates, VTR-420-UT, and valid proof of financial responsibility in front of all other documents on the face of the title application. These transactions should be identified and mailed under separate cover to the Headquarters Office in Austin. The applicant will be issued a new license receipt describing the vehicle to which the plates were transferred.
 - D. If the vehicle being transferred is currently registered, the applicant should surrender the current license plates and receipt to the tax office at the time the application for title is filed; or, if the applicant desires a refund for the unexpired portion of the registration fee, the plates and receipt must be surrendered to the department. The refund procedure is the same as that provided for Disabled Veteran License Plates. (Transportation Code Section 502.254.)
- V. In the event owners wish to transfer the POW License Plates to another vehicle which is already titled in their name, they should be advised to submit an Application for Transfer of Special License Plates, Form VTR-420-UT, along with valid proof of financial responsibility, directly to the department in Austin. The POW license receipt describing the old vehicle should accompany the Form VTR-420-UT. If in proper order, the owner will be issued a new license receipt describing the vehicle to which the plates were transferred.
- VI. When the first set of POW License Plates are removed from one vehicle and transferred to another, the vehicle from which the POW plates are removed becomes an unregistered vehicle. The vehicle must be registered with regular registration, either by the owner, if the owner continues to operate the vehicle, or by the first retail purchaser if it is to be sold. The registration shall be issued for a period of 12 months from the date of application for registration. Under no circumstances should replacement plates be issued for a vehicle from which POW License Plates are removed.

For additional set(s), the applicant should secure regular replacement plates and sticker for the \$5.30 replacement fee for the vehicle from which the POW plates were removed.

- VII. If a former prisoner of war purchases a new or unregistered vehicle and does not have a current set of POW License Plates, the applicant may, in lieu of purchasing regular registration, submit an Application for Former Prisoner of War, or Purple Heart License Plates, Form VTR-420, along with valid proof of financial responsibility, to the county tax collector at the time the application for certificate of title is filed. In such instances, the license number space on the application for title should be left blank; and a note should be stapled to the front of the transaction stating "Prisoner of War."
- A. The complete transaction should be kept together and forwarded to the Headquarters office in Austin. Upon approval of the application, the plates and receipt will be issued from the Headquarters Office in Austin. If the vehicle was purchased from a dealer, it may be operated on a Dealer's Temporary Cardboard Tag for a period of up to 20 days pending the issuance of the POW License Plates. Otherwise, the vehicle may not be operated until the plates are received from the department.
- B. If the applicant cannot wait for the plates to be issued by the department, regular registration may be purchased at the time of application for title. In this case, the application for POW License Plates should be handled separately and submitted directly to the department's Headquarters Office in Austin.
- VIII. The surviving spouse of a Former Prisoner of War is entitled to register one or more motor vehicles with Former Prisoner of War License Plates, so long as the surviving spouse remains unmarried.
- A. Upon initial application to the department, the surviving spouse must furnish proof of eligibility to receive the plates along with proof of financial responsibility. In addition, the surviving spouse must execute a sworn statement verifying that the spouse remains unmarried.
- B. Following the initial issuance of Former Prisoner of War License Plates, the surviving spouse of a deceased POW may continue to renew such plates by completing renewal notice that is sent to the surviving spouse each year by the department. The surviving spouse will be required to sign the renewal notice, which verifies the spouse remains unmarried. Upon completion, the renewal for the first set of plates must be returned to the department with the \$3 fee and valid proof of financial responsibility.
- C. For additional sets, the surviving spouse must sign the renewal notice and return it to the department with a \$15 fee for each additional set. No proof of financial responsibility is sent in for the additional sets. The surviving spouse will receive a three-part renewal. The applicant may then obtain the new validation sticker at their local tax office. The applicant must provide proof of financial responsibility to the tax office to receive the new validation sticker.
- IX. A vehicle displaying Former Prisoner of War License Plates is exempt from the payment of parking fees, including fees collected through parking meters, charged by any governmental authority other than a branch of the federal government, so long as the vehicle is being operated by or for the transportation of the person who qualifies for the plate. (Transportation Code Section 681.008.)



Chapter 16

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Sec. 502.258. Members or Former Members of United States Armed Forces.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks owned by active, retired, or honorably discharged 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 prescribed by Subsection (e), 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) *The annual fee for issuance of license plates under this section is:*
 - (1) *\$10 for the first set of license plates; and*
 - (2) *\$15 for each additional set of 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.*

- I. **Armed Forces License Plates** are available to active, honorably discharged veterans and retired members of a branch of the armed forces of the United States. Armed Forces license plates are available for a fee of \$10 in addition to the regular registration fees prescribed by law. These plates are multi-year staggered plates issued for a 12-month period. Except when issued with a personalized license number, the expiration date will be determined by the month in which the application is received and processed.
 - A. Each Application for Armed Forces, Coast Guard Auxiliary, or Texas Wing Civil Air Patrol License Plates, Form VTR-227, accompanied by proof of eligibility to receive the plates and the \$10 fee (or \$50 fee if personalized) shall be mailed directly to the department. Additional sets of these license plates may be obtained for \$15 per set of license plates, plus the regular registration fee. Once approved by the department, these license plates will be mailed to the county tax collector of the applicant's county of residence. The regular vehicle registration fee prescribed by law will be collected or adjusted by the county tax collector upon issuance of the special license plates.
 - B. Armed Forces License Plates may be issued with a personalized license number. The applications have been designed with a space to specify that Personalized License

Plates are desired. The fee for Personalized Armed Forces License Plates is \$50 per year (\$10 or \$15 special plate and \$40 Personalized License Plate fees).

- C. Upon approval, Armed Forces License Plates will be manufactured and mailed to the owner's county of residence for issuance in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)
- II. The surviving spouse of a person who was killed in action while serving in the United States armed forces is entitled to register one or more motor vehicles under Section 502.258 as long as the spouse remains unmarried.

Sec. 502.2585. Persons Retired From Service in Merchant Marine of the United States

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks owned by persons retired from service in the merchant marine of the United States.*
- (b) *License plates issued under this section must include the words "merchant marine."*
- (c) *The department shall issued 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.*

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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 :*
 - (A) *\$3 for the first set of license plates issued under this section; and*
 - (B) *\$15 for each additional set of license plates issued under this section; and*
 - (3) *(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*
 - (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 person who registers one or more vehicles under this section is entitled to only one exemption from the fee under Section 502.161.*
- (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.*

- I. Pearl Harbor Survivor License Plates are available to persons who served in the armed forces of the United States, and was stationed in the Hawaiian Islands on December 7, 1941, and survived the attack on Pearl Harbor on December 7, 1941. Pearl Harbor Survivor License Plates are annual license plates with March expiration, available for a fee of \$3 or \$43 for Personalized Pearl Harbor Survivor License Plates. Additional sets of Pearl Harbor Survivor License Plates may be obtained for a fee of \$15 per set, or \$55 for personalization, plus the appropriate registration fee. The regular vehicle registration fee prescribed by law will be collected or adjusted by the county tax collector upon issuance of the special license plates.

Note: Vehicles to which Pearl Harbor Survivor License Plates are issued are exempt from payment of the regular registration fees prescribed by Transportation Code Section 502.161, and any additional county fees prescribed by Transportation Code Section 502.172, for the first vehicle registered per owner.

- A. Pearl Harbor Survivor License Plates are issued exclusively by the Division Headquarters Office in Austin. To acquire these plates, an applicant must submit to the department an Application for Pearl Harbor Survivor License Plates, Form

VTR-419, accompanied by proof of eligibility to receive the plates and current proof of financial responsibility. Such proof shall be a copy of any type of official U.S. Government document (Government Form DD-214 or certification from the Veteran's Administration) which identifies the applicant as a Pearl Harbor Survivor.

1. Pearl Harbor Survivor License Plates have an established expiration date of March 31. The plates are validated each year with a windshield registration validation sticker. Applications will be accepted throughout the year, however, the \$3 and \$15 fees may not be prorated.
 2. An applicant who is eligible to receive one of these special license plates is entitled to register only one set of Pearl Harbor License Plates at a fee of \$3. Additional sets of these special license plates may be obtained at a fee of \$15, plus the applicable registration fee. The regular vehicle registration fee prescribed by law will be collected or adjusted by the county tax collector upon issuance of the special license plates. No special parking privileges are afforded a person operating a vehicle with these special license plates. The regular vehicle registration fee prescribed by law will be collected or adjusted by the county tax collector upon issuance of the special license plates.
 3. Upon approval, the department will mail the first set of license plates and license receipt directly to the applicant. If the vehicle to which the plates are being issued is already registered for the current year, then the applicant must surrender the plates and receipt to the department and request a refund for the unexpired portion of the registration fee. The refund procedure is the same as that provided for Disabled Veteran License Plates (see Transportation Code Section 502.254). Additional sets of these license plates will be mailed directly to the applicant's county tax collector for payment of appropriate fees.
- B. Each year prior to the renewal period, the department will mail renewal forms to vehicle owners who have current Pearl Harbor Survivor License Plates. These renewal forms will advise the owner that it is time to renew the plates. The owner should complete the form and return it to the department along with the \$3 or \$15 statutory fee and valid proof of financial responsibility. Upon return of the completed renewal form, renewal fee, and valid proof of financial responsibility, the department will prepare a new license receipt and mail a copy of the receipt and the forthcoming year's windshield registration validation sticker directly to the applicant for the first set of license plates only. Additional sets of these license plates will be mailed directly to the county tax collector in the applicant's county of residence for payment of appropriate registration fees.
- C. If the plates become lost, stolen, or mutilated, the owner may secure replacement Pearl Harbor Survivor License plates from any Division Regional Office. Application for such replacements may be made on the standard Application for Replacement or by letter. The replacement Pearl Harbor Survivor License Plates are issued for the \$5.30 replacement fee. The owner will be advised to surrender the current license receipt and any remaining plate to the department for cancellation.
- D. If an owner sells or trades a vehicle for which Pearl Harbor Survivor License Plates have been issued and secures another vehicle, the Pearl Harbor Survivor License Plates may be transferred to the newly acquired vehicle without charge. If the vehicle

to which the plates are being transferred is not currently titled in the name of the person to whom such plates were issued, an application for title must be filed with the owner's County Tax Assessor-Collector. The plates shall be transferred as follows:

1. The Pearl Harbor Survivor license number is to be shown in the license number space on the application for title; and the applicant must attach to the transaction an Application for Transfer of Special License Plates, Form VTR-420-UT, along with the license receipt describing the old vehicle. The tax office should not issue a license receipt of any kind with this type of transaction.
2. The tax office shall process the application for title in the usual manner and issue a receipt for title application. The regular \$13 title fee and the appropriate tax must be collected.
3. The tax office should place the application for Transfer of Special License Plates, Form VTR-420-UT, in front of all other documents on the face of the title application. These transactions should be identified by the regional office and mailed separately to the Headquarters Office. When the title transaction is approved by the regional office and forwarded to the Headquarters Office in Austin, the applicant will be issued a new license receipt describing the vehicle to which the plates were transferred.
4. If the vehicle being transferred is currently registered, the applicant should surrender the current license plates and receipt to the tax office at the time the application for title is filed. If a refund is issued for unexpired portion of the registration fee, the owner may surrender the plates and receipt to the department. The refund procedure is the same as that provided for Disabled Veteran License Plates (refer to Transportation Code Section 502.254).

Note: To determine if the Pearl Harbor Survivor License Plates are an "additional" set, and the procedure to follow to transfer such a set, please contact the Special Plates Branch at 512/374-5010.

- E. In the event an owner wishes to transfer the Pearl Harbor Survivor License Plates to another vehicle which is already titled, the owner should be advised to submit an Application for Transfer of Special License Plates, Form VTR-420-UT, directly to the department in Austin. The license receipt describing the old vehicle should accompany the Form VTR-420-UT. If in proper order, the owner will be issued a new license receipt describing the vehicle to which the plates were transferred.
- F. When Pearl Harbor Survivor License Plates are removed from one vehicle and transferred to another, the vehicle from which such plates are removed becomes an unregistered vehicle and must be registered with regular registration either by the owner, or by the first retail purchaser if it is to be sold. The registration shall be issued for a period of 12 months from the date of application for registration. Under no circumstance should replacement plates be issued for a vehicle from which these special plates are removed.
- G. If a qualified applicant purchases a new or unregistered vehicle and does not have a current set of Pearl Harbor Survivor License Plates, the applicant may, in lieu of purchasing regular registration, submit an Application for Pearl Harbor Survivor

License Plates, Form VTR-419, to the county tax collector at the time the application for title is filed.

1. In such instances, the license number space on the application for title should be left blank; and a note should be stapled to the front of the transaction stating "Pearl Harbor Survivor". The complete transaction should be kept together and mailed to the appropriate regional office under separate cover.
2. Upon approval of the application, the plates and receipt will be issued from the Headquarters Office in Austin. If the vehicle was purchased from a dealer, it may be operated on a Dealer's Temporary Cardboard Tag for a period of up to 20 days pending the issuance of the special plates. Otherwise, the vehicle may not be operated until the plates are received from the department.

If the applicant cannot wait for the plates to be issued by the department, the applicant should purchase regular registration at the time of application for title. In this case, the application for the special plates should be handled separately and submitted directly to the department's Headquarters Office in Austin in accordance with paragraph I.

- H. The surviving spouse of a Pearl Harbor Survivor is entitled to register one or more vehicles with Pearl Harbor Survivor License Plates or reapply for such plates, so long as the surviving spouse remains unmarried.
 1. Upon initial application to the department, the surviving spouse must furnish proof of eligibility to receive the plates and current proof of financial responsibility. This may be accomplished by providing the department with a copy of any type of official U. S. Government document that identifies the deceased as a Pearl Harbor Survivor. In addition, the surviving spouse must execute a sworn statement verifying that the spouse has not remarried, and current proof of financial responsibility.
 2. Following the initial issuance of the special plates, the surviving spouse may continue to renew such plates by completing a renewal notice sent to the surviving spouse each year by the department. The surviving spouse will be required to sign the renewal notice, which verifies that the spouse remains unmarried. Upon completion, the renewal must be returned to the department with the appropriate fee.
 - a. The first set of license plates issued to the surviving spouse of a Pearl Harbor survivor will be mailed directly to the applicant.
 - b. Additional sets of the license plates will be sent to the tax collector in the applicant's county of residence so that the regular registration fee may be collected in addition to the special plate fee.
- I. Pearl Harbor Survivor License Plates may be issued with a personalized license number. The applications have been designed with a space to specify that Personalized License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for such personalized plates is \$43 or \$55 per year (\$3 or \$15 Special Plate fee and \$40 Personalized License Plate fee).

- J. A vehicle displaying Former Prisoner of War License Plates is exempt from the payment of parking fees, including fees collected through parking meters, charged by any governmental authority other than a branch of the federal government, so long as the vehicle is being operated by or for the transportation of the person who qualifies for the plate. (Transportation Code Section 681.008.)

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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:*
 - (A) *\$3 for the first set of license plates issued under this section; and*
 - (B) *\$15 for each additional set of license plates issued under this section; 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;*
 - (B) *a member of the United States armed forces on active duty; or*
 - (C) *a civilian national of the United States who is an employee or a former employee of a branch 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 who registers one or more vehicles under this section is entitled to only one exemption from the fee under Section 502.161.*
- (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.*

- I. Purple Heart License Plates are available to a person who has been awarded the Purple Heart Medal **and** is an honorably discharged veteran of the armed forces of the United States or is a member of the armed forces of the United States on active duty. Purple Heart License Plates are multi-year license plates available for a fee of \$3, or \$43 for Personalized Purple Heart License Plates. Additional sets of Purple Heart License Plates may be obtained for a fee of \$15 per set, or \$55 for personalization, plus the appropriate registration fee. The regular vehicle registration fee prescribed by law will be collected or adjusted by the county tax collector upon issuance of the special license plates.

Note: Vehicles to which Purple Heart License Plates are issued are exempt from payment of the regular registration fees prescribed by Transportation Code Section 502.161, and any additional county fees prescribed by Transportation Code Section 502.172, for the first vehicle registered per owner.

- A. Purple Heart License Plates are issued exclusively by the Division Headquarters Office in Austin. To acquire these plates, an applicant must submit to the department an Application for Former Prisoner of War, or Purple Heart License Plates, Form VTR-420, accompanied by proof of eligibility to receive the plates and current proof of financial responsibility. Such proof shall be a copy of any type of official U.S. Government document (Government Form DD-214 or certification from the Veteran's Administration) which identifies the applicant as a Purple Heart Recipient.
1. Purple Heart License Plates are multi-year plates with staggered expiration dates. The plates are validated each year with a Windshield validation sticker. Applications will be accepted throughout the year.
 2. An applicant who is eligible to receive one of these special license plates is entitled to register only one set of Purple Heart Recipient License Plates at a fee of \$3. Additional sets of these special license plates may be obtained at a fee of \$15, plus the applicable registration fee. The regular vehicle registration fee prescribed by law will be collected or adjusted by the county tax collector upon issuance of the special license plates. No special parking privileges are afforded a person operating a vehicle with these special license plates.

The vehicle must be titled in the applicant's name (joint ownership with spouse is permissible). If the vehicle is titled in a name other than that of the applicant, the applicant must have the legal right of possession and control of the vehicle; and it must be used for his/her own personal use. In such instances, an affidavit to that effect must be executed by the applicant and attached to the application. If the applicant has a leased vehicle, a copy of the lease agreement should be attached to the application.

Upon approval, the department will mail the first set of license plates and license receipt directly to the applicant. If the vehicle to which the plates are being issued is already registered for the current year, then the applicant must surrender the plates and receipt to the department and request a refund for the unexpired portion of the registration fee. The refund procedure is provided in Transportation Code Section 502.183. Additional sets will be mailed directly to the applicant's county tax collector for payment of appropriate fees.

- B. Each year prior to the renewal period, the department will mail renewal forms to vehicle owners who have current Purple Heart License Plates. These renewal forms will advise the owner that it is time to renew the plates and that the form should be completed and returned to the department along with the \$3 or \$15 statutory fee and valid proof of financial responsibility. Upon return of the completed renewal form, renewal fee, and valid proof of financial responsibility, the department will prepare a new license receipt and mail a copy of the receipt and the forthcoming year's Windshield validation sticker directly to the applicant for the first set of license plates only. Additional sets of these license plates will be mailed directly to the county tax

collector in the applicant's county of residence for payment of appropriate registration fees.

- C. If the plates become lost, stolen, or mutilated, the owner may secure replacement Purple Heart Recipient License plates from any Division Regional Office. Application for such replacements may be made on the standard Application for Replacement or by letter. The replacement Purple Heart License Plates will be issued at the \$5.30 replacement fee. The owner will be advised to surrender the current license receipt and any remaining plates to the department for cancellation.
- D. If an owner sells or trades a vehicle for which Purple Heart License Plates have been issued and secures another vehicle, the Purple Heart License Plates may be transferred to the newly acquired vehicle without charge. If the vehicle to which the plates are being transferred is not currently titled in the name of the person to whom such plates were issued, an application for title must be filed with the owner's County Tax Assessor-Collector. The plates shall be transferred as follows:
 - 1. The Purple Heart Recipient license number is to be shown in the license number space on the application for title; and the applicant must attach to the transaction an Application for Transfer of Special License Plates, Form VTR-420-UT, along with the license receipt describing the old vehicle. The tax office should not issue a license receipt of any kind with this type of transaction.
 - 2. The tax office shall process the application for title in the usual manner and issue a receipt for title application. The regular \$13 title fee and the appropriate tax must be collected.
 - 3. The tax office should place the application for Transfer of Special License Plates, VTR-420-UT, in front of all other documents on the face of the title application. These transactions should be identified and included in the special handling mail to the Title Control System Branch at Headquarters in Austin. When the Special Plates Branch approves the title transaction the applicant will be issued a new license receipt describing the vehicle to which the plates were transferred.
 - 4. If the vehicle being transferred is currently registered, the applicant should surrender the current license plates and receipt to the tax office at the time the application for title is filed. If the applicant desires a refund for the unexpired portion of the registration fee, the plates and registration receipt must be surrendered to the department. The refund procedure is provided for in Transportation Code Section 502.183.

Note: To determine if the Purple Heart License Plates are an "additional" set, and the procedure to follow to transfer such a set, please contact the Special Plates Branch at 512/374-5010.

- E. In the event an owner wishes to transfer the Purple Heart License Plates to another vehicle which is already titled in the owner's name, an Application for Transfer of Special License Plates, Form VTR-420-UT, is submitted directly to the department in Austin. The license receipt describing the vehicle should accompany the Form VTR-420-UT. If in proper order, the owner will be issued a new license receipt describing the vehicle to which the plates were transferred.

- F. When Purple Heart License Plates are removed from one vehicle and transferred to another, the vehicle from which such plates are removed becomes an unregistered vehicle and must be registered with regular registration if the owner continues to operate the vehicle, or by the first retail purchaser if it is to be sold. The registration shall be issued for a period of 12 months from the date of application for registration. Under no circumstance should replacement plates be issued for a vehicle from which these special plates are removed.
- G. If a qualified applicant purchases a new or unregistered vehicle does not have a current set of Purple Heart License Plates, the applicant may, in lieu of purchasing regular registration, submit an Application for Former Prisoner of War, or Purple Heart License Plates, Form VTR-420, to the county tax collector at the time the application for title is filed.
1. In such instances, the license number space on the application for title should be left blank; and a note should be stapled to the front of the transaction stating "Purple Heart Recipient." The complete transaction should be kept together and mailed to the Headquarters Office in Austin.
 2. Upon approval of the application, the plates and receipt will be issued from the Headquarters Office in Austin. If the vehicle was purchased from a dealer, it may be operated on a Dealer's Temporary Cardboard Tag for a period of up to 20 days pending the issuance of the special plates. Otherwise, the vehicle may not be operated until the plates are received from the department. If the applicant cannot wait for the plates to be issued by the department, regular registration may be purchased at the time of application for title. In this case, the application for the special plates should be handled separately and submitted directly to the department's Headquarters Office in Austin in accordance with paragraph I above.
- H. The surviving spouse of a Purple Heart Recipient is entitled to register one or more vehicles or reapply for such plates, so long as the surviving spouse remains unmarried.
1. Upon initial application to the department, the surviving spouse must furnish proof of eligibility to receive the plates and current proof of financial responsibility. This may be accomplished by providing the department with a copy of any type of official U. S. Government document that identifies the deceased as a Purple Heart Recipient. In addition, the surviving spouse must execute a sworn statement verifying that the spouse remains unmarried, along with current proof of financial responsibility.
 2. Following the initial issuance of the special plates, the surviving spouse may continue to renew such plates by completing a renewal notice sent to the surviving spouse each year by the department. The surviving spouse will be required to sign the renewal notice that verifies that the spouse is unmarried. Upon completion, the renewal must be returned to the department with the appropriate fee.

The first set of license plates issued to the surviving spouse of a Purple Heart Recipient will be mailed directly to the applicant. Additional sets of the license

plates will be sent to the tax collector in the applicant's county of residence so that the regular registration fee may be collected in addition to the special plate fee.

- I. Purple Heart License Plates may be issued with personalized license number. The applications have been designed with a space to specify that Personalized License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for such personalized plates is \$43 or \$55 per year (\$3 or \$15 Special Plate fee and \$40 Personalized License Plate fee).
- J. A vehicle displaying Purple Heart License Plates is exempt from the payment of parking fees, including fees collected through parking meters, charged by any governmental authority other than a branch of the federal government, so long as the vehicle is being operated by or for the transportation of the person who qualifies for the plate. (Transportation Code Section 681.008.)

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Chapter 17

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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 prescribed by Subsection (e), 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) *The annual fee for issuance of license plates under this section is:*
 - (1) *\$10 for the first set of license plates; and*
 - (2) *\$15 for each additional set of 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.*

- I. **Armed Forces License Plates** are available to active, honorably discharged veterans, and retired members of a branch of the armed forces of the United States. **Coast Guard Auxiliary License Plates** are available to members of the United States Coast Guard Auxiliary. **Civil Air Patrol License Plates** are available to members of the United States Air Force Auxiliary. **Marine Corps League License Plates** are available to members of the Marine Corps League or its auxiliary.

Armed Forces, Coast Guard Auxiliary, Civil Air Patrol, and Marine Corps League License Plates are available for a fee of \$10 in addition to the regular registration fees prescribed by law. These plates are multi-year staggered plates which are issued for a

12-month period. Except when issued with a personalized license number, the expiration date will be determined by the month in which the application is received and processed.

- A. Each Application for Armed Forces, Coast Guard Auxiliary, or Texas Wing Civil Air Patrol License Plates, Form VTR-227, or Application for Marine Corps League License Plates, Form VTR-411, accompanied by proof of eligibility to receive the plates, and the \$10 fee (or \$50 fee if personalized) shall be mailed directly to the department.

Additional sets of these license plates may be obtained for \$15 per set of license plates, plus the regular registration fee. Once approved by the department, these license plates will be mailed to the county tax collector of the applicant's county of residence. The regular vehicle registration fee prescribed by law will be collected or adjusted by the county tax collector upon issuance of the special license plates.

- B. Armed Forces, Coast Guard Auxiliary, Texas Wing Civil Air Patrol, and Marine Corps League License Plates may be issued with a personalized license number. The applications have been designed with a space to specify that Personalized License Plates are desired. The fee for Personalized Armed Forces, Coast Guard Auxiliary, Texas Wing Civil Air Patrol, and Marine Corps League License Plates is \$50 per year (\$10 or \$15 special plate and \$40 Personalized License Plate fees).
- C. Upon approval, Armed Forces, Coast Guard Auxiliary, Texas Wing Civil Air Patrol, and Marine Corps League License Plates will be manufactured and mailed to the owner's county of residence for issuance in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)

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 prescribed by Subsection (e), 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) *The annual fee for issuance of license plates under this section is:*
 - (1) *\$10 for the first set of license plates; and*
 - (2) *\$15 for each additional set of 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.*

I. World War II Veteran License Plates are available to persons who served in a branch of the armed forces of the United States after December 6, 1941, and before January 1, 1947. License plates are available for a fee of \$10 each year (\$15 for each additional vehicle) in addition to the regular registration fees prescribed by law. The plates are multi-year staggered plates issued for a 12-month period. When issued with a personalized license number, the expiration date will be determined by the month in which the application is received and processed.

A. Each Application for Desert Storm Veteran, Vietnam Veteran, Korea Veteran, or World War II Veteran License Plates, Form VTR-418, accompanied by proof of eligibility to receive the plates, and the \$10 or \$15 fee (or \$50 or \$55 fee if personalized) shall be mailed directly to the department along with current proof of financial responsibility.

B. World War II Veteran License Plates may be issued with a personalized license number. The application Form VTR-418 has been designed with a space to specify

that Personalized License Plates are desired. The fee for Personalized License Plates is \$50 or \$55 per year (\$10 or \$15 special plate fee and \$40 Personalized License Plate fee).

- C. Upon approval, the special license plates will be manufactured and mailed to the owner's county of residence for issuance in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)

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 prescribed by Subsection (e), 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) *The annual fee for issuance of license plates under this section is:*
 - (1) *\$10 for the first set of license plates; and*
 - (2) *\$15 for each additional set of 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.*

I. Korea Veteran License Plates are available to persons who served in a branch of the armed forces of the United States after June 26, 1950, and before February 1, 1955. License plates are available for a fee of \$10 each year (\$15 for each additional vehicle) in addition to the regular registration fees prescribed by law. The plates are multi-year staggered plates issued for a 12-month period. Except when issued with a personalized license number, the expiration date will be determined by the month in which the application is received and processed.

- A. Each Application for Desert Storm Veteran, Vietnam Veteran, Korea Veteran, or World War II Veteran License Plates, Form VTR-418, accompanied by proof of eligibility to receive the plates and the \$10 or \$15 fee (or \$50 or \$55 fee if personalized) shall be mailed directly to the department along with current proof of financial responsibility.
- B. Korea Veteran License Plates may be issued with a personalized license number. The application Form VTR-418 has been designed with a space to specify that Personalized License Plates are desired. The fee for Personalized License Plates is

\$50 or \$55 per year (\$10 or \$15 special plate fee and \$40 Personalized License Plate fee).

- C. Upon approval, the special license plates will be manufactured and mailed to the owner's county of residence for issuance in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)

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 during:*
 - (1) *the period beginning on February 18, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period; or*
 - (2) *the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.*
- (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 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 Subsection (a) to be issued the license plates, 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) *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.*

- I. Vietnam Veteran License Plates are available to persons who either served in a branch of the armed forces of the United States in the Republic of Vietnam during the period beginning on February 18, 1961, and ending on May 7, 1975; or in all other cases served in the armed forces during the period beginning on August 5, 1964, and ending on May 7, 1975. The plates are multi-year staggered plates which are issued for a 12-month period. Except when issued with a personalized license number, the expiration date will be determined by the month in which the application is received and processed. The surviving spouse of a person who would be eligible for Vietnam Veteran License Plates is eligible to register one or more motor vehicles.
 - A. Each Application for Desert Storm Veteran, Vietnam Veteran, Korea Veteran, or World War II Veteran License Plates, Form VTR-418, accompanied by proof of eligibility to receive the plates and the \$40 fee (if personalized) shall be mailed directly to the department.
 - B. Vietnam Veteran License Plates may be issued with a personalized license number. The application Form VTR-418 has been designed with a space to specify that Personalized License Plates are desired. The fee for Personalized License Plates is \$40 per year.

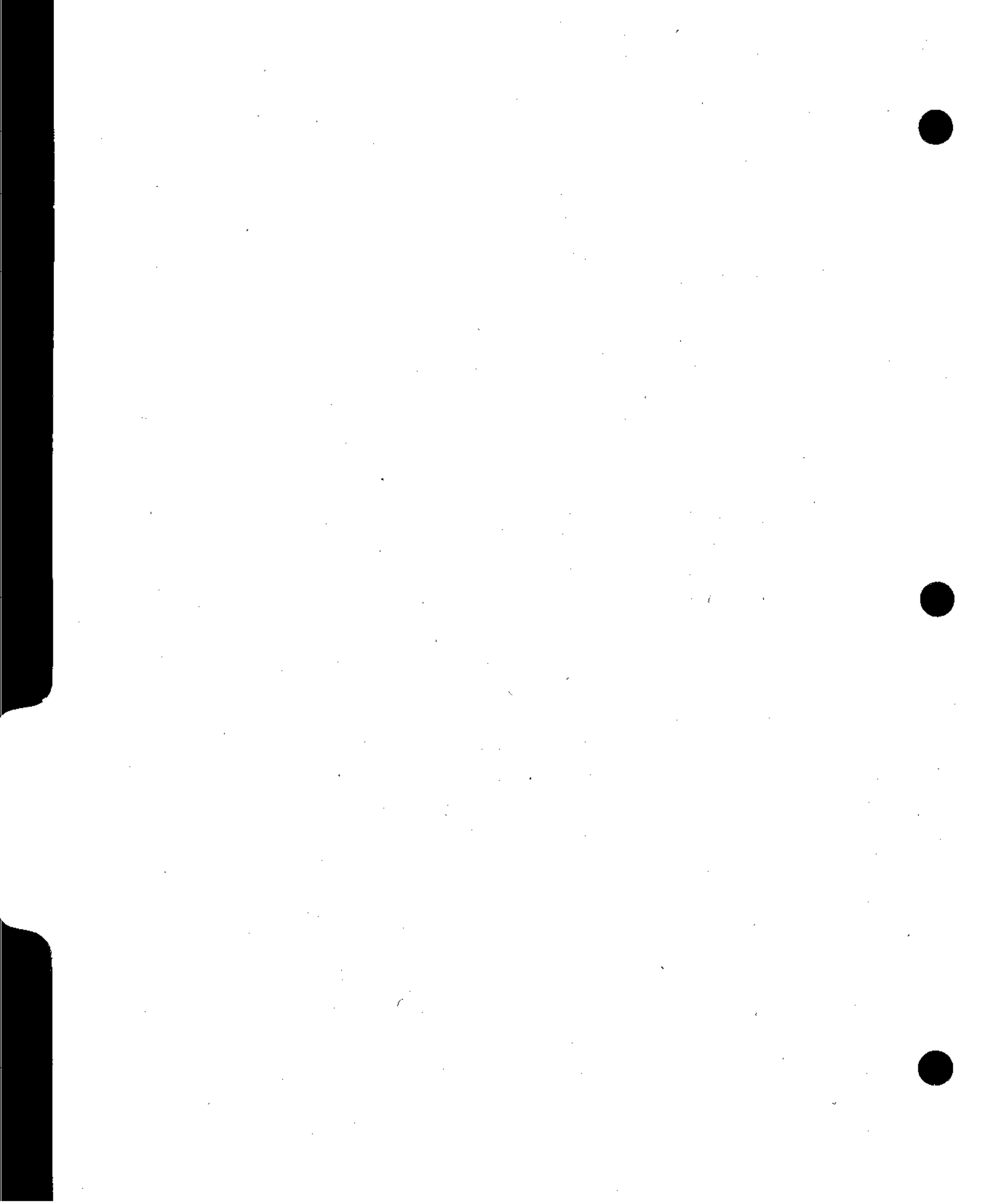
- C. Upon approval, the special license plates will be manufactured and mailed to the owner's county of residence for issuance in accordance with procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)
- II. The surviving spouse of a Vietnam Veteran is entitled to register one or more motor vehicles with Vietnam Veteran License Plates, so long as the surviving spouse remains unmarried.
 - A. Upon initial application to the department, the surviving spouse must furnish proof of eligibility to receive the plates.
 - B. Following the initial issuance of Vietnam Veteran License Plates, a renewal notice will be sent to the surviving spouse each year by the department. If the surviving spouse remains unmarried, the surviving spouse may continue to renew such plates by submitting a renewal notice and the regular registration fee to the county tax assessor-collector's office.

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 prescribed by Subsection (e), 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) *The annual fee for issuance of license plates under this section is:*
 - (1) *\$10 for the first set of license plates; and*
 - (2) *\$15 for each additional set of 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.*

- I. **Desert Storm Veteran License Plates** are available to persons who served in a branch of the armed forces of the United States, were deployed to the Middle East, and participated in Operation Desert Shield or Desert Storm. License plates are available for a fee of \$10 each year (\$15 for each additional vehicle) in addition to the regular registration fees prescribed by law. The plates are multi-year staggered plates which are issued for a 12-month period. Except when issued with a personalized license number, the expiration date will be determined by the month in which the application is received and processed.

- A. Each Application for Desert Storm Veteran, Vietnam Veteran, Korea Veteran, or World War II Veteran License Plates, Form VTR-418, accompanied by proof of eligibility to receive the plates and the \$10 or \$15 fee (or \$50 or \$55 fee if personalized) shall be mailed directly to the department along with current proof of financial responsibility.
- B. Desert Storm Veteran License Plates may be issued with a personalized license number. The application Form VTR-418, has been designed with a space to specify that Personalized License Plates are desired. The fee for Personalized License Plates is \$50 or \$55 per year (\$10 or \$15 special plate fee and \$40 Personalized License Plate fee).
- C. Upon approval, the special license plates will be manufactured and mailed to the owner's county of residence for issuance in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)



Chapter 18

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Sec. 502.266. Surviving Spouses of Certain Military Veterans.

- (a) *The surviving spouse of a person who would be eligible for 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, 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) *The surviving spouse of a person who would be eligible for license plates under Section 502.2590 or 502.260 is eligible to register one or more motor vehicles under that section as long as the spouse remains unmarried.*
- (e) *The surviving spouse of a person who would be eligible for license plates under Section 502.264 is eligible to register one or more motor vehicles under that section.*
- (f) *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, or 502.264, as applicable.*
- (g) *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.*

- I. The department is authorized under Transportation Code Section 502 to issue several different types of special license plates for display on passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less, to the surviving spouse of an eligible person under the following Sections:
 - A. The surviving spouse of a Veteran with Disabilities eligible for "Disabled Veteran" License Plates is entitled to continue to register one motor vehicles as long as the spouse remains unmarried. The applicant must submit proof of their deceased spouse's eligibility when registering a motor vehicle. (See Transportation Code Section 502.254.)
 - B. The surviving spouse of a Former Prisoner of War eligible for "Former POW" License Plates is entitled to register one motor vehicle as long as the spouse remains unmarried. The applicant must submit proof of their deceased spouse's eligibility when registering a motor vehicle. The applicant for registration and renewal of registration must submit a sworn statement that the spouse is unmarried. (See Transportation Code Section 502.257.)
 - C. The surviving spouse of a member or former member of the United States Armed Forces eligible for "Armed Forces" License Plates is entitled to register one or more motor vehicles as long as the spouse remains unmarried. Armed Forces License Plates bear the designation of the appropriate branch of the armed forces

(i.e., U.S. ARMY, U.S. NAVY, U.S. AIR FORCE, and U.S. MARINE CORPS). The applicant must submit proof of their deceased spouse's eligibility when registering a motor vehicle. (See Transportation Code Section 502.258.)

- D. The surviving spouse of a Pearl Harbor Survivor or a Purple Heart Recipient eligible for either the "Pearl Harbor Survivor" or "Purple Heart" License Plates is entitled to register one or more motor vehicles as long as the spouse remains unmarried. The applicant must submit proof of their deceased spouse's eligibility when registering a motor vehicle. The applicant for registration and renewal of registration must submit a sworn statement that the spouse is unmarried. (See Transportation Code Section 502.259 and Transportation Code Section 502.260.)
- E. The surviving spouse of a Vietnam Veteran eligible for "Vietnam Veteran" License Plates is entitled to register one or more motor vehicles. The applicant must submit proof of their deceased spouse's eligibility when registering a motor vehicle. (See Transportation Code Section 502.264.)

Sec. 502.2661. Gold Star Mothers.

- (a) *The department shall issue specially designed license plates for a passenger car or light truck owned by a mother of a person who died while serving in the United States armed forces.*
- (b) *License plates issued under this section must include the words "Gold Star Mother" and a gold star.*
- (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 or 502.162, 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. The remainder of each fee collected under this section shall be deposited to the credit of the state highway fund.*
- (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.*

- I. The department makes available to mothers of persons who died while serving in the United States armed forces, the Gold Star Mother License Plate for a fee of Ten dollars (\$10) in addition to the regular registration fees. Proof that the person is eligible under this section must be shown at the time of application.

Gold Star Mother License Plates are multi-year staggered plates which are issued for a 12-month registration period. The expiration date will be determined by the month in which the application is received and processed. Each Application for Gold Star Mother License Plates, Form VTR-338, together with the \$10 fee (or \$50 fee if personalized) shall be mailed directly to the department.

- A. Gold Star Mother License Plates may be issued to passenger cars and light trucks having a manufacturers rated carrying capacity of one ton or less.
- B. The vehicle must be titled in the applicant's name or joint ownership with spouse. If the vehicle is titled in a name other than that of the applicant, the applicant must have the legal right of possession and control of the vehicle; and it must be used only for personal use. In such instances, an affidavit to that effect must be executed by the applicant and attached to the application. If the applicant has a leased vehicle, a copy of the lease agreement should be attached to the application.

- C. Gold Star Mother License Plates may be issued with a personalized license number. The Application for Gold Star Mother License Plates, Form VTR-338, has been designed with a space to specify that Personalized Gold Star Mother License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Gold Star Mother License Plates is \$50 per year (\$10 Gold Star Mother License Plates fee plus \$40 Personalized License Plate fee).
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when Gold Star Mother License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)
- III. If a vehicle displaying Gold Star Mother License Plates is disposed of during the registration year, the owner shall return the special license plates to the department and then apply for issuance of those plates to another vehicle.



Chapter 19

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Sec. 502.2663. New Millennium License Plates.

- (a) *The department shall issued specially designed new millennium license plates for passenger cars and light trucks.*
- (b) *The license plates must bear the words "New Millennium" and be of a color, quality, and design approved by the department from entries submitted by middle school students in a competition conducted by the department.*
- (c) *The department shall issued license plates under this section to a person who:*
 - (1) *applies to the assessor-collector of the county in which the person resides on the form for original registration or annual renewal of registration provided by the department; and*
 - (2) *pays an annual fee in the amount set under Subsection (d), 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 set the annual fee for license plates under this section at:*
 - (1) *an amount, not to exceed \$5, necessary to administer this section; and*
 - (2) *an additional amount of:*
 - (A) *\$25 for each set of plates, except as provided by Paragraph (B); or*
 - (B) *\$15 for each set of plates, if the person is purchasing plates under this section for a fleet of 50 or more vehicles.*
- (e) *The fee collected under Subsection (d)-(1) may be used only to defray the cost of administering this section.*
- (f) *The department shall deposit each fee collected under Subsection (d) (2) to the credit of an account in the general revenue fund to be known as the new millennium reading program account. Money from the account may be used only to make grants under Section 441.0092, Government Code. The account is composed of:*
 - (1) *money required to be deposited to the credit of the account under this subsection; and*
 - (2) *donations made to the account.*

- I. The department makes available to owners of qualified vehicles the New Millennium license plates for a fee of \$30 (or \$20 special plate fee for a fleet of 50 or more vehicles), in addition to the regular registration fee. The New Millennium license plates are multi-year staggered plates issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed.
 - A. The New Millennium License Plates will be issued to passenger cars and trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. The New Millennium License Plates may be issued with a personalized license number. The application has been designed with a space to specify that personalized New Millennium License Plates are desired. Each application for the New Millennium License Plates, Form VTR-800, together with the \$30 fee (or \$20 fee for

a fleet of 50 or more vehicles), or \$70 (\$60 fee for fleet vehicles) if personalized, shall be mailed to the department.

- II. These license plates may be issued to an unlimited number of passenger cars and commercial motor vehicles. No restrictions apply for issuance of license plates under this section.
- III. Proof of financial responsibility must be submitted to the tax assessor-collector when New Millennium License Plates are issued.
- IV. If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5.

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.*

- I. Honorary Consul License Plates may be issued to Honorary Consuls who are authorized by the United States Government to perform consular duties.
 - A. The provisions of this law are different from other special license plate laws with the exception of Texas Guard or Armed Forces Reserve License Plates in that the fees collected for Honorary Consul License Plates are paid directly to the department rather than to the County Tax Assessor-Collector. The fee for these plates is the regular registration fee prescribed by statute plus the same fee that is charged for Personalized License Plates (\$40). The optional County Road and Bridge Fee is collected, when applicable. All fees collected for Honorary Consul License Plates are deposited in the State Highway Fund.
 - B. Honorary Consul License Plates are designed as annual license plates with the legend "Honorary Consul" embossed thereon. The plates are issued exclusively by the Vehicle Titles and Registration Division, Special Plates Branch, in Austin. To qualify for Honorary Consul License Plates:
 - 1. The applicant must be an Honorary Consul authorized by the United States Government to perform consular duties; and
 - 2. Texas title must be in the applicant's name before an application for Honorary Consul License Plates can be approved. (Joint ownership with spouse is permissible.) Also, the applicant may operate a leased vehicle provided a copy of the long-term lease agreement is attached to the application.
 - C. Each Honorary Consul is entitled to as many sets of plates as desired to be displayed on either a passenger car or a light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less. A separate application must be submitted for each vehicle.

- D. To acquire Honorary Consul License Plates, an applicant must submit to the department an Application for Honorary Consul License Plates, Form VTR-65, together with the prescribed fee.
 - E. The registration year for Honorary Consul License Plates extends from July 1st through June 30th of the succeeding year. The license plate fee will be prorated monthly if the plates are issued for less than 12 months. When the application is received and approved by the Vehicle Titles and Registration Division, the plates will be mailed to the Honorary Consul. The plates must then be renewed annually through the department.
- II. Each year during the month of May, the department will mail a special renewal application form to each vehicle owner who has current Honorary Consul License Plates. The renewal form is preprinted with the appropriate renewal. Also, the renewal form will advise the owner that it is time to renew the plates and that the owner should complete the form and return it to the department with the proper renewal fee and proof that the owner is still an authorized representative to perform consular duties.
 - III. If Honorary Consul License Plates become lost, stolen, or mutilated, the owner may secure replacement Honorary Consul License Plates from any Vehicle Titles and Registration Division Regional Office or from the Special Plates Branch in the Headquarters Office for a fee of \$2. Application for such plates may be made on the standard Application for Replacement or by letter. The owner shall be advised to surrender his current license receipt and any remaining plate(s) to the department for cancellation.
 - IV. If the owner of a vehicle registered with Honorary Consul License Plates ceases to be an Honorary Consul authorized to perform consular duties, or if the owner disposes of the vehicle during the year and has no intentions of registering another vehicle with Honorary Consul License Plates, the owner is required to return the special plates to the department for cancellation. A written request must accompany the surrendered plates for issuance of a refund of the unused portion of the Honorary Consul License Plate fee.
- At the time the Honorary Consul License Plates are removed from the vehicle, the vehicle becomes unregistered and must be registered with regular registration by the owner if he continue to operate it or by the first retail purchaser if it is to be sold. In such instances, the county tax collector shall register the vehicle for one year from the date of application under the same conditions as prescribed for an unregistered new or out-of-state passenger car or light truck. Under no circumstances should regular replacement license plates be issued for a vehicle from which Honorary Consul License Plates have been removed.
- V. If an owner disposes of a vehicle for which Honorary Consul License Plates have been issued and secures another vehicle, he may, transfer the plates to the newly acquired vehicle. Such plates shall be transferred in accordance with the same procedures as outlined in Transportation Code Section 502.256 for Texas Guard License Plates and Armed Forces Reserve License Plates.

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:*
 - (1) *Texas Commission on Fire Protection; or*
 - (2) *the State Firemen's and Fire Marshals' Association of Texas.*
 - (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.*
- I. A certified member of a volunteer fire department is entitled to receive one set of Volunteer Firefighter License Plates for use on a passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less which is operated for the volunteer's personal use. These special license plates are multi-year, digitally produced license plates and have the legend Certified Firefighter across the bottom of the plate.
- II. To obtain Volunteer Firefighter License Plates, an Application Volunteer Firefighter License Plates, Form VTR-311, must be completed and sent to the Vehicle Titles and Registration Division, Special Plates Branch in Austin with the fee of \$4. To confirm the applicant is a certified volunteer firefighter, an official of the Texas Commission on Fire Protection or the State Firemen's and Fire Marshals' Association of Texas must sign the application. As an exception the official signatures, the original or a copy of the original certificate of certification issued by such agency must accompany the application.
- A. If the application is in proper order, the Special Plates Branch will mail the applicant a notice advising him to contact his county tax collector for issuance of the Volunteer Firefighter License Plates. At the time the application is approved, a set of Volunteer Firefighter License Plates will be invoiced and mailed to the applicant's county tax collector.
 - B. The application will be placed on file in the Special Plates Branch. The Special Plates Branch will maintain a master file on Applications for Volunteer Firefighter License Plates, and such file will be checked prior to the approval of an application to insure that each applicant receives only one set of Volunteer Firefighter License Plates.

- C. If a request is made to the Special Plates Branch for a replacement Volunteer Firefighter License Plate, a statutory \$9.00 fee must accompany the written request for a replacement (or properly completed Form VTR-60) and a copy of the original receipt.
- III. Volunteer Firefighter License Plates may be renewed for a fee of \$4.00. The renewal will be handled in accordance with the procedures set forth for the issuance of Personalized License Plates.

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.*

I. State Capitol License Plates are available for a fee of \$30 in addition to the regular registration fees. State Capitol License Plates are multi-year staggered plates that are issued for a 12-month period. Except as provided in paragraph A, the expiration date will be determined by the month in which the application is received and processed. Each Application for State Capitol License Plates, or Texas Aerospace Commission License Plates, Form VTR-417, together with the \$30 fee (or \$70 fee if personalized) shall be mailed directly to the department.

A. State Capitol License Plates may be issued with a personalized license number. The Application for State Capitol License Plates, or Texas Aerospace Commission License Plates, Form VTR-417, has been designed with a space to specify that Personalized State Capitol License Plates are desired. The fee for Personalized State Capitol License Plates is \$70 per year (\$30 State Capitol License Plate fee and \$40 Personalized License Plate fee).

B. Upon approval, State Capitol License Plates will be manufactured and mailed to the owner's county of residence for issuance in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)

II. Proof of financial responsibility must be submitted to the tax assessor-collector when State Capitol License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

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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. If the fee is for the issuance of license plates described by Subsection (a)(1), the money shall be deposited to the credit of the institution of higher education designated on the license plates. If the fee is for the issuance of license plates described by Subsection (a)(2), the money shall be deposited to the credit of the Texas Higher Education Coordinating Board.*
- (e) *Money deposited under Subsection (d) may be used only for scholarships to students who demonstrate a need for financial assistance under Texas Higher Education Coordinating Board rule.*
- (f) *Money deposited for the issuance of license plates described by Subsection (a)(1) is supplementary and is not income for purposes of reducing general revenue appropriations to the institution of higher education designated on the license plates.*
- (g) *Money deposited for the issuance of license plates described by Subsection (a)(2):*
 - (1) *shall be allocated to students at the college or university designated on the plates; and*
 - (2) *is in addition to other money that the board may allocate to that college or university.*
- (h) *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.*

- I. The department makes available to owners of qualified vehicles, Collegiate License Plates for a fee of \$30 in addition to the regular registration fees. Collegiate License Plates are multi-year staggered plates which are issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Collegiate License Plates, Form D12-228, together with the \$30 fee (or \$70 fee if personalized) shall be mailed directly to the department.
 - A. Collegiate License Plates may be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Collegiate License Plates may be issued with a personalized license number. The Application for Collegiate License Plates, Form D12-228, has been designed with a space to specify that Personalized Collegiate License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates. (Transportation Code Section 502.251.) The fee for Personalized Collegiate License Plates is \$70 per year (\$30 Collegiate License Plate fee plus \$40 Personalized License Plate fee).
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Collegiate License Plate is issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2703 Professional Sports Team License Plates.

- (a) *The department shall issue for passenger cars and light trucks specially designed license plates that include the name and insignia of a professional sports team located in this state.*
- (b) *The department may not issue a license plate under this section for particular professional sports team unless that team:*
 - (1) *certifies to the department that it has determined that at least 5,000 persons will apply for the plates; and*
 - (2) *plays its home games in a facility constructed or operated, in whole or in part, with public funds.*
- (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 \$35, 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:*
 - (1) *send \$25 to the public entity that provided public funds for the construction or renovation of the facility in which the professional sports team plays its home games or that provides public funds for the operation of that facility; and*
 - (2) *deposit \$10 to the credit of the state highway fund.*
- (e) *Funds distributed to a public entity under Subsection (d)(1) shall be deposited to the credit of the venue project fund, if the public entity has created a venue project fund under Section 334.042 or 335.072, Local Government Code. If the public entity has not created a venue project fund, funds distributed to a public entity under Subsection (d)(1) must first be used to retire any public debt incurred by the public entity in the construction or acquisition of the facility in which the professional sports team plays its home games. After that debt is retired, funds distributed to the public entity may be spent only for maintenance or improvement of the facility.*
- (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.*
- (g) *In this section:*
 - (1) *“Public entity” includes a municipality, county, industrial development corporation, or special district that is authorized to plan, acquire, establish, develop, construct, or renovate a facility in which a professional sports team plays its home games.*
 - (2) *“Professional sports team” means a sports team that is a member or an affiliate of a member of the National Football League, National Basketball Association, or National Hockey league or a major league baseball team.*

- I. The department makes available to owners of qualified vehicles the Professional Sports Team license plates for a fee of \$35 in addition to the regular registration fees. The Professional Sports Team license plates are multi-year staggered plates, which are issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for the Professional Sports Team license plates, Form VTR-231, together with the \$35 fee, or \$75 fee if personalized, shall be mailed to the department.
 - A. The Professional Sports Team license plates will be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less. The plates will display the team logo of qualified professional sports teams.
 - B. The Professional Sports Team license plates may be issued with a personalized license number displayed thereon. The application form has been designed with a space to specify that Personalized Professional Sports Team license plates are desired.
 - C. The personalized license number will be issued in accordance with the procedures for Personalized license plates (see Transportation Code Section 502.251). The fee for Personalized Professional Sports Team is \$75 per year (\$35 Professional Sports Team license plates fee and \$40 Personalized license plate fee).
 - D. The replacement fee for the Professional Sports Team license plates is \$5.30.
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when the Professional Sports Team license plates are issued.

Sec. 502.2704. United States Olympic Committee License Plates.

- (a) *The department shall issue specially designed United States Olympic Committee license plates for passenger cars and light trucks.*
- (b) *The license plates must include the words "United States Olympic Committee" and be of a color, quality, and design approved by the United States Olympic Committee.*
- (c) *The department shall issue license plates under this section to a person who;*
 - (1) *applies to the assessor-collector of the county in which the person resides on a form provided by the department; and*
 - (2) *pays an annual fee of \$20, 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 \$10 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.*

I. The department makes available to owners of qualified vehicles United States Olympic Committee License Plates for a fee of \$20 in addition to the regular registration fees. United States Olympic Committee License Plates are multi-year staggered plates which are issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for United States Olympic Committee License Plates, Form VTR-407, together with the \$20 fee or \$60 fee (if personalized) shall be mailed directly to the department.

- A. United States Olympic Committee License Plates may be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
- B. United States Olympic Committee License Plates may be issued with a personalized license number displayed thereon. The Application for United States Olympic Committee License Plates, Form VTR-407, has been designed with a space to specify that Personalized United States Olympic Committee License Plates are desired. The personalized license number will be issued in accordance with the procedure for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Olympic Committee License Plates is \$60 per year (\$20 Olympic License Plate fee plus \$40 Personalized License Plate fee).
- C. United States Olympic Committee License Plates shall be issued in accordance with the procedures set forth for the issuance for Personalized License Plates. (See Transportation Code Section 502.251.)

Proof of financial responsibility must be submitted to the tax assessor-collector when a United States Olympic Committee License Plate is issued, renewed, or transferred

to another vehicle. (For details on financial responsibility requirements refer to Transportation Code Section 502.153.)

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.*

- I. The department makes available to owners of qualified vehicles, Texas Aerospace Commission License Plates for fee of thirty dollars (\$30) in addition to the regular registration fees. Texas Aerospace Commission License Plates are multi-year staggered plates which are issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each Application for State Capitol License Plates or Texas Aerospace Commission License Plates, Form VTR-417, together with the \$30 fee (or \$70 fee if personalized) shall be mailed directly to the department.
 - A. Texas Aerospace Commission License Plates may be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Texas Aerospace Commission License Plates may be issued with personalized license number. The Application for State Capitol License Plates or Texas Aerospace Commission License Plates, Form VTR-417, has been designed with a space to specify that Personalized Texas Aerospace Commission License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (Transportation Code Section 502.251). The fee for Personalized Aerospace Commission License Plates is \$70 per year (\$30 Texas Aerospace Commission Texas License Plates fee plus \$40 Personalized License Plate fee).
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Texas Aerospace Commission License Plate is issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

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Chapter 20

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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.*

- I. The department makes available to owners of qualified vehicles, Texas State of the Arts License Plates for a fee of \$25 in addition to the regular registration fees. Texas State of the Arts License Plates are multi-year staggered plates which are issued for a 12-month registration period.

Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Texas State of the Arts License Plates, Form VTR-409, together with the \$25 fee (or \$65 fee if personalized) shall be mailed directly to the department.

- A. Texas State of the Arts License Plates may be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Texas State of the Arts License Plates may be issued with a personalized license number. The Application for Texas State of the Arts License Plates, Form VTR-409, has been designed with a space to specify that Personalized State of the Arts License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (Transportation Code Section 502.251). The fee for Personalized State of the Arts License Plates is \$65 per year (\$25 Texas State of the Arts License Plates fee plus \$40 Personalized License Plate fee).
- II. Proof of financial responsibility must be submitted to the Tax Assessor-Collector when a Texas State of the Arts License Plate is issued, renewed, or transferred to another vehicle.

(For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2721. Texas Commission on Alcohol and Drug Abuse License Plates.

- (a) *The department shall issue specially designed Texas Commission on Alcohol and Drug Abuse license plates for passenger cars and light trucks,*
- (b) *The department shall design the license plates in consultation with the Boy Scouts of America.*
- (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 \$20 to the credit of the general revenue fund and \$10 to the credit of the state highway fund.*
- (e) *Money deposited to the credit of the general revenue fund under Subsection (d) may be appropriated only to the Texas Commission on Alcohol and Drug Abuse for drug-abuse prevention programs provided by nonprofit organizations that primarily serve children. In selecting a program provider under this subsection, it is the intent of the legislature that to the extent permissible, a preference be given to a provider whose membership substantially consists of persons who purchase the specially designed 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.*

- I. The department makes available to owners of qualified vehicles, a Texas Commission on Alcohol and Drug Abuse License Plate (Boy Scouts of America License Plates) with the legend "Scouting Teaches Values," and the Boy Scout Logo for a fee of \$30 in addition to the regular registration fees. Boy Scouts of America License Plates are multi-year staggered plates which are issued for a 12-month registration period.

Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Applications for Texas Commission on Alcohol and Drug Abuse License Plates, Form VTR-337, for "Boy Scouts" of America License Plates, together with the \$30 fee (or \$70 fee if personalized), shall be mailed directly to the department.

- A. Boy Scouts of America License Plates may be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
- B. Boy Scouts of America License Plates may be issued with a personalized license number. The Applications for Texas Commission on Alcohol and Drug Abuse License Plates, Form VTR-337, for "Boy Scouts of America" License Plates, has been designed with a space to specify that Personalized Boy Scouts of America License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (see Transportation

- Code Section 502.251). The fee for Personalized Boy Scouts of America License Plates is \$70 per year (\$30 Boy Scouts of America License Plates fee plus \$40 Personalized License Plate fee), in addition to the regular registration fee.
- C. Proof of financial responsibility must be submitted to the tax assessor-collector when Boy Scouts of America License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

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.*
- I. The department makes available to owners of qualified vehicles, Private Nonprofit Organization License Plates for a fee of \$25 in addition to the regular registration fees.
- A. Authorization - The department may issue Private Nonprofit Organization License Plates under this section to a qualified private nonprofit organization if the governing body of that organization has:
- 1. certified to the department that it is a private nonprofit organization that has a statewide membership of seven thousand, five hundred, (7,500) or more; and
 - 2. provided the department with a deposit of fifteen thousand dollars (\$15,000); and
 - 3. the license plate design is approved by the department, including the name, insignia, color, and quality.

- B. Application - The Application for Private Nonprofit Organization License Plates, Form VTR-410, is available at the Vehicle Titles and Registration Division Headquarters, Special Plates Branch and the Regional Offices. The following requirements apply to the issuance of Private Nonprofit Organization License Plates:
1. A qualified applicant is entitled to register one passenger car or light truck having a manufacturer's rated carrying capacity of one ton or less with Private Nonprofit Organization License Plates.
 2. Private Nonprofit Organization License Plates may be displayed on a leased vehicle provided the applicant furnishes the county Tax Assessor-Collector with a copy of a written lease agreement. The deputy should record the Private Nonprofit Organization License Plate number on the lease agreement, place a copy of the lease agreement(s) in an envelope marked "special handling" and forward to the department.
 3. Application for Private Nonprofit Organization License Plates, Form VTR-410, must be submitted by the applicant to the Vehicle Titles and Registration Division Headquarters, Special Plates Branch.
 4. The private nonprofit organization must provide the department with deposit of \$15,000, prior to the issuance of license plates for such organization, and must provide the names of those who receive the credit, along with their address and county.
 - a. Special Plates Branch will monitor the number of applications received for the \$15,000 deposit.
 - b. After the deposit has been exhausted (with the issuance of 600 license plates), all subsequent applications shall be submitted with the appropriate fee.
 - c. Special Plates Branch will monitor the list provided by the private nonprofit organization, with the names of those who receive credit, along with their address and county. Any application that is not certified by the private nonprofit organization will be returned to the applicant.
 5. Private Nonprofit Organization License Plates are multi-year staggered plates and will be validated each year with a Windshield Registration Validation Sticker upon payment of the applicable registration fees for a 12-month registration period. Issuance of such plates will begin when the organization has fulfilled the qualifications stated in Section A.
 6. If the application for Private Nonprofit Organization License Plates is approved, the department will notify the member to contact the county tax office to pick up their license plates. If the application is not approved any money remitted and a letter explaining the reason for rejection will be mailed to the applicant.
- C. Issuance - Private Nonprofit Organization License Plates are issued for display on a passenger car or light truck. The expiration date will be determined by the month in which the application is received and processed.
1. If the vehicle to which the Private Nonprofit Organization License Plates are being issued is either titled in the applicant's name or is leased to the applicant and is currently registered, it will be necessary for the applicant to surrender the

license plates validation displayed on the vehicle along with the corresponding license receipt before the Private Nonprofit Organization License Plates may be issued.

2. If the vehicle to which the Private Nonprofit Organization License Plates are being issued is either titled in the applicant's name, or is leased to the applicant, and is unregistered, a registration receipt will be utilized to issue the new plates and Registration Validation Sticker. Registration fees will be collected for the period for which the Private Nonprofit Organization License Plates are valid. The optional County Road and Bridge Fee should be collected (if applicable).
 3. If the vehicle to which the Private Nonprofit Organization License Plates are being issued is currently registered and a Texas Certificate of Title is applied for in conjunction with the plate issuance, it will first be necessary for the applicant to surrender the license plates and registration validation sticker displayed on the vehicle along with the corresponding license receipt before the Private Nonprofit Organization License Plates may be issued.
 4. If the vehicle to which the Private Nonprofit Organization License Plates are being issued is unregistered and a Texas Certificate of Title is applied for in conjunction with the plate issuance, registration fees should be collected for the period for which the Private Nonprofit Organization License Plates are valid. The optional County Road and Bridge Fee should be collected (if applicable).
- D. Personalized - Private Nonprofit Organization License Plates may be issued with a personalized license number.
1. Personalized Private Nonprofit Organization License Plates may be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 2. The Application for Private Nonprofit Organization License Plates, Form VTR-410, has a designated area to specify that Personalized Private Nonprofit Organization License Plates are desired. The license plate choices may consist of six characters, including letters, numbers, spaces and/or symbols or less providing the choice has not already been issued and can be approved by the department.
 3. The Personalized Private Nonprofit Organization License Plates will be issued in accordance with the procedures set forth for the Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Private Nonprofit Organization License Plates is \$65 per year (\$25 Private Nonprofit Organization License Plate fee plus \$40 Personalized License Plate fee).
 4. Application for Personalized Private Nonprofit Organization License Plates, Form VTR-410, must be submitted with the appropriate fees to the Private Nonprofit Organization for verification that the applicant is a member of the private nonprofit organization which meets the statutory requirements stated in Section A. After verification, the application should be forwarded with the appropriate fees to the Vehicle Titles and Registration Division Headquarters, Special Plates Branch.
- II. Proof of Financial Responsibility must be submitted to the tax collector when Private Nonprofit Organization License Plates are issued, renewed, or transferred to another

vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

- III. Renewals - The department will mail renewal forms to currently registered vehicles 90 days prior to the registration expiration date designated on the Private Nonprofit Organization License Plates.
- A. Upon receipt, the person renewing the license plates must verify that they are a member of the private nonprofit organization which meets the statutory requirements stated in Section A, by signing the renewal notice in the appropriate signature space provided. The renewal notice must be submitted to the Vehicle Titles and Registration Division Headquarters, Special Plates Branch, with the appropriate fee (\$25 for Private Nonprofit Organization License Plates or \$65 for personalized).

Note: If a renewal notice is not available, that person may renew these license plates by submitting an Application for Private Nonprofit Organization License Plates, Form VTR-410, marked "RENEWAL" to the Vehicle Titles and Registration Division Headquarters, Special Plates Branch with the appropriate fee.

- B. All renewals that cannot be approved will be rejected and the applicant will be advised of the reason(s) for the rejection. Any money remitted will be returned along with the application.
- C. When the department receives the renewal with the appropriate signature, fees and it is approved by the Special Plates Branch, the applicant will receive a notice to contact the tax collector when renewing the vehicle registration.
- D. Proof of financial responsibility is required to be submitted to the tax collector when the Private Nonprofit Organization License Plates are renewed.
- IV. Transfer of Private Nonprofit Organization License Plates to Another Vehicle - If an applicant sells or trades a vehicle to which Private Nonprofit Organization License Plates have been issued, they may transfer the plates to another vehicle in accordance with the following:
- A. The Private Nonprofit Organization License Plates and the Registration Validation must be removed from the vehicle being disposed and surrendered to the tax office. Regular \$5.30 Replacement License Plates must be purchased from the tax collector and placed on the vehicle prior to the transfer. The vehicle registration must be validated with the month and year that corresponds to the expiration of the Private Nonprofit Organization License Plates.
- B. If the vehicle to which the Private Nonprofit Organization License Plates are being transferred is either titled in the applicant's name or is leased by the applicant and is currently registered, it will be necessary for the applicant to surrender the license plates and registration validation sticker displayed on the vehicle along with the corresponding license receipt before the Private Nonprofit Organization License Plates and new Windshield Registration Validation Sticker may be transferred to the vehicle. The optional County Road and Bridge Fee should not be collected when adjusting registration from 1 to 11 months on a license receipt.
- C. If the vehicle to which the Private Nonprofit Organization License Plates are being transferred is either titled in the applicant's name or is leased by the applicant and is

unregistered, the tax assessor-collector will transfer the Private Nonprofit Organization License Plates and issue a new Windshield Registration Validation Sticker. Registration fees will be collected for the period for which the Private Nonprofit Organization License Plates are valid. The optional County Road and Bridge Fee must be collected (if applicable).

- D. If the vehicle to which the Private Nonprofit Organization License Plates are being transferred is currently registered and a Texas Certificate of Title is applied for in conjunction with the transfer of the plates, it will be necessary for the applicant to surrender the license plates and registration validation sticker displayed on the vehicle along with the corresponding license receipt before the Private Nonprofit Organization License Plates may be transferred to the vehicle. The optional County Road and Bridge Fee should not be collected when adjusting registration from 1 to 11 months on a license receipt.
- E. If the vehicle to which the Private Nonprofit Organization License Plates are being transferred is unregistered and a Texas Certificate of Title is applied for in conjunction with the transfer of the plates, a license receipt will be utilized to transfer the Private Nonprofit Organization License Plates and new Registration Validation Sticker. Registration fees will be collected for the period for which the Private Nonprofit Organization License Plates are valid. The optional County Road and Bridge Fee must be collected (if applicable.)
- V. Replacements - Once an applicant has been issued Private Nonprofit Organization License Plates, and then the plate(s) become lost, stolen, or damaged, it will first be necessary for the applicant to surrender any remaining Private Nonprofit Organization License Plate(s) to the tax collector and obtain regular \$5.30 replacement plates before requesting the department to issue replacement Private Nonprofit Organization License Plates.
 - A. After obtaining regular replacement plates, the applicant may then submit a written request or a Application for Replacement and the statutory \$25 Private Nonprofit Organization License Plate replacement fee to the department. A copy of the Replacement License Receipt, showing that the Private Nonprofit Organization License Plates have been replaced with regular plates must accompany such request.
 - B. If the request for replacement Personalized Private Nonprofit Organization License Plates is submitted and the Vehicle Titles and Registration Division records indicate that the vehicle displaying the plates was reported stolen, a set of replacement Personalized Private Nonprofit Organization License Plates will not be issued until such time as the vehicle is recovered or the plates have expired.
 - C. If the request is in order, a set of replacement Private Nonprofit Organization License Plates will be mailed to the applicant's county tax collector; and the applicant will be advised that the plates are available for issuance. A license receipt should be utilized to issue the Private Nonprofit Organization License Plates on an even exchange basis; and at that time, the applicant should be required to surrender the regular replacement license plates that were previously assigned to the vehicle.

Note: The following exception to the procedures outlined applies only if a registrant desires a new set of Personalized Private Nonprofit Organization License Plates due to cosmetic

damage and the license number is legible. The applicant should submit their request and statutory fee of \$25 to the Special Plates Branch in Austin. The replacement plates will be forwarded to the tax collector. The applicant will be notified to contact the tax collector for issuance of the replacement plates and validation sticker for a \$5.30 replacement fee. The applicant will be required to surrender the damaged plates and validation sticker. A replacement license receipt will be utilized to issue the Replacement Personalized Private Nonprofit Organization License Plates.

Sec. 502.2731. Keep Texas Beautiful License Plates.

- (a) *The department shall issue specially designed "Keep Texas Beautiful" license plates for passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less. The license plates must include the words "Keep Texas Beautiful."*
 - (b) *The department shall design the license plate in consultation with Keep Texas Beautiful, Inc.*
 - (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 or Section 502.162 and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251*
 - (d) *The department shall deposit fees collected under this section in the state treasury to the credit of the state highway fund.*
 - (e) *Twenty dollars of each fee collected under Subsection (c)(2) may be used by the department only for the purposes of supporting the department's litter prevention and community beautification programs. The remainder of each fee collected may be used by the department only to defray the cost of administering this section.*
 - (f) *If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5. If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the person shall return the special license plates to the department.*
 - (g) *There is no limit to the number of passenger cars and light commercial motor vehicles for which the person may apply for the issuance of license plates under this section.*
- I. The department makes available to owners of qualified vehicles Keep Texas Beautiful License Plates for a fee of \$25 in addition to the regular registration fees. Keep Texas Beautiful License Plates are multi-year staggered plates that are issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Keep Texas Beautiful License Plates, Form VTR-345, together with the \$25 fee (or \$65 fee if personalized) shall be mailed directly to the department.
- A. Keep Texas Beautiful License Plates may be issued to passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less.
 - B. Keep Texas Beautiful License Plates may be issued with a personalized license number. The application for Keep Texas Beautiful License Plates, Form VTR-345, has been designed with a space to specify that personalized plates are desired. The personalized license number will be issued in accordance with the procedure for personalized license plates (see Transportation Code Section 502.251). The fee for

personalized Keep Texas Beautiful License Plates is \$65 per year (\$25 Keep Texas Beautiful License Plate fee plus \$40 Personalized License Plate fee).

- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Keep Texas Beautiful License Plate is issued, renewed, or transferred to another vehicle. (For details or financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2732. Big Bend National Park License Plates.

- (a) *Except as provided by Subsection (b), the department shall issue specially designed license plates for passenger cars and light trucks to support the activities of a nonprofit organization designated by the Parks and Wildlife Department that has as its principal purpose the improvement or preservation of Big Bend National Park.*
- (b) *The department is not required to issue license plates under this section unless the designated organization can establish a commitment for the purchase of at least 1,000 sets of the license plates.*
- (c) *The license plates must bear one or more graphic images of significant features of Big Bend National Park designed by the Parks and Wildlife Department in consultation with the designated organization.*
- (d) *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 a fee of \$50 for an original issuance of license plates under this section or \$40 for a renewal of issuance of license plates under this section, in addition to the fee prescribed by Section 502.161 or 502.162, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.*
- (e) *The fee for replacement of a lost, stolen, or mutilated plate issued under this section is \$35, in addition to the fee prescribed by Section 502.184(a).*
- (f) *Of each fee collected under this section, \$5 may be used to defray the cost of administering this section by the department and the Parks and Wildlife Department. The department shall deposit the remainder of each fee collected under this section to the credit of the Big Bend National Park account in the state treasury. Money in the account may be used only by the Parks and Wildlife Department to support the activities of a designated nonprofit organization whose primary purpose is the improvement or preservation of Big Bend National Park. The Parks and Wildlife Department shall establish reporting and other mechanisms necessary to ensure that the money is expended for purposes for which it is dedicated.*
- (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.*

- I. The department makes available to owners of qualified vehicles Big Bend National Park License Plates for a fee of \$50 for initial issuance, in addition to the regular registration fees. Big Bend National Park License Plates are multi-year staggered plates, which are issued for a 12-month registration period.

Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Big Bend National Park License Plates, Form VTR-336, together with the \$50 fee, or \$90 fee if personalized, shall be mailed to the department.

- A. Big Bend National Park License Plates will be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.

- B. Big Bend National Park License Plates may be issued with a personalized license number. The application for Big Bend National Park License Plates, Form VTR-336, has been designed with a space to specify that Personalized Big Bend National Park License Plates are desired.
 - C. The personalized license number will be issued in accordance with the procedures for personalized plates, Texas Transportation Code Section 502.251. The fee for Personalized Big Bend National Park License Plates is \$90.
 - D. The renewal fee for Big Bend National Park License Plates is \$40 (or \$80 if personalized), in addition to the regular registration fee.
 - E. The replacement fee for Big Bend National Park License Plates is \$35.
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Big Bend National Park License Plates are issued, renewed or transferred to another vehicle. (For details or financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2733. Texas. It's Like A Whole Other Country License Plates.

- (a) *The department shall issue specially designed "Texas. It's Like A Whole Other Country" license plates for passenger cars and light trucks.*
- (b) *The license plates must include the trademarked Texas patch and the words "Texas. It's Like A Whole Other Country" and be of a color, quality, and design approved by the Texas Department of Economic Development.*
- (c) *The department shall issued 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:*
 - (1) *\$25 shall be deposited to the credit of the tourism account in the general revenue fund to finance the Texas Department of Economic Development's tourism activities; and*
 - (2) *\$5 shall be deposited to the credit of the state highway fund to defray the cost of administering this section.*
- (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.*

- I. The department makes available to owners of passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less the "Texas. It's Like A Whole Other Country" License Plates for a fee of \$30 in addition to the regular registration fees. The "Texas. It's Like A Whole Other Country" License Plates are multi-year staggered plates which are issued for a 12-month registration period.

Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for the "Texas. It's Like A Whole Other Country" License Plates, Form VTR-820, together with the \$30 fee (or \$70 fee is personalized,) shall be mailed to the department.

- A. The "Texas. It's Like A Whole Other Country" License Plates may be issued with a personalized license number displayed thereon. The application form has been designed with a space to specify that personalized "Texas. It's Like A Whole Other Country" License Plates are desired.
- B. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (see Transportation Code § 502.251). The fee for "Texas. It's Like A Whole Other Country" License Plates is \$70 per year (\$30 "Texas. It's Like A Whole Other Country" License Plates fee and \$40 personalized license plate fee).

- C. The replacement fee for the "Texas. It's Like A Whole Other Country" License Plates is \$5.30.
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when "Texas. It's Like A Whole Other Country" License Plates are issued. (For details or financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2734. Conservation License Plates.

- (a) *The department shall issue one or more specially designed conservation license plates for passenger cars and light trucks to support Texas Parks and Wildlife Department activities.*
 - (b) *Each of the license plates must be of a color, quality, and design approved by the Parks and Wildlife Department.*
 - (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 an original or renewal registration application 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) *Of each \$25 fee collected under Subsection (c) or (e), the department shall deposit \$20 to the credit of the Texas Parks and Wildlife capital account established by Section 11.043, Parks and Wildlife Code. The remaining \$5 of the fee may be used by the department to defray the cost of administering this section.*
 - (e) *The fee for replacement of a lost, stolen, or mutilated license plate issued under this section is \$25, in addition to the fee prescribed by Section 502.184(a).*
 - (f) *If the owner of a vehicle registered under this section disposes of the vehicle during the registration year, the owner shall return the license plates to the department.*
 - (g) *There is no limit to the number of passenger cars or light trucks for which a person may apply for the issuance of license plates under this section.*
 - (h) *Money deposited in the Texas Parks and Wildlife capital account under this section is supplementary and is not income for the purposes of reducing general revenue appropriations to the Texas Parks and Wildlife Department.*
- I. The department makes available to owners of passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less Conservation License Plates for a fee of \$25 in addition to the regular registration fees. Conservation License Plates are multi-year staggered plates that are issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Conservation License Plates, FORM-VTR52, together with the \$25 fee, (or \$65 fee if personalized), shall be mailed to the department.
- A. Conservation License Plates may be issued with a personalized license number. The application form has been designed with a space to specify that Personalized Conservation License Plates are desired. The personalized license number will be issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Conservation License Plates is \$65 per year (\$25 Conservation License Plates fee and \$40 Personalized License Plate fee).

- II. Proof of financial responsibility must be submitted to the tax assessor-collector when Conservation License Plates are issued. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2735. Texas Commission for the Deaf and Hard of Hearing License Plates.

- (a) *The department shall issue specially designed Texas Commission for the Deaf and Hard of Hearing license plates for passenger cars and light trucks.*
- (b) *The department shall design the license plates in consultation with the Texas Commission for the Deaf and Hard of Hearing.*
- (c) *The department shall issue license plates under this section to a person who:*
 - (1) *applies to the 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 or 502.162 and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.*
- (d) *Of each fee collected under Subsection (c)(2), \$5 shall be used by the department only to defray the cost of administering this section.*
- (e) *The remainder of each fee collected shall be deposited to the credit of the general revenue fund and may be appropriated only to the Texas Commission for the Deaf and Hard of Hearing for direct services programs, training, and education.*
- (f) *If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the owner shall return the special license plates to the department.*

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Sec. 502.2735. Texans Conquer Cancer License Plates.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks that include the words "Texans Conquer Cancer."*
- (b) *The department shall design the license plates in consultation with the Texas Cancer Council.*
- (c) *The department shall issue the license plates under this section to a person who:*
 - (1) *applies to the 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 or Section 502.162, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.*
- (d) *Of each fee collected under Subsection (c)(2), \$5 shall be used by the department only to defray the cost of administering this section. The department shall deposit the remainder of each fee collected to the credit of the Texans Conquer Cancer account established by Section 102.017, Health and Safety Code.*
- (e) *If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the owner shall return the special license plates to the department.*

- I. The department makes available to owners of passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less Texans Conquer Cancer license plates for a fee of \$30 in addition to the regular registration fees. Texans Conquer Cancer license plates are multi-year staggered plates, which are issued for a 12-month registration period.

Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Texans Conquer Cancer license plates, Form-VTR-55, together with the \$30 fee (or \$70 fee if personalized), shall be mailed to the department.

- A. Texans Conquer Cancer license plates shall be issued in accordance with the procedures set forth for issuance of personalized license plates. (Transportation Code Section 502.251.)
- B. Texans Conquer Cancer license plates may be issued with a personalized license number. The application form has been designed with a space to specify that Personalized Texans Conquer Cancer license plates are desired. The fee for Personalized Texans Conquer Cancer license plates is \$70 per year (\$30 Texans Conquer Cancer license plate fee and \$40 personalized license plate fee).
- II. There is no limit to the number of passenger cars and light commercial motor vehicles for which the person may apply for the issuance of license plates under this section.
- III. Proof of financial responsibility must be submitted to the tax assessor-collector when Texans Conquer Cancer license plates are issued. (For details or financial responsibility requirements, refer to Transportation Code Section 502.153.)

- IV. If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the person may keep their license plates.
- V. If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5.30.



Chapter 21

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Sec. 502.274. Classic Motor Vehicles.

- (a) *The department shall issue specially designed license plates for passenger cars, motorcycles and light trucks that are at least 25 years old. The license plates must include the words "Classic Auto" "Classic Motorcycle," 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.*

- I. **Issuance** - Applicants for classic registration have the option of displaying old Texas license plate(s) which are the same year as the model year of the classic vehicle; Classic License Plates issued by the department; or Personalized Classic License Plates. Such registrations may be issued to applicants who own passenger vehicles, motorcycles, or light commercial motor vehicles having a manufacturer's rated carrying capacity of one (1) ton or less that are 25 or more years old. Vehicles displaying classic registration may be operated in the same manner as a regularly registered motor vehicle.

The county tax assessor-collector will issue a windshield sticker to the vehicle that will be displaying the old Texas license plates which are the same year as the model year of the classic vehicle, or the Classic License Plates issued by the department. The owner may not use the windshield sticker on any other vehicle.

- II. **Procedure** - An applicant for classic registration has the option of displaying a set of old Texas license plates on the vehicle in lieu of department issued Classic License Plates, provided the old plates were issued in the same year as the model year of the vehicle. The following procedures are used when issuing classic registration to applicants who choose to display license plates that are the same year as the model year of the vehicle. The "old" Texas license plates are validated with a multi-year staggered windshield registration sticker.

- A. When an applicant chooses to use the "old" Texas license plates, such plates must be submitted for examination at one of the Vehicle Titles and Registration Division Regional Offices, or county tax assessor-collector offices, along with the statutory fee of \$15 and an Application for Classic License Plates, Form VTR-850. The "old" Texas license plates must be in good condition and have the correct color scheme for that particular year. The managers of the respective offices will have a discretionary authority to approve or reject these license plates for use on the vehicle.
- B. If the "old" Texas license plates are approved, the following should be forwarded to the Special Plates Branch for final processing:
 - 1. a photocopy of the license plates;
 - 2. a current license receipt or Vehicle Titles and Registration Division verification printout;
 - 3. the \$15 fee; and
 - 4. a note explaining that the plates have been approved for use on the classic vehicle should be attached to the application. Fees for classic registration should not be processed through the regional office cash register.

Note: Proper evidence of ownership must be submitted to the Special Plates Branch to support the Application for Classic License Plates, Form VTR-850, unless title has already been issued in the name of the applicant. If original documents are submitted, the documents will be returned to the applicant, along with an approval letter.

- C. If the "old" Texas license plates were originally issued in sets, a single license plate may not be approved for use on the classic vehicles. Single license plates were issued for regular license plates in the years 1945-46.
- D. Texas license plates were not issued for registration years 1918-22, 1924, and 1943-44; however, these license plates were validated with a validation disc or a metal tab. Approval for use of these license plates on the same model year vehicle is valid only if the respective year validation disc or metal tab is approved and displayed on the license plates. For example, a 1919 vehicle would be required to display a 1917 license plate with a 1919 validation disc.
- E. Upon approval of the application by a representative in the Special Plates Branch, a copy of the applicant's approval letter will be mailed to the applicant's county tax assessor-collector's office.
- F. An approval letter will be mailed to the applicant by the Special Plates Branch with instructions to present a copy of the approval letter to the applicant's county tax assessor-collector for issuance of a windshield sticker. The expiration date is determined by the month in which the application is originally approved.
- G. When the applicant presents the approval letter to the county tax collector's office, the regular registration fee will be collected or adjusted to correspond with the period for which the windshield sticker is valid, and a windshield sticker and receipt issued.
 - 1. If the vehicle is titled in the applicant's name and is currently registered, it is necessary for the applicant to surrender the license plates displayed on the vehicle and the corresponding license receipt before the windshield sticker may be issued.

The \$.30 reflectorization fee should not be collected. The optional local fees should not be collected when adjusting registration from 1 to 12 months.

Note: If credit is issued, the county tax assessor-collector should inform the owner that when the vehicle is reregistered, the license receipt must be presented for the owner to pay the prescribed registration fee minus the credit shown on the license receipt. Only the registered owner of the vehicle or a subsequent purchaser may use the license receipt for the forthcoming registration period.

2. If the vehicle is titled in the applicant's name and is unregistered, registration fees are collected for the period for which the new windshield sticker is valid. The optional local fees should be collected (if applicable).
 3. If the vehicle is currently registered and a Texas Certificate of Title is applied for, it is necessary for the applicant to surrender the license plates displayed on the vehicle and the corresponding license receipt. The optional local fees should not be collected when adjusting registration from 1 to 12 months.
 4. If the vehicle is unregistered and a Texas Certificate of Title is applied for, registration fees are collected for the period for which the new windshield sticker is valid. The optional local fees should be collected (if applicable).
- H. The windshield sticker must be affixed to the inside left portion of the front windshield, within six inches of the vehicle inspection sticker.
- III. The following procedures should be used when issuing Classic registration to applicants who choose to display license plates which are "Classic Auto," "Classic Motorcycle," or "Classic Truck" License Plates issued by the department.
- A. The completed Application for Classic License Plates, Form VTR-850 is submitted to the Texas Department of Transportation, Vehicle Titles and Registration Division, Austin, TX 78779-0001, with the appropriate fee of \$15.
 - B. Upon approval of the application by a representative of the Special Plates Branch, a Classic License Plate will be issued to a specific vehicle. The plates are then invoiced and mailed to the applicant's county tax assessor-collector's office.
 - C. An acceptance notice will be mailed to the applicant by the Special Plates Branch with instructions to present the acceptance notice to the applicant's county tax assessor-collector for issuance of the windshield sticker and Classic license plates.
- IV. The following procedures should be used when issuing Classic registration to applicants who choose to display license plates that are Personalized Classic License Plates.
- A. The completed Application for Classic License Plates, Form VTR-850, is submitted to the Texas Department of Transportation, Vehicle Titles and Registration Division, Austin, TX 78779-0001, together with the appropriate fee of \$55 (\$15.00 plus \$40.00 personalized plate fee).
 - B. Upon approval of the application by a representative of the Special Plates Branch, the Personalized License Plate selection is issued to a specific vehicle. The plates are manufactured and invoiced to the applicant's county tax assessor-collector's office.

- C. An acceptance notice will be mailed to the applicant by the Special Plates Branch with instructions to present the acceptance notice to the county tax assessor-collector for issuance of the Personalized Classic License Plates.
- V. Renewal - Registrants who elect to continue to use the "old" Texas plates are required to renew the registration the same as department-issued Classic License Plates.
 - A. Each year, prior to the renewal period, the department will mail renewal forms and a self-addressed envelope to owners of vehicles displaying Classic License Plates.
 - B. Upon receipt, the owner should return the renewal form and the \$15 special fee to the Vehicle Titles and Registration Division Headquarters Office in Austin.
 - C. The Special Plates Branch will process the Classic License Plate renewal and fee. The owner will then receive a letter and instructions to present the letter to the county tax assessor-collector when renewing the vehicle registration. A copy of the letter is also sent to the applicant's county tax assessor-collector's office.
 - D. The county tax assessor-collector will issue the windshield sticker.
 - E. The owner must remove the previous windshield sticker and replace it with the current year windshield sticker.
- VI. Replacements - If a windshield sticker becomes lost, stolen, or mutilated, the owner has the following options for obtaining a replacement sticker.
 - A. The owner must contact the county tax assessor-collector for a replacement windshield sticker. The county tax assessor-collector shall collect the statutory \$5.30 replacement fee.
 - B. If the department issued Classic License Plates become lost, stolen, or mutilated, and the owner wishes to continue to operate the vehicle, the owner must obtain regular replacement license plates from the county tax assessor-collector. The county tax assessor-collector will collect the statutory \$5.30 replacement fee and issue regular replacement license plates.

The owner may then submit a written request to the Special Plates Branch, along with a copy of the replacement license receipt. A replacement set of Classic License Plates will be mailed to the owner's county tax assessor-collector's office and a notice will be sent to the vehicle owner.
 - C. If the owner's "old" Texas license plates are lost, stolen, or mutilated, the owner may request regular "Classic Auto," "Classic Motorcycle," or "Classic Truck" License Plates as a replacement by submitting a written request to the Special Plates Branch
- VII. Refunds - A refund may be approved for the special \$15 Classic License Plate fee. Refer to Transportation Code Section 502.183 in the Motor Vehicle Registration Manual.
- VIII. Transfers - The owner of a vehicle registered with Classic license plates should contact the county tax assessor-collector to obtain regular replacement license plates if the vehicle displaying the Classic license plates is transferred, sold, traded, or disposed of during the registration year.

If the purchaser secures the "old" Texas plates and wishes to continue to display them, a new Application for Classic License Plates, Form 850, must be submitted for approval to

the county tax assessor-collector's office, along with the application for title in the new owner's name.

- IX. Note: The law providing for the issuance of special license plates on certain classic motor vehicles does not provide for transfers from one vehicle to another. If the owner desires Classic License Plates or a windshield sticker for another vehicle registered in the owner's name, a new Application for Classic License Plates, Form 850 must be submitted for approval.

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Sec. 502.275. Certain Exhibition Vehicles; Offense.

- (a) *The department shall issue specially design license plates, for a passenger car, truck, motorcycle or former military vehicle that:*
 - (1) *is at least 25 years old, if the vehicle is a passenger car, truck, or motorcycle;*
 - (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 Subsection must include the words "Antique Auto," "Antique Truck," "Antique Motorcycle," or "Military Vehicle" 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). The department shall approve for use on a passenger car license plates that were issued for a passenger car or for a truck and shall approve for use on a truck license plates that were issued for a truck or for a passenger car. If the department approves license plates under this subsection, 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 under Subsection(a) or approved under Subsection (c) are valid for a maximum period of five years.*
- (e) *The department shall issue license plates under Subsection (a) or approve license plates under Subsection (c) 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) *if the vehicle is a passenger car, truck, or motorcycle, contains the make, body style, motor number, and age of the vehicle;*
 - (C) *states any other information required by the department; and*
 - (D) *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) *Notwithstanding any other provision of this section, the department may exempt a former military vehicle from the requirement to display license plates or any symbol, tab, or other device indicating registration of the vehicle if the department determines*

that the exemption is necessary to maintain the vehicle's accurate military design or markings.

- (g) A vehicle registered under this section is exempt from the registration fee otherwise prescribed by this chapter.
- (h) 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.
- (i) A county assessor-collector may not renew the registration of a vehicle under this section until the registered owner surrenders to the assessor-collector any license plates or symbol and the registration receipt issued for the vehicle for the previous period.
- (j) 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 any license plates or symbol are immediately void and the license plates or symbol issued under this section shall be sent immediately to the department.
- (k) 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.
- (l) Notwithstanding any other section of this code, a vehicle issued plates under Subsection (a) shall be required to display only one license plate, which is to be attached to the rear of the vehicle.
- (m) In this section, 'former military vehicle' means a vehicle, including a trailer, regardless of the vehicle's size, weight, or year of manufacture, that:
 - (1) was manufactured for use in any country's military forces; and
 - (2) is maintained to accurately represent its military design and markings.

Section 4. Subchapter A, Chapter 5, Insurance Code, is amended by adding Article 5.01-3 to read as follows:

Art. 5.01-3. Former Military Vehicles.

- (a) A rating plan that includes a classification applicable to antique, private passenger vehicles maintained primarily for use in exhibitions, club activities, parades, and other functions of public interest and occasionally used for other purposes must include in the classification former military vehicles maintained for those uses.
 - (b) In this article, 'former military vehicle' has the meaning assigned by Section 502.275, Transportation Code.
- I. The department may issue specially designed license plates or symbols to owners of passenger cars, trucks, or motorcycles which are at least 25 years old, provided that the vehicles are used solely for exhibitions, club activities, parades and other functions of public interest and in no instance for regular transportation. In addition, the vehicles must be assembled, complete, and have a frame, body, and motor that is at least 25 years

old. The vehicles can not display any advertising. The vehicles shall be classified for registration purposes as Antique Vehicles. Plates issued under this section must include the words "Antique Vehicle" or "Antique Motorcycle." A vehicle issued plates under this section shall be required to display only one license plate, which is to be attached to the rear of the vehicle.

- A. An applicant for antique vehicle registration has the option of displaying a set of old Texas license plates on his vehicle in lieu of department issued Antique License Plates provided that the old plates were issued in the same year as the year model of the antique vehicle. The following requirements must be met before the old license plates may be used on a vehicle:
1. The old Texas license plates must be submitted along with the Application for Antique or Classic Vehicle License Plates, Form VTR-54, to the department for approval. The plates may either be hand carried to one of the regional offices or mailed to the Special Plates Branch by the applicant. The supervisors of the respective offices will have discretionary authority to approve or reject these license plates for use on the vehicle.
 2. In cases when the old plates are brought into the regional offices and are approved, a note listing the license number of the license plates explaining that they have been approved for use on the antique vehicle and a photo copy of the old plates shall be attached to the application by the regional office and forwarded to the Special Plates Branch for final processing.
 3. The department may approve for use on a passenger car, license plates that were issued for a passenger car or for a truck and shall approve for use on a truck license plates that were issued for a truck or for a passenger car.
 4. If the old license plates were originally issued in sets, a single license plate may not be approved for use as Antique registration. Texas license plates were not issued for registration years 1918-22, and 1943-44. Validation discs or metal tabs were issued and attached to the previous license plates to cover those particular years. Approval for use of these license plates on the same model year vehicle is valid only if the respective year validation disc is approved and displayed on the license plates. For example, a 1919 vehicle would be required to display 1917 license plates with a 1919 validation disc.
 5. Single license plates, not sets were issued during the years 1945-46.
 6. A special Antique Validation Sticker will be issued to validate the old Texas license plates. The number shown on the validation sticker will be the same configuration as used on department issued Antique Plates and will constitute the license number of the vehicle for accessing the computer record for the vehicle.
 7. Upon approval of the antique vehicle application, the Special Plates Branch will mail an approval letter to the applicant. Additionally, an Antique Validation Sticker will be mounted onto a specially designed slotted metal tab by the Branch and forwarded, along with an approval letter, to the county for issuance to the applicant. The applicant will then bolt the validation sticker unit onto the upper right-hand corner of the rear license plate for display on the vehicle.

- B. An Antique License Plate or symbol is issued for a five-year period or the remaining portion thereof. Registration fees shall be determined as follows:
 - 1. The registration fee for the five-year period for vehicles manufactured in 1921 and subsequent years is \$50 and is reduced \$10 for each year of the period that has elapsed at the time the application is filed.
 - 2. The fee for the registration of a vehicle manufactured in 1920 and prior years is \$40 for the five-year period and is reduced \$8 for each year of the period that has elapsed at the time the application is filed.
 - C. The Application for Antique or Classic License Plate, Form VTR-54, shall be executed in duplicate and both copies must be mailed directly to the department for approval. Proper evidence of ownership must support the application, Form VTR-54, unless title has already been issued in the name of the applicant.
 - 1. If the request for the Antique License Plates is accepted, an approval letter (together with any ownership papers presented) will be mailed to the applicant. The owner may then take the approval letter, and proof of financial responsibility (except as noted in II below) to the office of the owner's County Tax Assessor-Collector for the issuance of the license plates or symbol.
 - 2. The tax assessor-collector shall also be notified of the qualification of the vehicle by receiving an invoice along with the license plates or symbol. If title has not been issued in the applicant's name, application for title shall be required before Antique License Plates or a symbol may be issued.
 - D. Antique License Plates or a symbol cannot be renewed for another five-year period until the registered owner surrenders the license plates and receipt issued for the previous period to the County Tax Assessor-Collector.
 - E. If Antique License Plates or a symbol becomes lost, stolen, or mutilated, a new set of license plates or symbol can be obtained by contacting the Special Plates Branch. Upon approval of the request, a replacement set of plates or symbol will be issued, or the same plates will be manufactured. If a new plate is issued, an approval letter will be mailed to the owner; and an Application for Replacement, a Replacement License Receipt and the replacement antique registration will be forwarded to the Tax Collector. Prior to issuance of the replacement antique registration and the collection of the \$5.30 replacement fee, the applicant will be required to surrender the current license receipt and any department-issued antique vehicle registration remaining in their possession.
 - F. If the same license plate number is remade, the Special Plates Branch contacts Huntsville and sends an approval letter to the applicant. The applicant then can go to the county and pick up the plate.
- II. House Bill 1894, Acts of the 72nd Texas Legislature, Regular Session, amended Section 1A of the Texas Motor Vehicle Safety-Responsibility Act, V.A.T.S., Article 6701h, by adding Subsection (b-2). Refer to Transportation Code Section 601.051.
- A. This subsection provides an exemption from mandatory liability insurance for motor vehicles 25 years old or older under the following conditions:

1. The vehicle is used only for exhibitions, club activities, parades, and other functions of public interest and not for regular transportation; and
 2. The owner of the vehicle has filed a sworn affidavit with the Texas Department of Public Safety stating that the vehicle is a collector's item and will be used solely for the aforementioned purposes.
- B. Owners of motor vehicles 25 years old or older which meet the limited use restriction provisions of this legislation may take advantage of this exemption by contacting the Texas Department of Public Safety, Safety Responsibility Bureau, 5805 North Lamar Boulevard, Box 4087, Austin, Texas 78773-0001, telephone number 512/424-2600. Upon receipt of the affidavit of exemption, the portion of the form designated "FOR DEPARTMENTAL USE ONLY" will be signed, stamped, and dated by an authorized agent of the Department of Public Safety. The original affidavit will be filed, and a copy will be returned to the owner.
- C. The restrictions regarding the operation of the vehicle in order to qualify for the exemption are the same as those required to obtain Antique License Plates. Therefore, a copy of the Texas Department of Public Safety's certification that the affidavit of exemption was filed will only be acceptable in lieu of proof of financial responsibility at the time of initial issuance or renewal of Antique License Plates.
- D. Under Transportation Code Section 548.052, vehicles registered under the provisions of this Act are exempt from compulsory vehicle safety inspection.
- III. If a vehicle displaying Antique License Plates or a symbol is to be transferred to another owner, the license plates or symbol must be removed from the vehicle prior to such sale; and the license plates and receipt must then be surrendered to the department for cancellation. Also, when such vehicles are transferred, the following situations may occur:
- A. If the purchaser desires Antique License Plates or a symbol, the Application for the Antique or Classic Vehicle License Plates, Form VTR-54, supported by properly assigned evidence of ownership must be mailed directly to the department for approval. When approved by the department, the applicant may purchase Antique License Plates or a symbol from the County Tax Assessor-Collector, provided an application for title is filed at such time. In such instances, regular registration should not be required.
 - B. If the purchaser does not desire Antique License Plates or a symbol, the vehicle shall be registered with passenger, commercial, or motorcycle license plates; and the registration fees shall be collected as of the date application for title is filed for a period of 12 months.
 - C. Under no circumstances may regular replacement plates be issued for a vehicle registered with Antique License Plates or a symbol.
- IV. In the event a vehicle registered with Antique License Plates or a symbol is junked, destroyed or otherwise ceases to exist, the license plates or symbol and receipt are to be immediately surrendered to the department for cancellation.
- V. When Antique License Plates or a symbol are surrendered to the department for cancellation by the registered owner, a partial refund may be requested for the unexpired

portion of the antique license fee. The refund will be based on the yearly prorated fee for each remaining year of the five-year period.

- VI. Refer to the Registration Guide, located in the figures for information relative to apprehended vehicles.
- VII. A passenger car, truck, motorcycle, or trailer, which was manufactured for use in any country's military forces and is maintained to accurately represent its military design and markings, may be registered as a Former Military Vehicle. A Former Military Vehicle may be registered accordingly, regardless of the vehicle's size, weight, or year of manufacture.
 - A. Vehicles registered under this statute must be titled. Former Military Vehicles are exempt from safety inspection.
 - B. Applicants should complete the Application for Former Military Vehicle Registration, Form VTR 135-M, and submit the application, along with a picture of the vehicle, to the Special Plates Branch of the Vehicle Titles and Registration Division in Austin.
 - C. Applicants may use the number assigned by the military by completing that portion of the application form, or a "Military Vehicle" license plate will be issued by the Special Plates Branch. It is the responsibility of the applicant to affix the registration number to the vehicle in a manner consistent with the serial number originally displayed on the vehicle. These digits must be a minimum of two inches in height.
 - D. The registration fee for a Former Military Vehicle is the same as for an Antique Vehicle, and is valid for a maximum of five years. Vehicles constructed in 1920 and prior years shall pay forty dollars and thirty cents (\$40.30) for a five-year registration, which is reduced eight dollars (\$8) for each year of the period that has elapsed at the time the application is filed. Vehicles constructed in 1921 and subsequent years shall pay fifty dollars and thirty cents (\$50.30) for a five-year registration, which is reduced ten dollars (\$10) for each year of the period that has elapsed at the time the application is filed. Similar operating restrictions apply to Former Military Vehicles.
 - E. Upon completion of the examination of the Application for Former Military Vehicle Registration, a Texas Vehicle Registration Receipt shall be issued and sent to the County Tax Assessor-Collector in the applicant's county of residence. Applicable registration fees shall then be paid to the tax office, which will report the fees collected for Former Military Vehicle in the same manner as Antique Auto and Truck. The registration receipt must be carried in the vehicle at all times.



Chapter 22

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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 if the vehicle 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) *A vehicle that has a distinguishing license plate issued under Subsection (b) may be operated temporarily on the highways if the vehicle is:*
 - (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) *seasonally harvested agricultural products or 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.

- I. A farm tractor that is operated or moved temporarily upon the highways is exempt from title and registration.
 - A. If the owner of a farm tractor wishes to obtain the anti-theft protection offered by the Certificate of Title Act, he may do so by registering his farm tractor as a "road tractor" and applying for a certificate of title.

Note: Chapter 501, Subchapter B of the Transportation Code was amended by adding Section 501.035. It provides that the department may issue a title for a farm semitrailer with a gross weight over 4,000 pounds if (a) in accordance with Transportation Code Section 502.276, the farm semitrailer is eligible for registration; (b) the owner applies for a certificate of title under Transportation Code Section 501.023; and (c) the owner pays the required fees under Transportation Code Section 501.138. This provides the owner of a farm semitrailer with an additional option for anti-theft protection under the Certificate of title Act.

- B. The size limitations applicable to the temporary movement of farm tractors upon the highways of this State are as follows:
 - 1. Width - 9 feet
 - 2. Height - 13 feet 6 inches
 - 3. Length - 45 feet
- II. A farm trailer or farm semitrailer with a gross weight not exceeding four thousand (4,000) pounds is exempt from title and registration when operated or moved temporarily upon the highways of this State.
 - A. The exemption from registration shall not apply to any farm trailer or farm semitrailer, which is not operated in accordance with the restrictions, set forth in Transportation Code Section 502.276.
 - B. A farm trailer or farm semitrailer, which is exempt from registration, may not be used to transport livestock to a show or rodeo if such stock is not being transported for the purpose of sale.
- III. Implements of husbandry that are operated or moved temporarily upon the highways are exempt from title and registration.
 - A. The term "Implement of husbandry," as defined in Transportation Code Section 502.001, includes those devices that are used to cultivate the soil and harvest the resulting crops. Also, the term includes self-propelled vehicles that are designed or adapted to transport to the field and spread plant food materials or agricultural chemicals (regardless of whether the vehicle is a conventional truck in basic design or a machine built from the ground up).
 - B. The provisions of Transportation Code Section 545.361, limit the speed of a motor vehicle designed or adapted for spreading fertilizer to 30 miles-per-hour unless the vehicle is properly registered.

- C. Any motor vehicle designed or adapted for spreading fertilizer which is operated at speeds greater than 30 miles per hour on the public highways no longer retains its exemption as an implement of husbandry and must be registered. The fee for such registration is \$75 as provided in Transportation Code Section 502.164.
 - D. Implements of husbandry are not restricted to any width limitation.
 - E. Properly registered vehicles transporting implements of husbandry are not restricted to any width limitation, provided the vehicle is being moved by the owner or his agent for the purpose of agricultural operations, and provided, that such implements are being moved or carried a distance of not more than fifty (50) miles. However, if the implement of husbandry or vehicle is overheight, overlength, or overweight, a permit is required.
- IV. Owners of farm trailers and semitrailers with gross weights not exceeding four thousand (4,000) pounds are not required to register such vehicles; and the owners of farm trailers and semitrailers with gross weights exceeding 4,000 pounds but not exceeding 34,000 pounds may qualify for a \$5.30 Farm Trailer License Plate in lieu of paying regular registration fees. In accordance with the above statutes, these same exemptions also apply to the following:
- A. Farm trailers and semitrailers owned by cotton gins and furnished, without charge, to farmers for the transportation of agricultural products from their place of production to their place of process, market or storage.
 - B. Fertilizer trailers, regardless of ownership, which are used solely to transport fertilizer, without charge, between a place of supply or storage to farms and return.
 - C. Cottonseed trailers, regardless of ownership, which are used to haul cottonseed, without charge, between a place of supply or storage to farms or place of process and return.

Note: Transportation Code Section 501.036 is a permissive choice for an owner of a farm semitrailer with a gross weight over 4,000 pounds to request the department to issue a certificate of title. A farm trailer plate may be requested when a farm semitrailer with a gross weight over 4,000 pounds has a certificate of title.

- V. The procedure for securing \$5.30 license plates for trailers and semitrailers owned by cotton gins and fertilizer and cottonseed trailers is the same as that for regular farm trailers and semitrailers. (Refer to Transportation Code Section 502.277.)

Refer to the Registration Guide, located in the figures, for information relative to apprehended vehicles. The word "vehicle" as used in this statute shall be inclusive of:

- Construction Machinery
- Farm Tractors
- Farm Trailers and Semitrailers
- Implements of Husbandry
- Water Well Drilling Equipment

- VI. A farmer or a rancher who owns a farm trailer or farm semitrailer may purchase a distinguishing Farm Trailer License Plate for a fee of \$5.30 provided:

- A. The gross weight is in excess of 4,000 pounds, but not in excess of 34,000 pounds.

The use of such trailer or semitrailer is limited to the transportation of seasonally harvested agricultural products, livestock, or farm or ranch supplies. Also, a farm licensed trailer or semitrailer must be operated in conformity with the restrictions set forth in Transportation Code Section 502.276.

- 1. A farmer or rancher that raises show stock may transport such stock to a place of showing on farm licensed trailers or semitrailers only if such stock is being transported for the purpose of sale.
 - 2. Trailers or semitrailers leased or rented to farmers or ranchers, solely for their own use, are eligible for Farm Trailer License Plates.
- VII. The owner must make application for a farm trailer or farm semitrailer license plate on the Affidavit and Application for Farm Trailer License Plates, Form VTR-52-A. The application must be made through the County Tax Assessor-Collector of the county in which the applicant resides; however, a Form VTR-52-A is only required when farm trailer plates are initially issued or transferred to an owner.
- A. If the applicant has more than one trailer or semitrailer to be licensed with Farm Trailer License Plates, he may list the descriptions of the various trailers on the back side of one application and need not submit a separate application for each such trailer or semitrailer.
 - B. These applications are to be kept on file in the office of the County Tax Assessor-Collector and should remain open for inspection to enforcement officers and the Vehicle Titles and Registration Division Field Investigators.
- VIII. Farm Trailer License Plates are multi-year license plates that are issued on a staggered basis. New and out-of-state farm trailers are issued a distinguishing license plate for a one-year period, which begins on the first day of the month in which the applicant makes application. The registration procedures governing the issuance of such plates are as follows:
- A. For initial issuance, a Farm Trailer License Plate with the appropriate month and year stickers affixed thereto must be issued using a license receipt. For renewals, the same Farm Trailer License Plate must be validated each year by the issuance of a validation sticker. Renewal notices covering farm trailers or farm semitrailers remain valid all year as a means of issuing validation stickers.
 - 1. If a farm trailer or farm semitrailer is factory built and bears a factory stamped serial number, then such number should be shown on the license receipt.
 - 2. It is not necessary for the owner of a homemade or shopbuilt farm trailer or semitrailer to apply for a serial number. If, however, the farmer or rancher imprints equipment numbers on his trailers or semitrailers, the County Tax Assessor-Collector may show such numbers on the license receipt.
 - 3. It is not necessary for a farm trailer license receipt to be carried on the vehicle to which it was issued.

- B. If an owner of a farm-licensed trailer or semitrailer wishes to exceed the 34,000 pound gross weight limitation at anytime during the year for which the distinguishing license plate is valid, he must purchase either:
1. Regular registration (Token Trailer or Trailer License Plate); or
 2. A 72-Hour Permit

Note: Credit is not allowed for the surrendered \$5.30 farm plate.

- C. If a farm licensed trailer or semitrailer is apprehended with a gross weight in excess of 34,000 pounds, the County Tax Assessor-Collector shall:
1. Determine that the trailer design will accommodate a gross weight in excess of 34,000 pounds based on the axle configuration.
 2. Charge the regular trailer license fee for that particular trailer's weight classification and collect such fee from the date of apprehension for the remaining portion of the registration year or issue a Token Trailer License Plate and collect the \$15.30 fee. Credit will not be authorized for the surrendered Farm Trailer License Plate. (Refer to the Registration Guide located in the figures.)
 3. Charge the statutory penalty equal to 20% of the total amount of the prescribed fee.
- D. Temporary agricultural permits or additional weight permits may not be issued to farm licensed trailers or semitrailers.
- E. If a Farm Trailer License Plate or validation sticker becomes lost, stolen, or mutilated, a new replacement plate and/or validation sticker may be issued for the fee of \$5.30, provided the owner executes a Replacement application and surrenders the current year's license receipt. If an owner cannot surrender his current year's license receipt, and current distinguishing license plate covering the vehicle for which a replacement plate and/or sticker is being requested cannot be verified, the owner cannot be issued a replacement plate and/or validation sticker, but shall be required to execute a new application, Form VTR-52-A, and reapply for a Farm Trailer License Plate.
- F. When renewing a Farm Trailer License Plate, the applicant must present the renewal notice or previous license receipt to the County Tax Assessor-Collector with the fee of \$5.30. If the renewal notice or current license receipt is not available and the previous Farm Trailer License Plate cannot otherwise be verified, it will be necessary for the applicant to execute a new application, Form VTR-52-A, and reapply for a Farm Trailer License Plate as provided in the preceding paragraphs.
- G. All farm trailers and semitrailers are exempt from the Certificate of Title Act, provided the vehicles are used solely for the transportation of Farm products and the far products are not transported for hire. When a non-titled farm trailer or semitrailer is sold, a bill of sale and the execution of a license receipt is all that is required to support such sale. Such evidence of ownership is not required to be surrendered.

However, effective September 1, 2001, farm semitrailers with a gross weight over 4,000 pounds may be issued a title by the department under Transportation Code, Section 501.036. When a titled farm semitrailer is sold, the properly assigned certificate of title must support the sale.

H. Subchapter B, Chapter 501 of the Transportation was amended during the 77th Legislation Session (2001) by adding Section 501.036, which provides that the department may issue a certificate of title for a farm semitrailer with a gross weight of more than 4,000 pounds if (a) in accordance with Section 502.276, the farm semitrailer is eligible for registration; (b) the owner applies for a certificate of title under Section 502.034; and (c) the owner pays the required fees under Section 501.138.

1. If the purchaser is a farmer, he may retain the farm plates if he executes the Application for Farm Trailer, Farm Truck, or Farm Truck Tractor License Plates, Form VTR-52-A.
2. If the purchaser is not a farmer, the purchaser must surrender the Farm Trailer License Plate to the County Tax Assessor-Collector and register the vehicle with regular registration (Trailer or Token Trailer License Plate) and apply for a certificate of title, if a title is required. Refer to Transportation Code Section 502.166 or Transportation Code Section 501.036. Credit is not allowed for the surrendered Farm Trailer License Plate.
 - a. Farmers Co-ops are not eligible for Farm Trailer License Plates and must register their trailers or semitrailers with regular registration.
 - b. A farm trailer or semitrailer with a gross weight exceeding 34,000 pounds is required to be registered with regular registration, the same as all other trailers used for commercial purposes. There is no reduction in registration fees for such trailers and the owner must apply for certificate of title.

IX. Every truck or trailer, whether conventional or unconventional, which has mounted thereon machinery used exclusively for drilling water wells may qualify for a \$5.30 Machinery License Plate.

A. In addition to the drilling units themselves, various other servicing units associated with water well drilling operations may qualify for Machinery License Plates. The affiliated servicing units that may be eligible for Machinery License Plates include:

1. Pump pulling and pump setting units that are used to lower or raise submersible water pumps at well sites. Additionally, this type unit is occasionally used to pull well casing and is used at times for cleanout purposes.
2. Bailing units that are used exclusively for cleaning out water wells. This type unit operates by lowering a bailing projectile - a long, cylindrical tube - into the well. As the projectile is lowered, a trap valve located on the end of the tube opens taking in mud and slush. The bailing unit then raises the projectile containing the settlements from the well.
3. Mud pumps, which are generally used in conjunction with drilling units to pump mud and slush into and from the well site during the drilling operation. Such units may or may not qualify for the \$5.30 Machinery License Plate, depending upon the construction of the unit.
 - a. A mud pump, which is built from the ground up as a machine, will be eligible.

- b. A conventional vehicle with a mud pump mounted thereon is not eligible for the \$5.30 Machinery License Plate and must be registered with regular license plates.
 - B. Prior to the approval of a Machinery License Plate for any piece of mechanically qualified water well drilling equipment, the owner must first be currently licensed by the Texas Water Well Drillers Board. An applicant who is not registered with the Water Well Drillers Board shall be denied a Machinery License Plate unless he can furnish an affidavit stating that he is working under the direct supervision of a registered water well driller, and such affidavit must state the name of such registered water well driller.
 - 1. Water well driller "trainees" may qualify for Machinery License Plates provided they furnish a copy of their approved "trainee" application in addition to the application for Machinery License Plates.
 - 2. Other applicants for Machinery License Plates who are not licensed drillers may qualify for Machinery License Plates if a licensed driller or a trainee operates the vehicle. An affidavit of fact explaining the circumstances must be submitted with the application.
 - C. There are various other vehicles associated with water well drilling that do not qualify for the \$5.30 distinguishing license plate and must be registered with regular registration. Included in this group of vehicles are:
 - 1. Water tank trucks or trailers.
 - 2. Trucks or trailers used in transporting drill stem pipe.
 - 3. Truck or trailer mounted tool houses.
 - 4. Truck tractors used in combination with machinery licensed semitrailers on which water well drilling machinery is mounted. (The exemption from regular registration fees applies only to the vehicle on which the machinery is mounted. Therefore, a truck tractor used in combination with a machinery licensed semitrailer must be registered with regular truck plates for its empty weight plus that portion of the weight of the semitrailer and its load that rests upon or is carried by the truck tractor. In no case can the registration weight be less than the empty weight of the truck tractor plus the manufacturer's rated carrying capacity.)
- X. Construction machinery must meet certain criteria in order to qualify for the \$5.30 Machinery License Plate. It must be an unconventional machine, such as those built from the ground up, designed and fabricated to perform a job relating to that type of construction. It is a vehicle that is not designed or used to tow or transport property or persons, other than those persons who may be required to operate such machinery in the function of its design and purpose.
 - A. Machinery vehicles are those vehicles that are actually designed for special construction purposes. Examples are:
 - 1. Motor graders
 - 2. Tractor scrapers
 - 3. Tractors with front end loaders

4. Welding machines (see paragraph 8.)
 5. Air compressors (see paragraph 8.)
 6. Portable cement mixers
 7. Oversize dump trucks and earth moving equipment designed solely for the transportation of super heavy loads, exclusively in off-highway service. However, when this type of vehicle is moved temporarily upon the public highways from one construction site to another, it may only be legally moved if unladen.
 8. Motor cranes and draglines, which are built from the ground up as construction machinery. The mere mounting of motor cranes, draglines, or any other machinery, regardless of its type, upon a conventional-type truck, trailer, or semitrailer does not qualify such vehicle for a machinery plate.
- B. The issuance of Machinery License Plates is further restricted to only those unconventional vehicles that are equipped with pneumatic or solid rubber tires. Although tracklaying or metal-wheeled machinery-type vehicles would generally be considered unconventional, the issuance of the \$5.30 Machinery License Plate to such vehicles is not allowed because the movement of such vehicles on the public highways of this State is prohibited by statute. Therefore, legally registered vehicles must transport such machinery when it is moved over the public highways.
- C. A truck tractor used in combination with an unconventional semitrailer licensed as machinery must be registered with regular Truck License Plates. Since the exemption from regular registration fees is allowed only on the unconventional semitrailer, the truck tractor must be registered for its empty weight plus that portion of the weight of the semitrailer and its load that rest upon or is carried by the truck tractor. In no case can the registration weight be less than the empty weight of the truck tractor plus the manufacturer's rated carrying capacity.
- XI. The procedure for issuing Machinery License Plates to water well drilling vehicles and construction machinery is as follows:
- A. A firm or individual making application for the \$5.30 Machinery License Plate must execute the Affidavit and Application for the Registration of Water Well Drilling or Construction Machinery, Form 77. A current photograph of the vehicle must be attached to the reverse side of the application, and both the application and photograph should then be mailed to the department's Vehicle Titles and Registration Division in Austin or to one of the department's Vehicle Titles and Registration Division Regional Offices.
 - B. The department, after examination of the application and photograph, will determine if the vehicle is eligible for a Machinery License Plate. If the request for the Machinery License Plate is accepted, the application will be returned to the applicant advising him to take the approved application to the office of his County Tax Assessor-Collector for the issuance of the Machinery License Plate.
 - C. In cases of extreme necessity in which the applicant must move the machine immediately and does not have time to wait for an application to be routed through the department, the County Tax Assessor-Collector may telephone the department's

Vehicle Titles and Registration Division and ask that the county be allowed to issue the Machinery License Plate prior to the applicant's submission of an application. During such telephone conversation, the vehicle must be described fully, as conventional vehicles, with the exception of water well drilling machinery, are not eligible for Machinery License Plates. If the department approves the issuance of the machinery license, it is necessary for the County Tax Assessor-Collector to send the department a copy of the application with the machinery license number noted thereon.

- D. Machinery License Plates are multi-year license plates issued on a staggered basis. The \$5.30 license fee is paid to the County Tax Assessor-Collector at the time the registration is issued. For initial registrations, both a Machinery License Plate and a validation sticker must be issued. For renewals, the same Machinery License Plate must be validated each year by the issuance of a validation sticker. Renewal Notices covering Machinery License Plates remain valid all year as a means of issuing validation stickers.
1. The "body style" space on the license receipt must record the type of equipment being registered, such as "grader," "air compressor," "drilling unit," etc.
 2. When a Machinery License Plate is issued, the County Tax Assessor-Collector should retain the application presented by the applicant for his records.
 3. If the department has not already furnished the County Tax Assessor-Collector with a supply of machinery plates, a machinery plate will be mailed at the time the application is approved.
- E. Either the motor or serial number should be indicated on the application for a Machinery License Plate. If the machinery has no motor or serial number, then an assigned number must be obtained from the department by executing the standard form, Form VTR- 68A. The fee for an assigned number is \$2.
- F. If the water well drilling equipment or construction machinery is unregistered and a Machinery License Plate is applied for in January, February or March, the applicant should be permitted to register the vehicle as follows:
1. The applicant may be issued Machinery License Plates with the forthcoming year's expiration and the annual fees shall be collected for both the current license year and the forthcoming license year, and the combined fees of \$10.30 shall be shown on one license receipt.
 2. If the applicant specifically requests the issuance of a license for only the remainder of the current license year, a Machinery License Plate with the current year's expiration should be issued for a fee of \$5.30.
- G. If a Machinery License Plate or validation sticker becomes lost, stolen, or mutilated, a new replacement plate and/or validation sticker may be issued for the fee of \$5.30, provided the owner executes a Replacement application and surrenders his current year's license receipt. If an owner cannot surrender his current year's license receipt, and current distinguishing license plate covering the vehicle for which a replacement plate and/or sticker is being requested cannot be verified, the owner cannot be issued a replacement plate and/or validation sticker. The applicant is required to execute a

new application, Form 77, and reapply for a Machinery License Plate as provided in the preceding paragraphs.

- H. When reregistering a Machinery License Plate prior to April 1, the applicant must present his License Plate Renewal Notice or current license receipt to his County Tax Assessor-Collector with the fee of \$5.30. If the renewal notice or current license receipt is not available and the previous Machinery License Plate cannot otherwise be verified, it will be necessary for the applicant to execute a new application, Form 77, and reapply for a Machinery License Plate as provided in the preceding paragraphs.
- I. Vehicles qualified for machinery licenses are exempt from regular registration fees prescribed by law and, consequently, are exempt from the Certificate of Title Act. Therefore, the County Tax Assessor-Collectors are advised not to require or accept an application for certificate of title on water well drilling or construction equipment unless regular registration is issued.
- J. An unconventional construction machinery licensed vehicle may be transferred from one owner to another by use of the license receipt and a bill of sale.
- K. Water well drilling equipment may be transferred from one owner to another by use of the license receipt and a bill of sale, provided:
 - 1. The purchaser executes the Affidavit and Application, Form 77; and
 - 2. The purchaser is registered with the Water Well Drillers Board. If the purchaser is not registered with the Water Well Drillers Board and cannot furnish the affidavit required in Transportation Code Section 502.276, the purchaser must surrender the Machinery License Plate and secure regular registration and apply for a certificate of title. Credit is not allowed for the surrendered Machinery License Plate.
- L. When temporarily moved upon the highways of this State, vehicles upon which water well drilling equipment is mounted and highway building and maintenance machinery are not restricted to any width, height or length limitations.
- M. A slow moving vehicle shall display a "Slow-Moving-Vehicle" emblem. A slow moving vehicle is any motor vehicle designed to operate at a maximum speed of twenty-five miles per hour or less. The term includes all vehicles, implements of husbandry and other machinery, including all road construction machinery, while being drawn by animals or by a motor vehicle designed to operate at a maximum speed of twenty-five miles per hour or less.

The term "Slow-Moving-Vehicle Emblem" means a triangular emblem, conforming to the size, colors and other standards and specifications as are adopted by the Director of the Department of Public Safety.



Chapter 23

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Sec. 502.2761. Texas Agricultural Products “Go Texan” License Plates.

- (a) *The department shall issue specially designed license plates for the following vehicles to support the promotion of Texas agricultural products:*
 - (1) *farm vehicles, including farm tractors, farm trailers, and farm semitrailers;*
 - (2) *passenger cars and light trucks; and*
 - (3) *truck-tractors, semitrailers, and other commercial motor vehicles.*
- (b) *The license plates must include the words “Go Texan” and the “Go Texan” logo of the Department of Agriculture and must be of a color, quality, and design approved by the commissioner of agriculture.*
- (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 the form provided by the department; and*
 - (2) *pays an annual fee of \$30, in addition to the fee prescribed by Section 502.161 or Section 502.162 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 Subsection (c) to the credit of the “Go Texan” partner program account established by Section 46.008, Agriculture Code.*
- (e) *The remainder of each fee collected under this section, after deposit as provided by Subsection (d), shall be deposited to the credit of the state highway fund and 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.*

- I. The department makes available to owners of qualified vehicles Texas Agricultural Products license plates for a fee of \$30 in addition to the regular registration fees. Texas Agricultural Products license plates are multi-year staggered plates, which are issued for a 12-month registration period. The expiration date will be determined by the month in which the application is received and processed. Each application for Texas Agricultural Products license plates, Form VTR- 810, together with the \$30 fee (or \$70 fee if personalized), shall be mailed to the department.
- II. There is no limit to the number of passenger cars, light trucks, farm vehicles, and other commercial motor vehicles for which the person may apply for the issuance of license plates under this section.
- III. Proof of financial responsibility must be submitted to the tax assessor-collector when Texas Agricultural Products “Go Texan” license plates are issued.
- IV. If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the person may keep their license plates.

- V. If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5.30.
 - A. Texas Agricultural Products "Go Texan" license plates will be issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Texas Agricultural Products "Go Texan" license plates shall be issued in accordance with the procedures set forth for issuance of Personalized license plates. (Transportation Code Section 502.251.)
 - C. Texas Agricultural Products "Go Texan" license plates may be issued with a personalized license number displayed thereon. The application form has been designed with a space to specify that Personalized Texas Agricultural Products is desired. The fee for Personalized Texas Agricultural Products license plates is \$70 per year (\$30 Texas Agricultural Products license plate fee and \$40 Personalized license plate fee).

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, cotton burrs or equipment used in transporting or processing cotton; and*
 - (2) *are not more than 10 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 person must pay only the fee prescribed by Section 502.162 and, if applicable, the fee prescribed by Section 502.172.*

I. Initial Issuance

- A. The special license plate may be approved by either the Special Plates Branch (SPB), Vehicle Titles and Registration Division (VTR) Headquarters Office in Austin, any of the VTR Regional Offices, or the applicant's county of residence. To acquire the plate, an applicant must submit an Application for Fertilizer Truck or Cotton Vehicle License Plates, Form 52-F, and the \$8 fee to any of the above mentioned offices. Upon approval the applicant must pay the regular registration fees, any local fees and valid proof of financial responsibility to the county tax office. Valid proof of financial responsibility, such as a liability insurance card, policy, etc., as provided in Transportation Code Section 502.153 or a photocopy thereof is acceptable.

If an application for the plate, proof of insurance, and the \$8 fee are submitted to the VTR Headquarters Office in Austin and the application is approved, a letter of acceptance will be sent to the applicant with instructions to obtain the plate at the county tax office. Applications which are submitted to VTR Regional Offices should be approved in the following manner: the clerk handling the transaction should initial the upper right-hand corner, note receipt of the \$8 fee, and date the application. The \$8 fee will be reported on the cashier's money report. The VTR Regional Office will make a copy of the approved application to be included with the money report, and then instruct the applicant to take the approved application to his local county tax office to obtain the Cotton Vehicle License Plates and pay the applicable fees.

If an application for the plate is submitted to the applicant's county tax office, it should be approved in the following manner: The deputy should fill in the cotton vehicle plate number in the space marked "VTR USE ONLY," note their initials in the upper right-hand corner, receipt of the \$8 fee, and date the application. The completed Form 52-F and \$8 fee shall be forwarded under separate cover to the VTR Headquarters Office in Austin. The county shall collect the regular registration fees, any local fees and require valid proof of financial responsibility before the cotton plate is issued.

- B. The Cotton Vehicle License Plate is an annual plate that expires in March. The plate is validated with a universal sticker and may be issued at any time during the year upon receipt of proper application and fee. Only one Cotton Vehicle License Plate will be issued per vehicle. This plate must be displayed on the front of the vehicle.
- C. Vehicles for which the special license plate is requested must be titled in the applicant's name. Joint ownership with applicant and spouse is permissible. If the vehicle is titled in a name other than that of the applicant, the applicant must have the legal right of possession and control of the vehicle. In such instances, an affidavit to that effect must be executed by the applicant and attached to the application. If the applicant has a leased vehicle, a copy of the lease agreement should be attached to the application.
- D. If the vehicle to which the Cotton Vehicle License Plate is being issued is already registered for the current year, the applicant must surrender their plates and receipt to the county tax office in exchange for the Cotton Vehicle License Plate. The deputy should ensure that the Form 52-F and the \$8 fee is submitted or that the application has been previously approved by the VTR Headquarters Office in Austin or a regional office. The cotton plate will reflect a March expiration. When the plates are exchanged, the registration fee shall be computed following the normal exchange procedures.
- E. If the vehicle owner purchases a new or unregistered vehicle, he may pay the regular registration fee and any local fees, submit an application for the plate, Form 52-F, and the \$8 fee to the county tax office at the time he files his application for certificate of title.

In such instances, the Cotton Vehicle License Plate number should be reflected on the title application and license receipt. The county should complete the Form 52-F by filling in the cotton vehicle plate number in the space marked "VTR USE ONLY," note the deputy's initials in the upper right-hand corner, receipt of the \$8 fee, and date the application. The county tax office shall then mail the Form 52-F and \$8 fee under separate cover to the VTR Headquarters Office in Austin. The title transaction should be forwarded with the next title report.

II. Renewal

- A. Each year prior to expiration, the department will mail a Form 39A renewal notice to vehicle owners who have a current Cotton Vehicle License Plate. These renewal notices will advise the vehicle owner that it is time to renew the license plate at the county tax office.

- B. The vehicle owner pays only the regular registration fee, and if applicable, any local fees.

Note: The \$8 fee is a one time fee only and, therefore, should not be collected.

III. Replacement

If a Cotton Vehicle License Plate becomes lost, stolen, or mutilated the owner may secure a replacement cotton vehicle plate from their local county tax office. Application for such a replacement may be made by executing the standard Application for Replacement License Plate(s), License Plate Validation Sticker(s), or Windshield Validation Sticker, Form VTR-60, and paying the \$5.30 replacement fee.

IV. Transfers

If a vehicle registered with a Cotton Vehicle License Plate is being transferred to a new owner, an application for title must be filed with the local county tax office.

- A. The tax office shall process the application for title in the usual manner and issue a Tax Collector's Receipt. The tax office shall complete a Form 52-F, marked "TRANSFER," by filling in the cotton vehicle plate number in the space marked "DMVTR USE ONLY," note the deputy's initials and date the application. The \$8 application fee is not required on a transfer; however, the \$2.50 registration transfer fee is required. The deputy shall process the application for title in the usual manner and issue a Tax Collector's Receipt.
- B. The tax collector should attach the Application for a Cotton Vehicle License Plate, Form 52-F, marked "TRANSFER," to the top of each transaction and forward to the regional office under separate cover.

Note: If the vehicle will be used for purposes other than specified for a "Cotton Vehicle," the cotton plate should be removed and a regular replacement plate obtained.

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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.*
- I. Owners of trucks, truck tractors, semitrailers, and lowboy trailers used solely for transporting their own soil conservation machinery or equipment, may qualify and register one truck or truck tractor and one semitrailer or lowboy trailer at a fee which shall be 50% of the regular truck or trailer license fee usually charged for such a vehicle.
- A. The manufacturer's rated carrying capacity is not a criterion in determining the qualification of a truck or truck tractor for soil conservation registration. Therefore, any commercial vehicle may qualify for such license plates, including pickup trucks.
 - B. All semitrailers that are capable of transporting soil conservation machinery or equipment may qualify for soil conservation registration; however, no full trailer is eligible for soil conservation registration unless it is of a lowboy design.
 - 1. A lowboy full trailer would be one so constructed as to have its bed either axle level or lower.
 - 2. A lowboy full trailer would be of a special design; therefore, such a trailer is very uncommon.
 - C. Soil conservation machinery or equipment is considered to be mechanisms that are used in the clearing of land, terracing, building farm ponds, levees or ditches. Examples of soil conservation machinery or equipment would include:
 - 1. Maintainers
 - 2. Bulldozers
 - 3. Scrapers
 - 4. Draglines
 - 5. Plows, such as those used in the building of terraces
 - 6. Pneumatic tired tractors equipped with:

- a. Front-end loaders
 - b. Backhoes
 - c. Dozer blades
- D. The transportation of articles or supplies necessary to supplement the function of soil conservation machinery or equipment is permitted on vehicles displaying Soil Conservation License Plates. Examples of such articles or supplies would include:
1. Fuel drums.
 2. Additional parts used in the operation of soil conservation machinery or equipment.
 3. Tools used in the repairing of soil conservation machinery or equipment.
- II. Application for Soil Conservation Registration, Form VTR-45, must be submitted, in duplicate, directly to the department by the applicant.
- A. If the application is approved qualifying the applicant for soil conservation registration, the department will notify the applicant by letter advising him of the approval. The County Tax Assessor-Collector of the county in which the applicant resides will be notified of the approval, and the department will send the Soil Conservation License Plate with such notification. The applicant may then contact the office of his County Tax Assessor-Collector and obtain his Soil Conservation License Plate upon payment of the required registration fee.
- B. The statute provides that owners, who are inclusive of both individuals and firms, may qualify for the registration of one truck or one truck tractor and one semitrailer or one lowboy trailer. In order to enforce this provision, the department maintains an alphabetical file in the names of the persons and firms to whom Soil Conservation License Plates have been issued. This file is checked each time an application for a Soil Conservation License Plate is received to assure that no person or firm is issued more than two Soil Conservation License Plates.
1. A Corporation, whose charter has been filed with the Secretary of State, is a separate entity; and vehicles owned by such a corporation are not controlled by individual ownership. Such a corporation is eligible to license one truck or truck-tractor and one semitrailer or lowboy trailer with Soil Conservation License Plates issued in the name of the corporation. If the individuals that are included in the corporation wish to apply separately for Soil Conservation License Plates, they may do so provided each individual applicant is the sole owner of the truck, truck tractor, semitrailer or lowboy trailer which he desires to register. Such vehicles registered by individuals with Soil Conservation License Plates are restricted to the transportation of their own soil conservation machinery or equipment and may not transport machinery or equipment owned by the corporation.
 2. A business association which is not a chartered corporation is also eligible to license one truck or truck tractor and one semitrailer or lowboy trailer with Soil Conservation License Plates issued in the name of the business; however, in such cases, individual owners of the business may not make separate application for supplemental soil conservation registration in their individual names. The

approval of such an individual's application is not sanctioned by the department because the vehicles owned by such a business association are not separate property from that of the individual owners.

- C. Once Soil Conservation License Plates are initially issued to an applicant, the plates may renew the plates in subsequent years by presenting to the County Tax Assessor-Collector the previous year's Soil Conservation License Receipt and a new application, Form VTR-45, executed in duplicate. The duplicate copy of the Form VTR-45 should be retained in the County Tax Office.
- III. Soil Conservation License Plates are "annual" plates that are issued each year for the established registration period of April 1st through March 31st of the succeeding year. Registration fees for trucks and truck-tractors are calculated by using the Farm Truck Schedule of Registration Fees, Chart 3. When calculating fees for semitrailers and lowboy trailers, Chart 6 must be utilized, and the \$.30 reflectorization fee should be subtracted from the chart fee before reducing the total fee by 50%. Then, the \$.30 reflectorization fee must be added to the total fee.
- IV. On occasions, vehicles displaying soil conservation registration are sold or become inoperable. In such instances, there are several alternatives that may be taken depending upon the qualification of the purchaser or the disposition of the inoperable vehicle.
- A. Whenever a vehicle displaying a Soil Conservation License Plate is transferred to a person or firm who does not qualify for Soil Conservation License Plates, the new owner must exchange the Soil Conservation License Plate for regular registration. Credit will be allowed for the unexpired portion of the surrendered license plate fee.
 - 1. When the plates are exchanged, only the difference between the new license fee and the credit for the surrendered license plate fee is collected. The other requirements are the same as explained in Transportation Code Section 502.162.
 - 2. After exchanging the plates, the tax assessor-collector should mail the surrendered Soil Conservation License Plate and receipt to the Vehicle Titles and Registration Division.
 - 3. Unless the license plate and receipt are surrendered, the seller will remain ineligible to receive another Soil Conservation License Plate for the class of vehicle transferred.
 - B. If a person to whom soil conservation licensed vehicle is transferred is eligible for a Soil Conservation License Plate, a properly executed Form 45 must be attached to the title transaction, and the Soil Conservation License Plate may be transferred on license receipt. All title transactions involving Soil Conservation License Plates will be checked against the department's alphabetical file.
 - 1. The seller's file will be cleared so that he may again be eligible for a Soil Conservation License Plate.
 - 2. The purchaser's file will be checked to ascertain eligibility for a Soil Conservation License Plate.
 - C. If a vehicle displaying a current Soil Conservation License Plate is transferred, and during the same registration year the seller desires to qualify another vehicle for a Soil Conservation License Plate, a new Application for Soil Conservation License

Plates, Form VTR-45, must be submitted to the department for approval. If the application is submitted to a Vehicle Titles and Registration Division Regional Office for approval, the regional office must verify that the original Soil Conservation License Plate has been surrendered for cancellation, exchanged for regular registration, or transferred to a qualified purchaser. If it is determined that the seller qualifies for another Soil Conservation License Plate, the regional office will send a copy of the approved application to the Special Plate Section in Austin with a note attached thereto stating the disposition of the original Soil Conservation License Plate. The new plate will then be issued in accordance with paragraph II above.

- D. When a vehicle displaying a Soil Conservation License Plate becomes inoperable for any reason and the owner wishes to qualify another vehicle for a Soil Conservation License Plate, he must surrender his Soil Conservation License Plate and receipt to the department. His record with the department will then be cleared so that his application may be approved to purchase another Soil Conservation License Plate at 50% of the regular truck or trailer license fee.
1. If the owner does not choose to qualify another vehicle for soil conservation registration and at a later date wishes to again operate the vehicle for which he surrendered his license plate and receipt, the department will reinstate the original plate and receipt upon request provided the owner files a new application. If the owner desires to fully register the vehicle rather than obtain soil conservation registration, the department will reinstate the receipt only so that the owner may receive 50% credit for the unexpired portion of the registration year to apply to the purchase of such registration.
 2. If the owner has not used his credit and at a later date during the same registration year wishes to sell the vehicle for which he surrendered his plate, the surrendered receipt will be returned by the department to the purchaser (or to the original owner if he desires to fully register the vehicle). The "receipt" will be stamped "Do not issue a Replacement Plate from this receipt" and will authorize the bearer to receive credit for the remainder of the year on the unexpired portion of the fees as shown on the receipt, provided the credit is applied only to the vehicle that was previously registered with such plate.
 3. If the purchaser is a dealer, he may give the receipt to the subsequent purchaser.
 4. The tax assessor-collector should take up the receipt from the applicant and retain it in his files.
- V. Vehicles displaying Soil Conservation License Plates that are operated in violation of this Subsection shall be subject to regular commercial registration. The fees shall be collected from the date of apprehension for the remaining portion of the registration year plus a 20% penalty. Credit for the surrendered Soil Conservation License Plates should be allowed for the unexpired portion of the registration year. (Refer to the Registration Guide.)

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.*

- I. 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 without the payment of the regular registration fee prescribed by law, if the owner secures a special Log Loader License Plate from the department. Vehicles displaying Log Loader License Plates are exempt from vehicle safety inspection requirements and financial responsibility requirements.
 - A. The provisions of the law are distinct regarding Log Loader License Plates in contrast to other special license plates in that the collected fee is divided between the Employees Retirement System (ERS) and the department. The ERS will receive four percent of the fees, which will be deposited in the law enforcement and custodial officer supplemental retirement fund. The department will receive the remaining ninety-six percent of the collected fees.
 - B. The fee for a Log Loader License Plate is \$62.80, including the reflectorization fee, for each year or portion of a year. License plate fees will not be prorated.
 - C. The registration year for Log Loader License Plates extends from October 1st through September 30th of the following year.
 - D. The multi-year license plates will be manufactured using graphic sheeting, embossed with "LOG LOADER" and the September month of expiration.
 - E. The plates will be validated. Plates are not issued in sets. A single plate is issued and displayed on the front of a qualified vehicle. The plate numbering system is L0001L through L9999L.
 - F. A vehicle that qualifies for a Log Loader License Plate is exempt from regular registration fees and from vehicle safety inspection requirements prescribed by law. Therefore, a Texas Certificate of Title issued in the applicant's name will not be required. County tax offices are advised not to accept an application for certificate of title unless regular registration is issued.

For instructions regarding the disposition of a certificate of title held by the owner of a Log Loader vehicle, refer to the Certificate of Title Manual.

- II. Applications for Log Loader License Plates will be processed exclusively by the Vehicle Titles and Registration Division Austin Headquarters Office through the Special Plates Branch.
 - A. The owner of a qualified vehicle may apply for a license plate by submitting a completed Application for Log Loader License Plate, Form VTR-209, with the fee of \$62.80 to the Special Plates Branch.
 - B. A photograph of the vehicle must accompany the application.
 - C. Once the application is approved by the special plate examiner, a plate will be assigned to the applicant and a license receipt prepared. The Special Plates Branch will then mail the plate and receipt directly to the applicant.
 - D. The applicant's county of residence will receive receipt commission for license plates issued.
 - E. Upon approval and issuance of a plate, the Special Plates Branch will send the respective county tax office a letter instructing the county to take credit for the receipt commission.
- III. Refunds for Log Loader License Plate fees will not be authorized by the department under normal circumstances. Fees are payable for each year or portion of a year, and will not be prorated or refunded for any unused portion.

Note: If the circumstances are extenuating, such as the vehicle was sold or destroyed after application was made, an owner may return a new, unused plate and license receipt to the department with a letter describing the circumstances. A refund may then be authorized at the discretion of the supervisor.

- IV. Renewals. Each year, prior to the September 30th expiration date, the Special Plates Branch will mail the owners special renewal letters advising of the upcoming expiration and the required renewal fee of \$62.80.
 - A. To renew a log loader plate, the owner should return the letter and the renewal fee to the Austin Headquarters Office for processing by the deadline indicated.
 - B. When the renewal process is complete, the Special Plates Branch will issue a new plate year sticker and license receipt that will be mailed directly to the vehicle owner.
 - C. For each plate renewed, the Special Plates Branch will send the respective county tax office a credit letter with instructions for reporting the receipt commission.
 - D. To renew a log loader plate after the expiration date, the owner must submit the special renewal letter or the previous year's license receipt with the prescribed fee. If the owner is unable to furnish the renewal letter or expired license receipt, and the vehicle record cannot be verified, the owner must execute an application and apply for a new plate.
- V. Replacement Log Loader License Plates will not be issued since these distinguishing plates are issued in lieu of registration.

- A. If a Log Loader License Plate is lost, stolen, or mutilated, the owner must execute a new application and reapply for a new plate. The fee of \$62.80 is required at the time application is made.
 - B. The owner shall surrender the current license receipt and the remaining plate, if mutilated, to the department for cancellation.
 - C. If a log loader vehicle must be moved before a new plate can be issued, the owner may purchase a 30-day temporary registration permit for the fee of \$25. These permits are available at local county tax offices or at any Vehicle Titles and Registration Division Regional Office.
- VI. Log Loader License Plates are non-transferable, whether from one owner to another owner or from one vehicle to another vehicle.
- A. If a vehicle is sold to a new owner, the existing plate becomes invalid and should be surrendered to the department with the license receipt for cancellation.
 - B. If the new owner wishes to display a Log Loader License Plate, the owner must execute an application and apply for a new plate.

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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 forest products in their natural state, including logs, debarked logs, untreated ties, stave bolts, plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss, bark, wood shavings, and property used in production of those products.*

I. Issuance

Forestry Vehicle License Plates may be issued to owners of vehicles used exclusively for transporting logs, debarked logs, untreated ties, stave bolts, plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss, bark, wood shavings, and property used in the production of those products. According to the provisions of the International Registration Plan, this is considered a restricted license plate in Texas. Vehicles displaying current Forestry Vehicle License Plates should be granted interstate registration reciprocity when operating into or through other jurisdictions.

- A. Forestry Vehicle License Plates are designed as a single, multi-year plate, with the words FORESTRY VEHICLE depicted in graphic sheeting. The plate should be displayed on the front of the vehicle.
- B. The application for the special plate is the Application for Forestry Vehicle License Plates, VTR-211.
- C. The application fee for a Forestry Vehicle License Plate is \$2.00. In addition, regular registration fees based on the gross vehicle weight as prescribed by law are collected at the time application for the plate is made. The department will collect all fees, including local fees. Local fees will be forwarded to the appropriate county for disposition. The remaining fees are deposited in the State Highway Fund.

II. Procedure

Applications for Forestry Vehicle License Plates may be processed by the Vehicle Titles and Registration Division Headquarters Office through the International Registration Plan Branch or by any of the 17 Vehicle Titles and Registration Division Regional Offices.

- A. The owner of a qualified vehicle may apply for a license plate by submitting to the department a completed Application for Forestry Vehicle License Plate, VTR-211, with all applicable fees, and proof of liability insurance.
- B. Forestry vehicles with a gross registration weight of 55,000 pounds or more are subject to compliance with federal heavy vehicle use tax requirements. Proof of compliance with the tax requirements must accompany all applications for heavy vehicles. For additional information relating to heavy vehicle use tax, please refer to Motor Vehicle Information Circular 5-93. Further questions about the tax should be directed to the Internal Revenue Service at 1/800/829-1040.
- C. To obtain a Forestry Vehicle License Plate:
 - 1. The forestry vehicle must be titled in the applicant's name. Joint ownership is permissible.
 - 2. If title application has been made at the county tax office, a copy of the tax collector's receipt, should be submitted along with the completed VTR-211.
 - a. A registrant may wish to obtain a Forestry Vehicle License Plate at the time application for title is made. If this is the case, the county deputy will process the application for title and issue a tax collector's receipt. The deputy should indicate FORESTRY for the license number on the license receipt. The regular title application fee and the appropriate tax must be collected. However, the tax office should not collect any type of registration fee or issue any license receipts with this type of transaction.
 - b. The county deputy should then advise the applicant to contact the International Registration Plan Branch or the nearest regional office to make application for a Forestry Vehicle License Plate.
 - c. If the vehicle must be operated prior to the receipt of the special license plate, the registrant should be advised that the purchase of temporary registration (72-Hour or 144-Hour Permit) is required. However, these permits will not be recognized outside the State of Texas.
 - 3. The special plate may be placed on a leased vehicle provided a copy of the long term lease agreement is attached to the application, VTR-211.
- D. Once the application is approved, a plate will be assigned to the applicant and a license receipt prepared.
 - 1. If the International Registration Plan Branch approves the application, the plate and receipt will be mailed directly to the applicant.
 - 2. If the regional office approves the application, the plate and receipt will be issued to the applicant over the counter. Copies of the application and receipt should be forwarded to the International Registration Plan Branch as soon as possible.
- E. If current registration, regular or apportioned, is displayed on the vehicle, the applicant may request a refund on the unused portion of registration fees upon receipt of the special plate. The owner must submit a written request to the department with the surrendered plates and license receipt. A supplemental apportion application deleting the vehicle should be filed with the area regional office, if applicable.

- F. If an applicant wishes to obtain Forestry Vehicle License Plates for additional vehicles, a separate application must be submitted for each plate requested.
- G. Semitrailers pulled by Forestry Vehicles registered for combined gross weight will continue to display Token Trailer License Plates.

III. Renewals

- A. Each year during the month of January, the International Registration Plan Branch will mail special renewal application forms to vehicle owners who have current Forestry Vehicle License Plates. These renewal forms will indicate the appropriate renewal fee (regular annual registration fee in addition to \$2 renewal fee).
- B. Upon return of the completed renewal form, fees, proof of insurance, etc., the International Registration Plan Branch will prepare a billing receipt, and mail directly to the applicant. The applicant may receive his plates by presenting the billing receipt to the appropriate regional office.

IV. Replacements

If Forestry Vehicle License Plates become lost, stolen, or mutilated, owners may secure replacement Forestry Vehicle License Plates from any Vehicle Titles and Registration Division Regional Office for a \$5.30 fee. Application for such replacements may be made on the standard Replacement application or by letter. The regional office shall issue replacement plates using a Replacement Receipt. The owner should be advised to surrender the current license receipt and any remaining plate to the department for cancellation. The regional office should promptly forward a copy of the license receipt to the International Registration Plan Branch to ensure the automated file is updated as soon as possible.

V. Transfers

- A. Forestry Vehicle License Plates are non-transferable from one owner to another owner or from one vehicle to another vehicle.
 - 1. If a vehicle is sold to a new owner, the existing plate becomes invalid and should be surrendered with the license receipt to the department for cancellation.
 - 2. At the time the Forestry Vehicle License Plate is removed from the vehicle, the vehicle becomes unregistered and must be registered with regular registration.
 - 3. Under no circumstances should regular replacement license plates be issued for a vehicle from which a Forestry Vehicle License Plate has been removed.
 - 4. In such instances, the county tax collector shall register the vehicle under the same conditions as prescribed for an unregistered new or out-of-state vehicle.
 - 5. If the owner desires a refund of the unused portion of the registration fee, a written request must accompany the surrendered plate.
- B. If the new owner of the vehicle wishes to display a Forestry Vehicle License Plate, the new owner must execute a new application, VTR-211, and apply for a new plate.

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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 registration certificate issued by the department 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.*

I. Issuance

Except for the vehicles listed in II below, a person may not operate a tow truck in this state unless the tow truck is registered with the Motor Carrier Division. Tow truck operators are issued a Motor Carrier Certificate of Registration (authority) in the name of the company. Each tow truck must carry a Vehicle Registration Listing in the cab. The Vehicle Registration Listing is the document that should be presented when Tow Truck License Plates are applied for. The Vehicle Registration Listing may contain more than one vehicle. The box located under the heading "TOW" should be marked to indicate that the certificate was issued to a tow truck.

- A. Texas-registered tow trucks (except those displaying Combination registration) must display a set of standard-size license plates bearing the words "Tow Truck." The plates must be displayed on the front and rear of the vehicle in a position that is plainly visible. Tow truck plates for Texas vehicles (except those displaying Combination registration) are multi-year plates with staggered expirations, and are validated with a windshield sticker.
- B. Texas-registered tow trucks displaying Combination registration must display a single, small license plate bearing the words "Tow Truck," in addition to the Combination license plate. The single, small Tow Truck license plates are issued exclusively by the VTR regional offices.
- C. Out-of-state registered tow trucks that operate in Texas and any tow truck displaying apportioned registration that operates in Texas must display a single, small license plate bearing the words "Tow Truck," in addition to the out-of-state or apportioned license plates. These license plates are issued exclusively by the VTR regional offices.

II. Exemptions

The following vehicles are excluded from the requirement to register with the Motor Carrier Division, and therefore from the requirement to display Tow Truck License Plates:

- A. A motor vehicle owned and used exclusively by a governmental entity, including a public school district.
- B. A motor vehicle towing:
 - 1. a race car;
 - 2. a motor vehicle for exhibition; or
 - 3. an antique motor vehicle.
- C. A recreational vehicle towing another vehicle.
- D. Motor vehicle used in combination with a tow bar, tow dolly, or other mechanical device that is not operated in the furtherance of a commercial enterprise.
- E. A motor vehicle, controlled and/or operated by a farmer or rancher, towing a farm vehicle.

III. Procedure

To secure Tow Truck License Plates, the vehicle owner must present a Vehicle Registration Listing issued by the Motor Carrier Division that describes the vehicle. The box located under the heading "TOW" should be marked to indicate that the certificate was issued to a tow truck.

The annual fee for Tow Truck License Plates is a flat fee of \$15 which is paid in addition to the regular registration fee. The fee cannot be prorated. All other fees will be collected by utilizing the appropriate forms.

IV. Renewals

Tow Truck License Plates for Texas-registered vehicles (except those displaying Combination registration) are renewed each year through the County Tax Assessor-Collectors office. Upon presentation of a Vehicle Registration Listing issued by the Motor Carrier Division describing the vehicle, and payment of the regular registration fee and the \$15 tow truck fee, a new windshield validation sticker will be issued.

Tow Truck License Plates for out-of-state registered vehicles, vehicles displaying apportioned registration, and Texas-registered vehicles displaying Combination registration are renewed each year through a VTR regional office.

V. Replacements

If Tow Truck License Plates issued to Texas-registered vehicles (except those displaying Combination registration) become lost, stolen, or mutilated, a new set of plates may be obtained from the County Tax Assessor-Collector for the replacement fee of \$5.30. The Vehicle Registration Listing issued by the Motor Carrier Division will not be required.

Replacement of Tow Truck License Plates issued to out-of-state registered vehicles, apportioned vehicles, and Texas-registered vehicles displaying Combination registration will be accomplished through the VTR regional offices.

VI. Transfers not allowed

Tow Truck License Plates are nontransferable. If the vehicle is sold, the tow truck license plates and corresponding windshield validation sticker must be removed from the vehicle and surrendered to the Department. The plates and/or sticker may not be transferred to another vehicle or a new owner.

- A. If the new owner **cannot** provide a Vehicle Registration Listing issued by the Motor Carrier Division in the owner's name (or company name), no registration may be issued and the application for title must be rejected until the proper credentials are obtained.
- B. If the new owner **can** provide a Vehicle Registration Listing issued by the Motor Carrier Division in the new owner's name (or company name), title may be transferred and a new set of tow truck license plates may be issued to the vehicle. If the regular registration is current, the new tow truck plates may be issued on an exchange basis, collecting only the \$15 tow truck fee. If the regular registration has expired, the regular registration fee and the \$15 tow truck fee must be collected for issuance of the new tow truck plates.

VII. Tow truck operators can obtain personalized tow truck plates. The personalized tow truck plate is the larger plate with the words "Tow Truck" on the bottom, and the applicant's chosen personalization shown as the license plate characters. Refer to Transportation Code Section 502.251 for the issuance of personalized Tow Truck license plates.

When receiving a personalized Tow Truck Plate, the applicant must contact a Vehicle Titles and Registration Division regional office to obtain the smaller tow truck plate and tow truck sticker and pay the \$15 tow truck fee.

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Chapter 24

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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.*

- I. 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 their personally owned passenger cars or light commercial vehicles with a manufacturer's rated carrying capacity not exceeding 2,000 pounds, may apply for and receive license plates bearing their special call letters.
 - A. Only persons licensed as amateur radio operators are eligible for this special registration. Persons holding the "Citizen's Band Radio License" are not eligible.
 - B. An amateur radio operator may apply for multiple sets of Amateur Radio License Plates that display the same call letters.

II. Issuance

To obtain Amateur Radio License Plates, an Application for Mobile Amateur Radio Operator License Plates, Form VTR-53, must be completed and sent to the Vehicle Titles and Registration Division's Special Plate Branch in Austin with the fee of \$2.

- A. If the application is in proper order, the Special Plates Branch will mail the applicant a notice advising him to contact his county tax collector for issuance of the Amateur Radio License Plates. At the time the application is approved, a set of Amateur Radio License Plates bearing the applicant's call letters will be invoiced and mailed to the county tax collector.
- B. The application will be placed on file in the Special Plates Branch. The Special Plates Branch will maintain a master file on Applications for Amateur Radio License Plates, and such file will be checked prior to the approval of an application to insure that each applicant received any number of vehicles with same license number Amateur Radio License Plates.
- C. Amateur Radio License Plates shall be issued in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)

III. Renewal

Amateur Radio License Plates may be renewed for a fee of \$1.00. The renewal will be handled in accordance with the procedures set forth for the issuance of Personalized License Plates.

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.*

Parade License Plates are issued exclusively by the Special Plates Branch of the Vehicle Titles and Registration Division in Austin. For information regarding Parade License Plates contact the Special Plates Branch.

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Sec. 502.284. Golf Carts.

- (a) *An owner of a golf cart is not required to register the golf cart if:*
 - (1) *the operation of the golf cart occurs in the daytime, as defined by Section 541.401; and*
 - (2) *the operation:*
 - (A) *does not exceed a distance of two miles from the point of origin to the destination if driven to and from a golf course;*
 - (B) *occurs entirely within a master planned community with a uniform set of restrictive covenants that has had a plat approved by a county or a municipality, or*
 - (C) *occurs on a public or private beach.*
- (b) *If an owner of a golf cart resides on real property that is owned or under the control of the United States Corps of Engineers and is required by that agency to register the owner's golf cart under this chapter, the fee for registering the golf cart is \$10. This subsection applies only to an owner of a golf cart who resides in a county that borders another state and has a population of more than 110,000 but less than 111,000.*
- (c) *Subsection (b) does not authorize the operation of a golf cart on a public road where otherwise prohibited by law.*

- I. Transportation Code Section 502.284 was amended by the 76th Texas Legislature. Owners of golf carts are not required to be registered, titled, or display a "slow moving vehicle emblem" if the operation:
 - A. occurs during daylight hours, and
 - B. does not exceed a distance of two miles from the point of origin to the destination if driven to and from a golf course; or
 - C. occurs entirely within a master planned community with a uniform set of restrictive covenants that has had a plat approved by a county or municipality; or
 - D. occurs on a public or private beach.
- II. However, those golf carts meeting the criteria established in Subsection (b) are required to be registered. To date, Grayson County is the only county to meet the population and geographical criteria established. To clarify this section, the operation of Golf Carts in Grayson County that are registered under Subsection (b) are restricted to operation on the property owned or controlled by the United States Corps of Engineers. If the owner wishes to operate that Golf Cart on public property, they must apply for and receive normal registration unless exempt by Subsection (a).
- III. All other golf carts that do not meet the criteria established in Subsections (a) and (b) are not exempt and must be titled and registered in accordance with current procedures for 4-wheel truck, 4-wheel passenger, or 3-wheel motorcycle classifications. Subsection (c) above states that Subsection (b) does not authorize the operation of a golf cart on a public road where otherwise prohibited by law. Refer to Section 502.005 for additional information concerning slow-moving vehicle emblems for registered golf carts.

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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.

- I. Manufactured housing which includes mobile homes which are eight body feet or more in width or forty body feet or more in length (not including the hitch) are not subject to the Registration or Certificate of Title Acts. Such manufactured housing falls under this authority of the Department of Licensing and Regulation.
- II. No registration of any type (including One-Trip Permits, Intransit License Plates, and Dealer License Plates and cardboard tags) will be required as a prerequisite to obtaining overwidth/overlength permits for the movement of manufactured housing. Oversize permits may be obtained from the department's Central Permit Office.

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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 asphalt, 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.*

Owners of "power sweepers", which are either of the conventional or unconventional design, are not required to register such vehicles for operation on the public highways of this State. Because these vehicles are exempt from registration, they are not required to be titled.

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Sec. 502.2861. Motorized Mobility Device Not Required to be Registered.

The owner of a motorized mobility device, as defined by Transportation Code Section 542.008, is not required to register the motorized mobility device.

- I. A motorized mobility device means a device designed for transportation of persons with physical disabilities that:
 - A. Has three or more wheels;
 - B. Is propelled by a battery-powered motor;
 - C. Has not more than one forward gear; and
 - D. Is not capable of speeds exceeding eight miles per hour.
- II. A person operating a non-motorized wheelchair or motorized mobility device is considered to be a pedestrian.

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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.

1. In cases where a public highway separates lands under the dominion or control of the owner of a motor vehicle, the operation of a vehicle by the owner, his agent or employees across the highway does not constitute a use of the vehicle. Therefore, the vehicle need not be currently registered in order to move to and from the owner's land on either side of the highway.

Furthermore, if an owner's land on one side of the highway is not directly across from the owner's land on the other side of the highway, then the owner may operate the unregistered vehicle along the highway in order to gain access to the owner's separated lands, provided the owner's land on each side of the highway is within a reasonable distance of each other.

2. The privilege to operate an unregistered vehicle in accordance with the above applies not only to lands separated by a public highway, but also applies to land or property within a city or town which is separated by a public street. For example, it is permissible for unregistered company owned vehicles to move, either laden or unladen, across or along a public street for a reasonable distance between establishments owned or controlled by the same company.

Therefore, cities, counties or any other political subdivisions of this State are denied the authority to require owners of vehicles to purchase license plates from such municipality, county or subdivision.

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Sec. 502.288. Vehicles Operated by Certain Nonresidents.

- (a) *A nonresident owner of a motor vehicle, trailer, or 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.*

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Chapter 25

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Sec. 502.289. Peace Officers Wounded or Killed in Line of Duty.

- (a) *The department shall issue specially designed licensed plates for a vehicle owned by:*
 - (1) *a person wounded in the line of duty as a peace officer; or*
 - (2) *a surviving spouse, parent, brother, sister, or adult child, including an adopted child or stepchild, of a person killed in the line of duty as a peace officer.*
- (b) *License plates issued under this section must include the words "To Protect and Serve" above an insignia depicting a yellow rose superimposed over the outline of a badge.*
- (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 \$20, in addition to the fee prescribed by Section 592.160 or 502.161, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251; and*
 - (3) *submits proof acceptable to the department that the person is eligible under this section.*
- (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 department.*
- (e) *The department shall deposit each fee collected under this section to the credit of the state highway fund.*
- (f) *In this section, "peace officer" has the meaning assigned by Section 1.07, Penal Code.*

- I. The department makes available to peace officers wounded in the line of duty, Peace Officer License Plates for a fee of \$20 in addition to the regular registration fees. Peace Officer License Plates are also available to the surviving spouse, parent, brother, sister, or adult child, including an adopted child or stepchild, of a peace officer killed in the line of duty. Peace Officer Plates are multi-year staggered plates which are issued for a 12-month registration period.

Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Peace Officer License Plates, Form VTR-406, together with the \$20 fee (or \$60 fee if personalized) shall be mailed directly to the department.

- A. Peace Officer License Plates may be issued to passenger cars and light commercial motor vehicles having a manufacturer's rated carrying capacity of one ton or less in accordance with the procedures set forth for the issuance for Personalized License Plates. (See Transportation Code Section 502.251.)
- B. Peace Officer License Plates may be issued with a personalized license number. The Application for Peace Officer License Plates, Form VTR-406, has been designed with a space to specify that Personalized Peace Officer License Plates are desired. The

personalized license number will be issued in accordance with the procedure for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Peace Officer License Plates is \$60 per year (\$20 Peace Officer License Plate fee plus \$40 Personalized License Plate fee).

- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Peace Officer License Plate is issued, renewed or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.290. Foreign Organization Vehicles.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks owned by an instrumentality established by a foreign government recognized by the United States before January, 1, 1979, that is without official representation or diplomatic relations with the United States.*
- (b) *A vehicle for which license plates are issued under this section is exempt from the fee under Section 502.161.*
- (c) *License plates issued under this section must include the words "Foreign Organization."*

- I. Foreign Organization License Plates may be issued to Foreign Organizations that are recognized by the United States Government before January 1, 1979, but still currently without official representation in or diplomatic relations with the United States.
 - A. Foreign Organization License Plates are issued on a permanent basis to those vehicles owned by organizations recognized by the United States Government, and such license plates remain with the vehicle to which they were issued as long as it is owned and operated by the organization.
 - B. Foreign Organization License Plates are exempt license plates with the legend "Foreign Organization" embossed thereon. The plates are issued exclusively by the Division of Motor Vehicle Titles and Registration, Special Plates Branch, in Austin.

To qualify for Foreign Organization License Plates:

- 1. The applicant must be an Foreign Organization authorized by the United States instrumentality of a foreign government; and
 - 2. Texas title must be in the applicant's name before an application for Foreign Organization License Plates can be approved. (Joint ownership with spouse is permissible. Also, the applicant may operate a leased vehicle provided a copy of the long-term lease agreement is attached to the application.)
 - 3. If a lien is recorded on the vehicle, the applicant must file for title through the county tax office with a Form 130-U, an odometer statement and evidence of ownership.
- C. Each Foreign Organization application is entitled to as many sets of plates as he desires to be displayed on either a passenger car or a light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less.

To acquire Foreign Organization License Plates, an applicant must submit to the department an Application for Standard Texas Exempt License Plates, Form VTR-62-A.

- II. If the owner of a vehicle registered with Foreign Organization License Plates ceases to be instrumentality of a foreign government or if he disposes of the vehicle during the year and has no intentions of registering another vehicle with Foreign Organization License Plates, the owner is required to return the special plates to the department for cancellation.

- III. At the time the Foreign Organization License Plates are removed from the vehicle, the vehicle becomes unregistered and must be registered with regular registration by the owner or by the first retail purchaser if it is to be sold.
 - A. In such instances, the county tax collector shall register the vehicle for one year from the date of application under the same conditions as prescribed for an unregistered new or out-of-state passenger car or light truck.
 - B. Under no circumstances should regular replacement license plates be issued for a vehicle from which Foreign Organization License Plates have been removed.
- IV. In the event a vehicle to which Foreign Organization License Plates are issued is junked or salvaged, the license plates must be removed from the vehicle prior to its disposal. The license plates and receipt are then surrendered to the department for cancellation.
- V. The exempt license receipts are executed by the department and issued directly to the applicant with the Foreign Organization License Plates.
- VI. When a vehicle to which Foreign Organization License Plates are issued is sold the license plates and receipt must be surrendered to the department for cancellation. The vehicle is then considered unregistered.
 - A. If a vehicle previously registered with Foreign Organization License Plates is sold to a nonexempt purchaser, regular registration is purchased at the time an application for title is filed. The \$10 Delinquent Transfer Penalty is not applicable since the vehicle being transferred is considered unregistered.
 - B. If the vehicle is sold to another exempt agency, the purchasing agency must reapply for exempt registration.
 - C. Under no circumstances shall a County Tax Assessor-Collector transfer Foreign Organization License Plates to a new owner.
- VII. If Foreign Organization License Plates become lost, stolen, or mutilated, a properly executed Replacement Affidavit For Exempt License Plates, Form VTR-62B, must be submitted directly to the Vehicle Titles and Registration Division Headquarters Office in Austin. At the time the Form VTR-62B is filed, any plate remaining on the applicant's vehicle must be removed and surrendered with the exempt license receipt for cancellation. The Foreign Organization Replacement License Plates are issued as a "no fee" Replacement.

Sec. 502.291. Animal Friendly License Plates.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks that include the words "Animal Friendly."*
- (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 \$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.*
- (c) *Of each fee collected under this section, the department shall deposit:*
 - (1) *\$20 to the credit of the animal friendly account established by Section 828.014, Health and Safety Code; and*
 - (2) *\$5 to the credit of the state highway fund.*
- (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 department.*

- I. The department makes available to owners of qualified vehicles Animal Friendly License Plates for a fee of \$25 in addition to the regular registration fees. Animal Friendly License Plates are multi-year staggered plates issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Animal Friendly License Plates, Form VTR-888, together with the \$25 fee (or \$65 fee if personalized) is mailed to the department.
 - A. Animal Friendly License Plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Animal Friendly License Plates may be issued with a personalized license number. The application for Animal Friendly License Plates, Form VTR-888, has been designed with a space to specify that Personalized Animal Friendly License Plates are desired.
- II. The personalized license number is issued in accordance with the procedures for personalized plates, Transportation Code Section 502.251. The fee for Personalized Animal Friendly License Plates is \$65.
- III. Proof of financial responsibility must be submitted to the tax assessor-collector when Animal Friendly License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

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Sec. 502.292. Read to Succeed.

- (a) *The department shall issue specially designed "Read to Succeed" license plates for passenger cars and light trucks.*
 - (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 the form for original registration or annual renewal of registration provided by the department; and*
 - (2) *pays an annual fee in the amount set under Subsection (c), 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 set the annual fee for license plates under the section at:*
 - (1) *an amount, not to exceed \$5, necessary to administer this section; and*
 - (2) *an additional amount of;*
 - (A) *\$25 for each set of plates, except as provided by Paragraph (B); or*
 - (B) *\$15 for each set of plates, if the person is purchasing plates under this section for a fleet of 50 or more vehicles.*
 - (d) *The fee collected under Subsection (c)(1) may be used only to defray the cost of administering this section.*
 - (e) *The department shall deposit each fee collected under Subsection (c)(2) to the credit of an account in the general revenue fund to be known as the "Read to Succeed" account. Money from the account may be used only to provide educational materials for public school libraries. The account is composed of:*
 - (1) *money required to be deposited to the credit of the account under this subsection; and*
 - (2) *donations made to the account.*
- I. The department makes available to owners of qualified vehicles Read to Succeed License Plates for a fee of \$30 in addition to the regular registration fees. Read to Succeed License Plates are multi-year staggered plates issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Read to Succeed License Plates, Form VTR-347, together with the \$30 fee (or \$70 fee if personalized) is mailed directly to the department.
- A. Read to Succeed License Plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Read to Succeed License Plates may be issued with a personalized license number. The application for Read to Succeed License Plates, Form VTR-347, has been designed with a space to specify that Personalized Read to Succeed License Plates are desired. The personalized license number is issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee

- for Personalized Read to Succeed License Plates is \$70 per year (\$30 Read to Succeed License Plate fee and \$40 Personalized License Plate fee).
- C. Read to Succeed License Plates are issued in accordance with the procedures set forth for the issuance of Personalized License Plates. (See Transportation Code Section 502.251.)
 - D. If Read to Succeed License Plates are issued to a fleet of 50 or more vehicles, the fee is \$15 per vehicle.
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Read to Succeed License Plate is issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2921. Volunteer Advocate Program (Lone Star Proud for Kids) License Plates.

- (a) *In recognition of children, the department shall issue specially designed volunteer advocate program license plates for passenger cars and light trucks.*
- (b) *The license plates must be of a color, quality, and design approved by the attorney general in consultation with the department.*
- (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 attorney general volunteer advocate program account in the general revenue fund and \$5 to the credit of the state highway fund.*
- (e) *Money deposited to the credit of the volunteer advocate program account under Subsection (d) may be used only by the attorney general to fund a contract entered into by the attorney general under Section 264.602, Family Code.*
- (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.*

- I. The department makes available to owners of qualified vehicles Lone Star Proud for Kids License Plates for a fee of \$30 in addition to the regular registration fees. Lone Star Proud for Kids License Plates are multi-year staggered plates issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Lone Star Proud for Kids License Plates, Form VTR-348, together with the \$30 fee (or \$70 fee if personalized) is mailed directly to the department.
 - A. Lone Star Proud for Kids License Plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Lone Star Proud for Kids License Plates may be issued with a personalized license number. The application for Lone Star Proud for Kids License Plates, Form VTR-348, has been designed with a space to specify that Personalized License Plates are desired. The personalized license number is issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Lone Star Proud for Kids License Plates is \$70 per year (\$30 Lone Star Proud for Kids License Plate fee and \$40 Personalized License Plate fee).
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Lone Star Proud for Kids License Plate is issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

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Sec. 502.2922. Special Olympics Texas License Plates.

- (a) *The department shall issue specially designed license plates for passenger cars or light trucks that bear the words "Special Olympics Texas."*
- (b) *The department shall design the license plates in consultation with Special Olympics Texas.*
- (c) *The department shall issue license plates under this section to a person who:*
 - (1) *applies to the assessor-collector of the county in which the person resides on a form provided by the department; and*
 - (2) *pays an annual fee, in addition to the fee prescribed by Section 502.161 or 502.162, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251, in the amount of:*
 - (A) *\$30, if the person registers under this section fewer than 15 vehicles at the same time under the same name; or*
 - (B) *\$20, if the person registers under this section 15 or more vehicles at the same time under the same name.*
- (d) *Of each fee collected under Subsection (c)(2), \$5 shall be used by the department only to defray the cost of administering this section. The department shall deposit the remainder of each fee collected to the credit of the Special Olympics Texas account established by Section 533.018, Health and Safety Code.*
- (e) *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.*
- (f) *If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the owner shall return the special license plates to the department.*

- I. The department makes available to owners of qualified vehicles Special Olympics Texas license plates for a fee of \$30 in addition to the regular registration fees. Special Olympics Texas license plates are multi-year staggered plates, issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Special Olympics Texas license plates, Form VTR-414, together with the \$30 (or \$20 special plate fee for 15 or more vehicles), or \$70 (\$60 fee for 15 or more vehicles) if personalized is mailed to the department.
 - A. Special Olympics Texas license plates are issued to passenger cars and trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Special Olympics Texas license plates are issued in accordance with the procedures set forth for issuance of personalized license plates. (Transportation Code Section 502.251).
 - C. Special Olympics Texas license plates may be issued with a personalized license number. The application form has been designed with a space to specify that

Personalized Special Olympics Texas license plates are desired. The fee for personalized Special Olympics Texas license plates is \$70 per year or \$60 per year for 15 or more vehicles (\$30 or \$20 Special Olympics Texas license plate fee and \$40 personalized license plate fee).

- II. There is no limit to the number of passenger cars and commercial motor vehicles for which the person may apply for the issuance of license plates under this section.
- III. Proof of financial responsibility must be submitted to the tax assessor-collector when Special Olympics Texas license plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)
- IV. If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5.



Chapter 26

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Sec. 502.293. Houston Livestock Show and Rodeo License Plates.

- (a) *The department shall issue specially designed Houston Livestock Show and Rodeo license plates for passenger cars and light trucks.*
- (b) *The license plates must include the words "Houston Livestock Show and Rodeo" and be of a color, quality, and design approved by the Houston Livestock Show and Rodeo.*
- (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 or Section 502.162, 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 Houston Livestock Show and Rodeo scholarship account in the state treasury. Money in the account may be used only by the Texas Higher Education Coordinating Board in making grants to benefit the Houston Livestock Show and Rodeo.*
- (e) *The remainder of each fee collected under this section, after deposit as provided by Subsection (d), shall be deposited to the credit of the state highway fund and 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.*

I. The department makes available to owners of qualified vehicles Houston Livestock Show and Rodeo License Plates for a fee of \$30 in addition to the regular registration fees. Houston Livestock Show and Rodeo License Plates are multi-year staggered plates, issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Houston Livestock Show and Rodeo License Plates, Form VTR-367, together with the \$30 fee (or \$70 fee if personalized) is mailed directly to the department.

- A. Houston Livestock Show and Rodeo License Plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
- B. Houston Livestock Show and Rodeo License Plates may be issued with a personalized license number. The application form has been designed with a space to specify that Personalized Houston Livestock Show and Rodeo License Plates are desired. The personalized license number is issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Houston Livestock Show and Rodeo License Plates is \$70 per year (\$30 Houston Livestock Show and Rodeo License Plate fee and \$40 Personalized License Plate fee).
- C. Houston Livestock Show and Rodeo License Plates are issued in accordance with the procedures set forth for the issuance of Personalized License Plates. (Transportation Code Section 502.251.)

- II. Proof of financial responsibility must be submitted to the tax assessor-collector when a Houston Livestock Show and Rodeo License Plate is issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2931. Girl Scout.

- (a) *The department shall issue specially designed Girl Scout license plates for passenger cars and light trucks.*
- (b) *The license plates must include the words "Girl Scouts."*
- (c) *The department shall design the license plates in consultation with the Girl Scout Councils of Texas.*
- (d) *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 or Section 502.162, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.*
- (e) *The department shall deposit \$20 of each fee collected under this section to the credit of the Girl Scout account in the state treasury. Money in the account may be used by the Texas Higher Education Coordinating Board in making grants to benefit educational projects sponsored by the Girl Scout Councils of Texas.*
- (f) *The remainder of each fee collected under this section, after deposit as provided by Subsection (e), shall be deposited to the credit of the state highway fund and may be used only to defray the cost of administering this section.*
- (g) *If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5.30. 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.*

- I. The department makes available to owners of qualified vehicles the Girl Scout License Plates for a fee of \$30 in addition to the regular registration fees. The Girl Scout License Plates are multi-year staggered plates, issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for the Girl Scout License Plates, FORM-VTR 905, together with the \$30 fee (or \$70 fee if personalized) is mailed to the department.
 - A. Girl Scout License Plates is issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. The Girl Scout License Plates may be issued with a personalized license number. The application form has been designed with a space to specify if Personalized Girl Scout License Plates are desired.
 - C. The personalized license number is issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Girl Scout License Plates is \$70 per year (\$30 Girl Scout License Plates fee and \$40 Personalized License Plate fee).

- D. The replacement fee for the Girl Scout License Plates is \$5.30.
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when Girl Scout License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

Sec. 502.2932. Texas YMCA License Plate.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks to support the promotion of the Young Men's Christian Association.*
- (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 the form provided by the department; and*
 - (2) *pays an annual fee of \$30, in addition to the fee prescribed by Section 502.161 or Section 502.162 and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.151.*
- (c) *The department shall deposit \$25 of each fee collected under Subsection (c) to the credit of the Young Men's Christian Association account established by Section 7.025, Education Code.*
- (d) *The remainder of each fee collected under this section, after deposit as provided by Subsection (c), shall be deposited to the credit of the state highway fund and may be used only to defray the cost of administering this section.*
- (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.*

- I. The department makes available to the owner of qualified vehicles Texas YMCA license plates for a fee of \$30 in addition to the regular registration fees. Texas YMCA license plates are multi-year staggered plates, issued for a 12-month registration period. Except as provided in Transportation Code Section 502.251, the expiration date will be determined by the month in which the application is received and processed. Each application for Texas YMCA license plates, FORM VTR-910 together with the \$30 fee (or \$70 fee if personalized) is mailed to the department.
- II. There is no limit to the number of passenger cars and light commercial motor vehicles for which the person may apply for the issuance of license plates under this section.
- III. Proof of financial responsibility must be submitted to the tax assessor-collector when Texas YMCA license plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)
- IV. If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the person may keep their license plates.
- V. If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5.30.
 - A. Texas YMCA license plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Texas YMCA license plates are issued in accordance with the procedures set forth for issuance of Personalized license plates. (Transportation Code Section 502.251.)

- C. Texas YMCA license plates may be issued with a personalized license number. The application form has been designed with a space to specify that Personalized Texas YMCA license plates is desired. The fee for Personalized Texas YMCA license plates is \$70 per year (\$30 Texas YMCA license plate fee and \$40 personalized license plate fee).

Sec. 502.2933. Texas Young Lawyers Association License Plates.

- (a) *The department shall issue specially designed Texas Young Lawyers Association license plates for passenger cars and light trucks.*
- (b) *The license plates must bear the words "And Justice For All" and be of a color, quality, and design approved by the Texas Young Lawyers Association in consultation with the department.*
- (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 to the credit of the basic civil legal services account established under Section 51.903, Government Code, as added by Chapter 699, Acts of the 75th Legislature, Regular Session, 1997. The remainder of the fee may be used only by the department to defray the cost of administering this section.*
- (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.*

- I. The department makes available to owners of qualified vehicles Texas Young Lawyers Association License Plates for a fee of \$30 in addition to the regular registration fees. Texas Young Lawyers Association License Plates are multi-year staggered plates, issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Texas Young Lawyers Association Plates, Form VTR-229, together with the \$30 fee (or \$70 fee if personalized) is mailed to the department.
 - A. Texas Young Lawyers Association License Plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Texas Young Lawyers Association License Plates may be issued with a personalized license number. The application for Texas Young Lawyers Association License Plates, Form VTR-229, has been designed with a space to specify that Personalized Texas Young Lawyers Association License Plates are desired.
 - C. The personalized license number is issued in accordance with the procedures for personalized plates, Transportation Code §502.251. The fee for Personalized Texas Young Lawyers Association Plates is \$70.
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when Texas Young Lawyers Association License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)

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Sec. 502.294. Municipal and Private Buses.

- (a) *The department shall issue specially designed license plates for municipal buses and private buses.*
- (b) *License plates issued under this section must include the words "city bus" or "private bus," as appropriate.*
- (c) *The department shall issue license plates under this section to a person who:*
 - (1) *applies on a form prescribed by the department to the county assessor-collector of the county in which the person resides; and*
 - (2) *pays the fee prescribed by Section 502.161.*
- (d) *Registration under this section is valid for one registration year.*
- (e) *In this section, "private bus" means a bus that:*
 - (1) *is not operated for hire; and*
 - (2) *is not classified as a municipal bus or a motor bus.*

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Chapter 27

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Sec. 502.295. State Officials.

- (a) *The department shall issue specially designed license plates for a passenger car or light truck owned by a state official.*
- (b) *License plates issued under this section must include the words "state official."*
- (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) *furnishes evidence acceptable to the department that the person is eligible to register the vehicle under this section; and*
 - (3) *pays the fee prescribed by Section 502.161.*
- (d) *A person may be issued three sets of license plates under this section.*
- (e) *A registration under this section is for a registration period of 12 consecutive months or until March 31, whichever period is shorter.*
- (f) *If the owner of a vehicle registered under this section disposes of the vehicle during the registration period, the owner shall surrender the special license plates to the department.*
- (g) *In this section, State Official means:*
 - (1) *a member of the legislature;*
 - (2) *the governor;*
 - (3) *the lieutenant governor;*
 - (4) *a justice of the supreme court;*
 - (5) *a judge of the court of criminal appeals;*
 - (6) *the attorney general;*
 - (7) *the Commissioner of the General Land Office;*
 - (8) *the comptroller;*
 - (9) *a member of the Railroad Commission of Texas;*
 - (10) *the commissioner of agriculture;*
 - (11) *the secretary of state; or*
 - (12) *a member of the State Board of Education.*

- I. **Specially designed State Official, U. S. Congress, State Judge, and U. S. Judge License Plates** are made available to members of the Legislature and certain other State Officials. These special State Official License Plates are annual plates issued for the established registration period of April 1st through March 31st of the succeeding year.

Note: House Concurrent Resolution 138, Acts of the 73rd Legislature, provides that U. S. Judge License Plates may be issued to magistrates of the United States district courts effective May 25, 1993.

- II. Each year, during the month of January, the department will furnish the County Tax Assessor-Collectors with three sets of State Official License Plates for each official residing in their respective counties. State Official License Plates may only be issued for passenger cars and small commercial vehicles; and each official is limited to three sets of plates.
 - A. When the plates have been shipped to the county tax offices, each official will be mailed a notice advising of the availability of the plates. Prior to the renewal period, each official should receive a License Plate Renewal Notice, Form 39A, which is presented to the County Tax Assessor-Collector at the time of registration.
 - B. The registration fee for State Official License Plates is figured at the regular passenger or commercial rate; therefore, these plates may not be issued for the reduced fee prescribed for Farm Truck License Plates although the owner may qualify for a farm license.
- III. If State Official License Plates are issued for the forthcoming year on a renewal basis, the License Plate Renewal Notice, Form 39A, is utilized. At the time the plates are issued, the appropriate registration fee is collected by the tax collector.
- IV. If an official has a vehicle which is currently registered with State Official License Plates and trades the vehicle in on another vehicle, the official must first buy a set of regular replacement plates (March month sticker and appropriate year sticker) for a fee of \$5.30 to be placed on the vehicle which is sold or transferred. Do not, in any event, transfer the State Official License Plates, as no one other than the State Official may legally use the plates.
 - A. Should the State Official trade his vehicle for one that is either new or unregistered, the state official plates may be placed on the newly acquired vehicle after the payment of the regular license fee for the remaining portion of the registration year.
 - B. If the State Official is acquiring a currently registered vehicle, a license receipt will be used to transfer the registration from the previous owner to the State Official. The tax assessor-collector may then issue the State Official License Plates on an exchange basis. When the plates are issued to a currently registered vehicle, the registration expiration date of the currently registered vehicle is adjusted to conform to the March 31st expiration date of the State Official License Plates.
 - C. If the State Official License Plates are transferred to a vehicle with a current registration expiration date prior to the March 31 expiration date of the State Official License Plates, it is necessary to collect an additional fee to extend the registration expiration date to March 31.
 - D. If the State Official License Plates are transferred to a vehicle that has a current registration expiration date which extends beyond that of the State Official License Plates, the registration expiration date will be adjusted back to March 31, and a credit is issued covering that portion of the original registration period which extends beyond March 31. (The procedure for transferring State Official License Plates to a currently registered vehicle is exactly the same as that used for transferring Personalized License Plates to a currently registered vehicle; refer to Transportation Code Section 502.251.)

- V. If State Official License Plates were displayed on a vehicle during the current year and during the renewal period for the forthcoming year the owner decides to re-register the vehicle with regular registration, the new plates are issued and the appropriate annual fee is collected. Do not require the owner to purchase replacement plates when State Official License Plates are removed from a vehicle under these conditions.
- VI. In the event a State Official License Plate(s) is lost, stolen, or mutilated, the owner must apply to the County Tax Assessor-Collector for a set of regular Replacement License Plates (March month sticker and appropriate year sticker) for the fee of \$5.30. The remaining State Official License Plate, if any, must be surrendered to the tax collector at this time. If the owner then desires to obtain a duplicate set of State Official License Plates before the next renewal period, the official must apply directly to the department by letter or telephone for a new set of plates bearing his number. No fee is charged for the manufacture of replacement State Official License Plates. When the replacement State Official License Plates have been manufactured and mailed to the tax assessor-collector, they may then be reissued to the vehicle on an even exchange basis.
- VII. State Official License Plates are not assigned to any particular vehicle until the plates are actually issued to the owner by the County Tax Assessor-Collector. The owner may request the plates to be issued to any passenger car or light truck that the official owns or controls.
- VIII. State Official License Plates are nontransferable from one owner to another. However, if an official relinquishes office during the elected tenure, the official should surrender the special license plates to the County Tax Assessor-Collector and purchase a set of regular Replacement License Plates at a fee of \$5.30. This makes the surrendered State Official license number available to the incoming official.

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Sec. 502.2951. County Judges.

- (a) *The department shall design and provide for the issuance of special license plates for passenger cars and light trucks that are owned by persons who are county judges of this state.*
 - (b) *License plates issued to county judges under this section shall bear the words "County Judge."*
 - (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 prescribed by the department;*
 - (2) *pays the fee prescribed by Subsection (d); and*
 - (3) *submits with the application proof that the person is a county judge of this state.*
 - (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 year and expires in the same manner as do regular motor vehicle registrations, except as provided by Subsection (f).*
 - (f) *Registration under this section expires when the owner of the vehicle for which the special plates were issued ceases to be a county judge. The judge shall return the special license plates to the department.*
 - (g) *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.*
 - (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.*
 - (i) *In this section "county judge" means the judge of the county court established by Section 15, Article V, Texas Constitution.*
- I. The passage of House Bill 344, Acts of the 75th Texas Legislature, provides for the issuance of County Judge License Plates to vehicles owned by County Judges of this state.
- A. These special County Judge License Plates are annual plates issued for the established registration period of April 1 through March 31 of the succeeding year.
 - B. Each year during the month of January, the department will furnish the county Tax Assessor-Collectors with two sets of County Judge License Plates for the County Judge in each of the 254 counties in Texas. An additional third set of plates can be requested by contacting the Special Plate Branch. County Judge License Plates may only be issued for passenger cars and light commercial vehicles with a manufacturer's rated carrying capacity of one ton or less.
 - 1. When the plates have been shipped to the county tax offices, each official will be mailed a notice advising of the availability of the plates. Prior to the renewal period, each official should receive a License Plate Renewal Notice, Form 39A,

- which is presented to the County Tax Assessor-Collector at the time of registration.
2. The registration fee for County Judge License Plates is figured at the regular passenger or commercial rate; therefore, these plates may not be issued for the reduced fee prescribed for Farm Truck License Plates although the owner may qualify for a farm license.
 3. If County Judge License Plates are issued for the forthcoming year on a renewal basis, the License Plate Renewal Notice, Form 39A, is utilized. At the time the plates are issued, the appropriate registration fee is collected by the tax collector.
- C. If a county judge has a vehicle that is currently registered with County Judge License Plates and trades the vehicle on another one, the judge must first buy a set of regular replacement plates, with an expiration month of March and the appropriate year for a fee of \$5.30 to be placed on the vehicle which is sold or transferred. In transferring the vehicle to the new owner, the replacement license should be transferred on the license receipt. Do not, in any event, transfer the County Judge License Plates, as no one other than the county judge may legally use the plates.
1. Should the county judge trade the vehicle for one that is either new or unregistered, the County Judge License Plates may be placed on the newly acquired vehicle after the payment of the regular license fee for the remaining portion of the registration year.
 2. If the County Judge License Plates are transferred to a vehicle that has a current registration expiration date prior to the March 31 expiration date of the County Judge License Plates, it is necessary to collect an additional fee to extend the registration expiration date to March 31.
 3. If the plates are transferred to a currently registered vehicle that has a current registration expiration date that extends beyond that of the County Judge License Plates, the registration expiration date will be adjusted back to March 31, and a credit is issued covering that portion of the original registration period which extends beyond March 31. (The procedure for transferring County Judge License Plates to a currently registered vehicle is the same as that used for transferring Personalized License Plates to a currently registered vehicle. For a detailed discussion, refer to Transportation Code Section 502.251.)
- D. If County Judge License Plates were displayed on a vehicle during the current year and during the renewal period for the forthcoming year the owner decides to reregister the vehicle with regular registration, the new plates are issued and the appropriate annual fee is collected. Do not require the owner to purchase replacement plates when County Judge License Plates are removed from a vehicle under these conditions.
- E. In the event a County Judge License Plate is lost, stolen, or mutilated, the owner must apply to the County Tax Assessor-Collector for a set of regular Replacement License Plates (March month sticker and appropriate year sticker) for the fee of \$5.30. The remaining County Judge License Plate, if any must be surrendered to the tax collector at this time. If the owner then desires to obtain a duplicate set of County Judge License Plates before the next renewal period, the owner must apply directly to the

department by letter or telephone for a new set of plates bearing their number. No fee is charged for the manufacture of replacement County Judge License Plates. When the replacement County Judge License Plates have been manufactured and mailed to the tax assessor-collector, they are reissued to the vehicle on an even exchange basis.

- F. County Judge License Plates are not assigned to any particular vehicle until the plates are actually issued to the owner by the County Tax Assessor-Collector. The owner may request the plates to be issued to any passenger car or light commercial vehicle that they own or control.
- G. County Judge License Plates are nontransferable from one owner to another. If, however, an official relinquishes their office during their elected tenure, they should surrender their special license plates to their County Tax Assessor-Collector and purchase a set of regular replacement license plates at a fee of \$5.30. The county tax office should then surrender the old County Judge License Plates to the Special Plates Branch along with the name of the new County Judge. New County Judge License Plates can then be manufactured for the current year and the new County Judge can be notified when their plates will be available in the county tax office.

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Sec. 502.296. Members of Congress.

- (a) *The department shall issue specially designed license plates for a passenger car or light truck owned by a member of congress.*
- (b) *License plates issued under this section must include the words "U.S. Congress".*
- (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) *furnishes evidence acceptable to the department that the person is eligible to register the vehicle under this section; and*
 - (3) *pays the fee prescribed by Section 502.161.*
- (d) *A person may be issued three sets of license plates under this section.*
- (e) *A registration under this section is for a registration period of 12 consecutive months or until March 31, whichever period is shorter.*
- (f) *If the owner of a vehicle registered under this section disposes of the vehicle during the registration period, the owner shall surrender the special license plates to the department.*

- I. Specially designed U.S. Congress License Plates are made available to members of Congress. The U.S. Congress License Plates are annual plates that are issued for the established registration period of April 1st through March 31st of the succeeding year.
- II. The applicant must submit a letter of application to the department and furnish evidence of eligibility. These license plates may only be issued for passenger cars and light trucks; and each member of congress is limited to three sets of plates.
 - A. When the plates have been shipped to the county tax offices, each member of congress will be mailed a notice advising of the availability of the plates. Prior to the renewal period, each member of congress should receive a License Plate Renewal Notice, Form 39A, which is presented to the County Tax Assessor-Collector at the time of registration.
 - B. The registration fee for the U.S. Congress License Plates is figured at the regular passenger or commercial rate; therefore, these plates may not be issued for the reduced fee prescribed for Farm Truck License Plates although the owner may qualify for a farm license.
- III. If the U.S. Congress License Plates are being issued for the forthcoming year on a renewal basis, the License Plate Renewal Notice, Form 39A, is utilized. At the time the plates are issued, the appropriate registration fee is collected by the tax collector.
- IV. If an official has a vehicle currently registered with the U.S. Congress License Plates and trades the vehicle in on another one, the official must first buy a set of regular replacement plates, with an expiration month of March and the appropriate year, for a fee of \$5.30 to be placed on the vehicle which is sold or transferred. Do not, in any event, transfer the U.S. Congress License Plates as no one other than the official may legally use the plates.

- A. Should the member of congress trade his vehicle for one that is either new or unregistered, the U.S. Congress License Plates may be placed on the newly acquired vehicle after the payment of the regular license fee for the remaining portion of the registration year.
- B. If the member of congress is acquiring a currently registered vehicle, the tax assessor-collector may issue the U.S. Congress License Plates on an exchange basis. When the plates are issued to a currently registered vehicle, it is necessary, in most instances, to adjust the registration expiration date of the currently registered vehicle to conform to the March 31 expiration date of U.S. Congress License Plates.
- C. If U.S. Congress License Plates are transferred to a vehicle that has a current registration expiration date prior to the March 31 expiration date of the special license plates, it is necessary to collect an additional fee to extend the registration expiration date to March 31.
- D. If the plates are transferred to a currently registered vehicle with a current registration expiration date which extends beyond that of U.S. Congress License Plates, the registration expiration date will be adjusted back to March 31, and a credit is issued covering that portion of the original registration period which extends beyond March 31. (The procedure for transferring U.S. Congress License Plates to a currently registered vehicle is exactly the same as that used for transferring Personalized License Plates to a currently registered vehicle; therefore, for a detailed discussion, refer to Section 502.251.)
- V. If U.S. Congress License Plates were displayed on a vehicle during the current year and during the renewal period for the forthcoming year the owner decides to re-register the vehicle with regular registration, the new plates are issued and the appropriate annual fee is collected. Do not require the owner to purchase replacement plates when special license plates are removed from a vehicle under these conditions.
- VI. In the event a Congress License Plates(s) is lost, stolen, or mutilated, the owner must apply to the County Tax Assessor-Collector for a set of regular Replacement License Plates (March month sticker and appropriate year sticker) for the fee of \$5.30. The remaining U.S. Congress License Plates, if any; must be surrendered to the tax collector at this time. If the owner then desires to obtain a duplicate set of U.S. Congress License Plates before the next renewal period, the owner must apply directly to the department by letter or telephone for a new set of plates bearing his number. No fee is charged for the manufacture of special license plates. When the replacement U.S. Congress License Plates have been manufactured and mailed to the tax assessor-collector, they may then be reissued to the vehicle on an even exchange basis.
- VII. U.S. Congress License Plates are not assigned to any particular vehicle until the plates are actually issued to the owner by the County Tax Assessor-Collector. The owner may request the plates to be issued to any passenger car or light truck that he owns or controls.
- VIII. U.S. Congress License Plates are nontransferable from one owner to another. However, if an official relinquishes office during elected tenure, the owner should surrender the special license plates to the County Tax Assessor-Collector and purchase a set of regular

Replacement License Plates at a fee of \$5.30. This makes the surrendered U.S. Congress License Plates number available to the incoming official.

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Sec. 502.297. State and Federal Judges.

- (a) *The department shall issue specially designed license plates for a passenger car or light truck owned by a state or federal judge or a retired state or federal judge.*
- (b) *License plates issued under this section must include the words "State Judge" or "U.S. Judge," as appropriate.*
- (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) *furnishes evidence acceptable to the department that the person is eligible to register the vehicle under this section; and*
 - (3) *pays the fee prescribed by Section 502.161.*
- (d) *A person may be issued three sets of license plates under this section.*
- (e) *A registration under this section is for a registration period of 12 consecutive months or until March 31, whichever period is shorter.*
- (f) *If the owner of a vehicle registered under this section disposes of the vehicle during the registration period, the owner shall surrender the special license plates to the department.*
- (g) *In this section:*
 - (1) *"Federal Judge" means:*
 - (A) *a judge of the Fifth Circuit Court of Appeals;*
 - (B) *a judge or a magistrate of a United States district court; or*
 - (C) *a judge of a United States bankruptcy court.*
 - (2) *"State Judge" means:*
 - (A) *a judge of a court of appeals;*
 - (B) *a district court judge;*
 - (C) *a presiding judge of an administrative judicial district; or*
 - (D) *a statutory county court judge.*

- I. *Specially designed State Judge or U. S. Judge License Plates are made available to members of the Legislature and certain other State Officials. These State Judge or U. S. Judge License Plates are annual plates that are issued for the established registration period of April 1 through March 31 of the succeeding year.*

House Concurrent Resolution 138, Acts of the 73rd Legislature, provides that U. S. Judge License Plates may be issued to magistrates of the United States district courts effective May 25, 1993.

- II. *Each year, during the month of January, the department will furnish the County Tax Assessor-Collectors with three sets of the State Judge and U. S. Judge License Plates for each official residing in their respective counties. These license plates may only be issued for passenger cars and small commercial vehicles; and each official is limited to three sets of plates.*

- A. When the plates have been shipped to the county tax offices, each official will be mailed a notice advising of the availability of the plates. Prior to the renewal period, the each official should receive a License Plate Renewal Notice, Form 39A, which is presented to the County Tax Assessor-Collector at the time of registration.
 - B. The registration fee for the State Judge, or U. S. Judge License Plates is figured at the regular passenger or commercial rate; therefore, these plates may not be issued for the reduced fee prescribed for Farm Truck License Plates although the owner may qualify for a farm license.
- III. If the State Judge or U. S. Judge License Plates are issued for the forthcoming year on a renewal basis, the License Plate Renewal Notice, Form 39A, is utilized. At the time the plates are issued, the appropriate registration fee is collected by the tax collector.
- IV. If an official has a vehicle currently registered with the State Judge or U. S. Judge License Plates, and trades the vehicle in on another vehicle, the official must first buy a set of regular replacement plates, with an expiration month of March and the appropriate year for a fee of \$5.30 to be placed on the vehicle which is sold or transferred. Do not, in any event, transfer the State Judge or U. S. Judge License Plates, as no one other than the official may legally use the plates.
- A. Should the official trade his vehicle for one that is either new or unregistered, the State Judge or U. S. Judge License Plates may be placed on the newly acquired vehicle after the payment of the regular license fee for the remaining portion of the registration year.
 - B. If State Judge or U. S. Judge License Plates are being transferred to a vehicle which has a current registration expiration date prior to the March 31 expiration date of the special license plates, it will be necessary to collect an additional fee to extend the registration expiration date to March 31; or if the plates are being transferred to a currently registered vehicle that has a current registration expiration date which extends beyond that of State Judge or U. S. Judge License Plates, the registration expiration date will be adjusted back to March 31, and a credit is issued covering that portion of the original registration period which extends beyond March 31. (The procedure for transferring State Judge and U. S. Judge License Plates to a currently registered vehicle is the same as that used for transferring Personalized License Plates to a currently registered vehicle. For a detailed discussion, refer to Section 502.251.)
- V. If State Judge or U. S. Judge License Plates were displayed on a vehicle during the current year and during the renewal period for the forthcoming year the owner decides to re-register the vehicle with regular registration, the new plates are issued and the appropriate annual fee is collected. Do not require the owner to purchase replacement plates when special license plates are removed from a vehicle under these conditions.
- VI. In the event a State Judge or U. S. Judge License Plate is lost, stolen, or mutilated, the owner must apply to his County Tax Assessor-Collector for a set of regular Replacement License Plates for the fee of \$5.30. The remaining State Judge, or U. S. Judge License Plates, if any, must be surrendered to the tax collector at this time. If the owner then desires to obtain a duplicate set of State Judge or U. S. Judge License Plates before the next renewal period, the owner must apply directly to the department by letter or telephone for a new set of plates bearing his number. No fee is charged for the

manufacture of special license plates. When the replacement State Judge or U. S. Judge License Plates have been manufactured and mailed to the tax assessor-collector, they are then reissued to the vehicle on an even exchange basis.

- VII. State Judge or U. S. Judge License Plates are not assigned to any particular vehicle until the plates are actually issued to the owner by the County Tax Assessor-Collector. The owner may request the plates to be issued to any passenger car or light truck that he owns or controls.
- VIII. State Judge or U. S. Judge License Plates are nontransferable from one owner to another. If, however, an official relinquishes office during elected tenure, the owner should surrender the special license plates to the County Tax Assessor-Collector and purchase a set of regular Replacement License Plates at a fee of \$5.30. This makes the surrendered State Judge or U. S. Judge License Plates number available to the incoming official.
- IX. State Judges or U.S. Judges may apply for personalized license plates with their State Official number by: (1) indicating their state official license number on the prescribed application form for the special plate that is being requested, and (2) submitting the application along with the appropriate fees to the Special Plates Branch.
- X. On all special plates except for collegiate, there is a maximum of five characters. State Officials may obtain any collegiate license plate regardless if the plate has five or six characters.

State officials with the international symbol of access embossed on their current state official plate will be given the option of using the disabled person placard if they also wish to display special plates bearing their state official number.

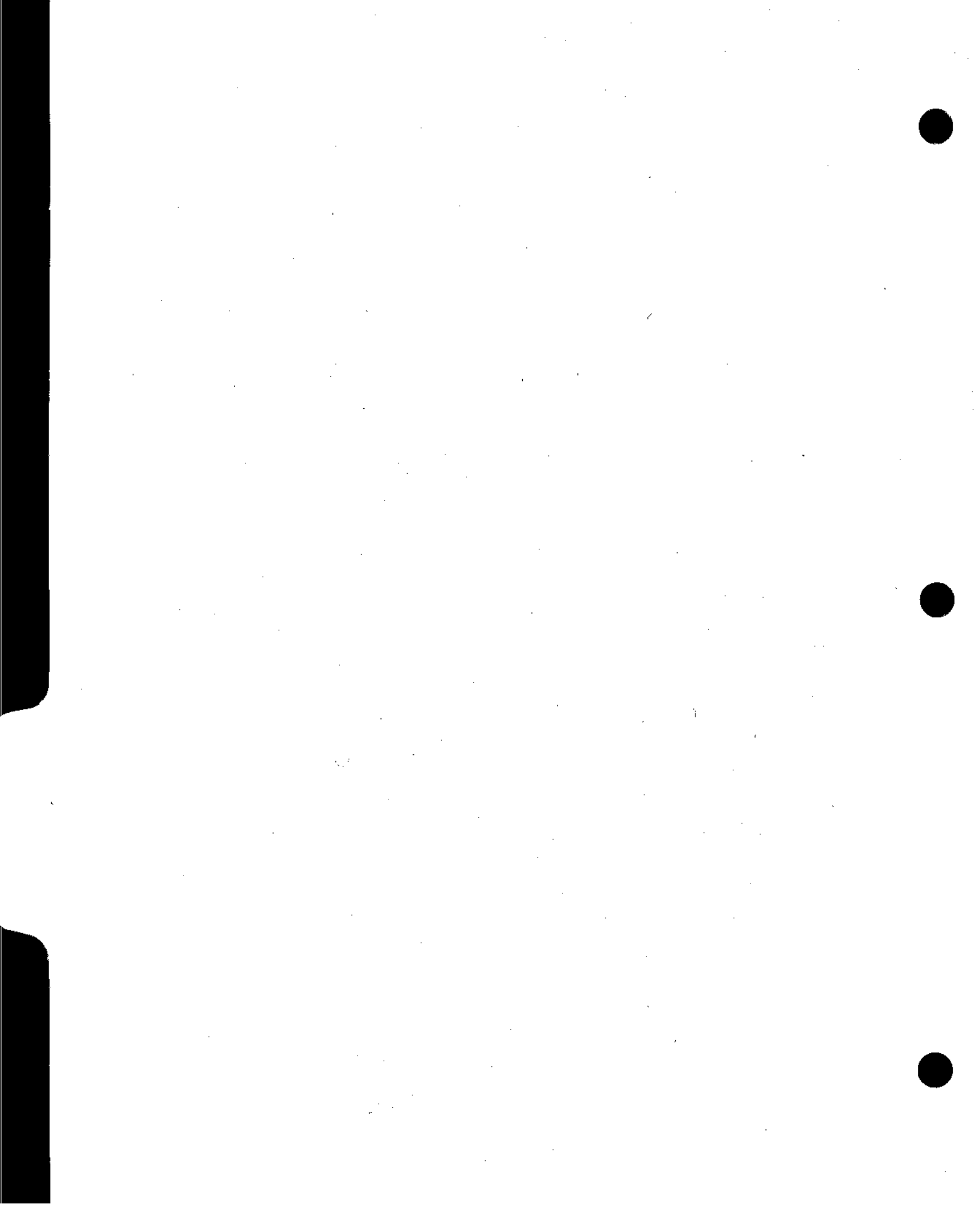
The following special plates can be adapted for the five-character plate:

Aerospace Commission
 Animal Friendly
 Big Bend National Park
 Boy Scouts of America
 Conservation License
 Plate - (Bluebonnet, Horned
 Lizard, White-tailed Deer, Large
 Mouth Bass)

Gold Star Mother
 Houston Livestock Show and
 Rodeo
 Keep Texas Beautiful
 Lone Star Proud
 Olympic Spirit

Peace Officer
 Read to Succeed
 State Capitol
 State of the Arts
 Texas Citrus Industry
 Young Lawyer

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Chapter 28

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Sec. 502.298. 100th Football Season of Stephen F. Austin High School.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks in honor of the 100th football season of Stephen F. Austin High School in Austin.*
- (b) *The license plates must be of a color, quality, and design approved by the principal of Stephen F. Austin High School in consultation with the department.*
- (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 \$50, 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 send \$35 to the Texas Education Agency for distribution to the Austin Independent School District to be used only for the benefit of the Austin High School Athletic Department. The remainder of each fee collected under this section shall be deposited to the credit of the state highway fund.*
- (e) *This section expires September 1, 2004.*

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Sec. 502.299. Texas Citrus Industry License Plates.

- (a) *The department shall issue specially designed license plates for passenger cars and light trucks in honor of the citrus industry in this state.*
- (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.*
- (c) *Of each fee collected under this section, the department shall deposit \$25 to the credit of an account in the general revenue fund that may be appropriated only to Texas A&M University - Kingsville to provide financial assistance to graduate students in the College of Agriculture and Human Sciences. The remainder of the fee may be used only by the department to defray the cost of administering this section.*

- I. The department makes available to owners of qualified vehicles Texas Citrus Industry License Plates for a fee of \$30 in addition to the regular registration fees. Texas Citrus Industry License Plates are multi-year staggered plates, issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for Texas Citrus Industry License Plates, Form VTR-412, together with the \$30 fee (or \$70 fee if personalized) is mailed to the department.
- II. There is no limit to the number of passenger cars and light commercial motor vehicles for which the person may apply for the issuance of license plates under this section.
- III. Proof of financial responsibility must be submitted to the tax assessor-collector when Texas Citrus Industry License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)
- IV. If the owner of a vehicle for which license plates were issued under this section disposes of the vehicle during a registration year, the person may keep their license plates.
- V. If the license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the license plates were issued may obtain replacement license plates from the department by paying a replacement fee of \$5.30.
 - A. Texas Citrus Industry License Plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. Texas Citrus Industry License Plates are issued in accordance with the procedures set forth for issuance of Personalized License Plates (refer to Section 502.251).
 - C. Texas Citrus Industry License Plates may be issued with a personalized license number. The application, Form VTR-412, has been designed with a space to specify that Personalized Texas Citrus Industry License Plates are desired. The fee for

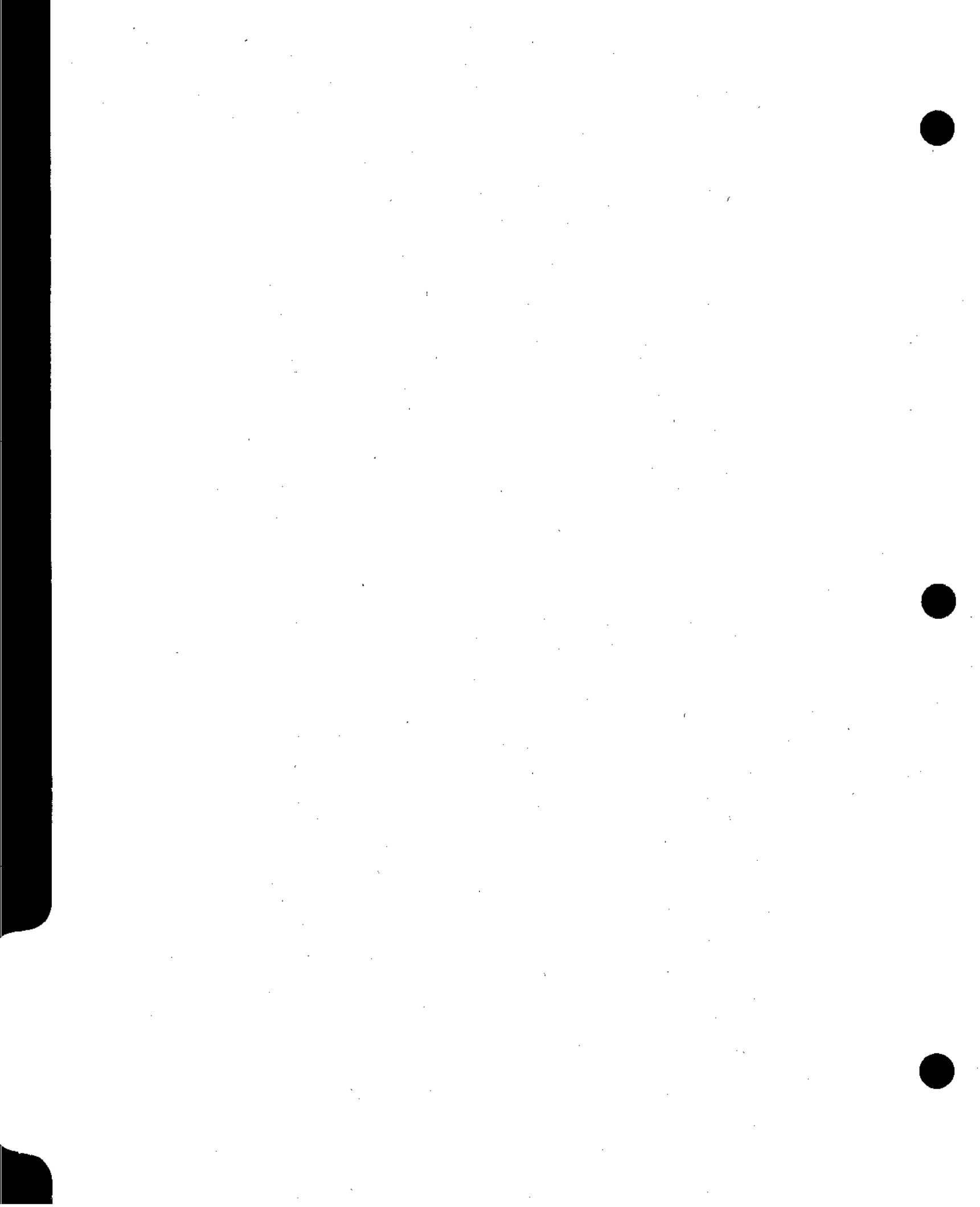
Personalized Texas Citrus Industry License Plates is \$70 per year (\$30 Texas Citrus Industry License Plate fee and \$40 Personalized License Plate fee).

Sec. 502.303. Waterfowl and Wetland Conservation.

- (a) *Except as provided by Subsection (b), the department shall issue specially designed license plates for passenger cars and light trucks to support the activities of a nonprofit organization designated by the Parks and Wildlife Department that has as its principal purpose the conservation of waterfowl and wetland.*
- (b) *The license plates must bear one or more graphic images designed by the Parks and Wildlife Department in consultation with the designated organization.*
- (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 a fee of \$50 for an original issuance of license plates under this section or \$40 for a renewal of issuance of license plates under this section, in addition to the fee prescribed by Section 502.161 or 502.162, and, if personalized prestige license plates are issued, in addition to the fee prescribed by Section 502.251.*
- (d) *The fee for replacement of a lost, stolen, or mutilated plate issued under this section is \$35, in addition to the fee prescribed by Section 502.184(a).*
- (e) *Of each fee collected under this section, \$5 may be used to defray the cost of administering this section by the department and the Parks and Wildlife Department. The department shall deposit the remainder of each fee collected under this section to the credit of an account in the state treasury. Money in the account may be used only by the Parks and Wildlife Department to support the activities of a designated nonprofit organization whose primary purpose is the conservation of waterfowl and wetland. The Parks and Wildlife Department shall establish reporting and other mechanisms necessary to ensure that the money is spent for purposes for which it is dedicated.*
- (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.*

- I. The department makes available to owners of qualified vehicles the Ducks Unlimited License Plates for a fee of \$50 in addition to the regular registration fees. The Ducks Unlimited License Plates are multi-year staggered plates, issued for a 12-month registration period. Except as provided in paragraph B, the expiration date will be determined by the month in which the application is received and processed. Each application for the Ducks Unlimited License Plates, Form-VTR-900, together with the \$50 fee (or \$90 fee if personalized) is mailed to the department.
 - A. The Ducks Unlimited License Plates are issued to passenger cars and light trucks having a manufacturer's rated carrying capacity of one ton or less.
 - B. The Ducks Unlimited License Plates may be issued with a personalized license number. The application form has been designed with a space to specify Personalized Ducks Unlimited License Plates, if desired.

- C. The personalized license number is issued in accordance with the procedures for Personalized License Plates (see Transportation Code Section 502.251). The fee for Personalized Ducks Unlimited License Plates is \$90 per year (\$50 Waterfowl and Wetland Conservation License Plates fee and \$40 Personalized License Plate fee).
 - D. The replacement fee for the Ducks Unlimited License Plates is \$35.
- II. Proof of financial responsibility must be submitted to the tax assessor-collector when Ducks Unlimited License Plates are issued, renewed, or transferred to another vehicle. (For details on financial responsibility requirements, refer to Transportation Code Section 502.153.)



Chapter 29

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SUBCHAPTER G. TEMPORARY REGISTRATION**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:*
- | | |
|--|-------------------|
| <i>One month (30 consecutive days)</i> | <i>10 percent</i> |
| <i>One quarter</i> | <i>30 percent</i> |
| <i>Two quarters</i> | <i>60 percent</i> |
| <i>Three quarters</i> | <i>90 percent</i> |
- (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.*

- I. The owner of a truck, truck tractor, trailer or semitrailer may purchase temporary additional weight for transporting the owner's seasonal agricultural products to market or to other points for sale or processing. In addition, the vehicles may be used for 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 the farm or ranch.
- A. The temporary additional weight permit is not restricted to farmers or ranchers raising their own products, but all persons, firms, or corporations may qualify provided:
1. They own (for registration purposes) the Texas registered vehicle.
 2. They are the actual owners of the agricultural products being transported.
- B. Temporary additional weight for seasonal agricultural products must be purchased from the tax assessor-collector in the county of the owner's residence, provided,

however, before a permit may be issued, the vehicle must first be registered in Texas for at least the minimum weight required under the registration law.

- C. Temporary additional weight permits may be issued on a monthly basis (a period of 30 consecutive days); or the permits may be issued in accordance with calendar quarters, the first quarter to begin on April 1 of each year for the movement of seasonal agricultural products.
1. When issuing the permits on a monthly basis, only one 30-Day Permit can be issued at a time. These permits cannot be postdated and issued in chain-like fashion. However, there are no limitations as to the number of times an owner may return to purchase a 30-Day Permit.
 2. If a temporary additional weight permit is needed for longer than 30 days, the permit must be issued on a quarterly basis. A permit that is issued for a fraction of a quarter requires the payment for a full quarter.
- D. The additional fee shall be a percentage of the difference between the current registration fee for the present gross weight and the current registration fee for the desired gross weight. The additional fee shall be computed according to the following table:

One month (30 consecutive days)	10 percent
One quarter (3 consecutive months)	30 percent
Two quarters (6 consecutive months)	60 percent
Three quarters (9 consecutive months)	90 percent

Examples:

A two-ton truck is registered for 10,500 pounds. On July 15th, the owner decides to increase the gross weight to 15,000 pounds for one month. Therefore, the additional weight permit would be issued for a period of 30 days, extending from July 15 through August 13 of the following month. The fees would be computed as follows:

Annual fee for 15,000 pounds	\$132.55
Annual fee for 10,500 pounds	<u>-100.38</u>
Difference in annual fees	=\$ 32.17
10% of difference for one month	x 10%
Total fee due	\$ 3.22

A two and one-half ton truck is registered for 12,000 pounds. On September 15, the owner decides to increase the gross weight to 20,000 pounds for two quarters. The additional weight would be issued within the second calendar quarter for the remaining portion of the quarter (15 days) plus the full 3rd quarter (October, November and December). The fee would be computed as follows:

Annual fee for 20,000 pounds	\$179.30
Annual fee for 12,000 pounds	<u>-111.10</u>
Difference in annual fees	\$ 68.20
60% of difference for two quarters	x 60%
Total fee due	\$ 40.92

Note: If the vehicle is registered with a farm license, the Farm Truck and Farm Truck Tractor Schedule of Registration Fees must be used.

- E. In the event temporary additional weight is to be purchased for a truck or truck tractor and semitrailer combination which is registered with Combination and Token Trailer License Plates, the desired increase in the gross weight of all the vehicles used in the combination should be added on one receipt and issued for the power unit. The temporary additional weight fee shall be computed by using the Combination License Fee Schedule, Chart 4A.
- II. Since the temporary additional weight permit is restricted in its use, the owner must agree to operate the vehicle in accordance with the restrictions, by signing a Form VTR-58.
- A. The Form 58 prohibits any owner from securing a temporary additional weight permit when apprehended for operating the vehicle with a gross weight in excess of that for which the vehicle is registered. The form should be retained in the tax assessor-collector's office, along with the carbon of the RTS receipt.
- B. The original copy of the RTS receipt should be given to the applicant and the receipt must be carried in the vehicle to which it was issued.

Important! Should the owner of a semitrailer with a gross weight of 4,000 pounds or less apply for a temporary additional weight for seasonal agricultural products which brings the gross weight of the semitrailer to above 4,000 pounds, the owner is not required to file an application for title. This temporary registration is in the nature of a permit, and the vehicle returns to its previous status when the period is ended.

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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, Canada, or the United Mexican States;*
 - (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, or the department's wire service agent, if the department has a wire service agent;*
 - (2) *paying a fee of \$25 for a 72-hour permit or \$50 for a 144-hour permit:*
 - (A) *in cash;*
 - (B) *by postal money order;*
 - (C) *by certified check;*
 - (D) *by wire transfer through the department's wire service agent, if any;*
 - (E) *by an escrow account; or*
 - (F) *where the service is provided, by a credit card issued by:*
 - (i) *a financial institution chartered by a state or the United States; or*
 - (ii) *a nationally recognized credit organization approved by the Texas Transportation Commission;*
 - (3) *paying a discount or service charge for a credit card payment or escrow account, in addition to the fee; and*
 - (4) *furnishing to the county assessor-collector, the department, or the department's wire service agent, evidence of financial responsibility for the vehicle that complies with Sections 502.153(c) and 601.168(a) and is written by an insurance company or surety company authorized to write motor vehicle liability insurance in this state.*
- (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. Each week, a wire service agent shall send to the department a report of all permits issued by the agent during the previous week. The department by rule shall prescribe the form and content of a report required by this subsection.*

- (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 in a state of the United Mexican States; 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.*
- (i) *The department may establish one or more escrow accounts in the state highway fund for the prepayment of a 72-hour permit or a 144-hour permit. Any fee established by the department for the administration of this subsection shall be administered as required by an agreement entered into by the department.*

I. A Temporary 72-Hour or 144-Hour Permit recognized in lieu of registration is issued for the movement of a laden or unladen truck, truck tractor, trailer, semitrailer, or a motor bus upon the highways of Texas in either interstate or intrastate operation. Since this permit is temporary registration, all permitted vehicles are exempt from the Certificate of Title Act.

A. Temporary 72-Hour or 144-Hour Permits are issued only to commercial vehicles and buses owned by residents of the United States, Mexico, or Canada. Residents of any other foreign country are not eligible to secure this type of temporary registration.

- 1. Nonresidents of Texas may use these permits to:
 - a. Operate an unregistered commercial vehicle or bus in Texas.
 - b. Operate a commercial vehicle in Texas from a non-reciprocal state.
 - c. Engage in intrastate operations in Texas with out-of-state licensed commercial vehicles.
- 2. A Texas resident may use these permits to:
 - a. Operate an unregistered commercial vehicle or bus in Texas.

- b. Operate a Texas registered commercial vehicle with a heavier gross weight than for which it is registered. The heavier load may be hauled for only the period that the permits are valid unless additional permits are purchased.
 - c. Operate a farm registered or soil conservation registered vehicle with its maximum legal gross weight in a manner other than for which the regular license plates were originally issued.
- B. Vehicles to which 72-Hour or 144-Hour Permits are issued may operate carrying the maximum weight allowed under the Texas registration laws. As an example, a permit issued for a truck tractor with a tandem axle and a permit issued for the companion semitrailer with a tandem axle would qualify the combination to operate for a period of 72 hours or 144 hours with the maximum gross weight allowed, which is usually between 76,500 pounds and 77,000 pounds, depending upon the actual loaded weight of the front axle. (For a complete discussion regarding maximum permissible weights, refer to Transportation Code Section 502.162.)
- C. Temporary 72-Hour or 144-Hour Permits are issued by all county tax offices, the department's Motor Carrier Division, and any Vehicle Titles and Registration Division Regional Office.
- D. Permits may be purchased in advance of a proposed trip and several permits secured at one time with the times of validity to run in chain-like fashion, having one permit become effective immediately upon the expiration of the preceding one. The operator may purchase one permit with which to begin a journey and purchase others, when needed, from various issuing agencies throughout the State.
- E. Temporary 72-Hour or 144-Hour Permits issued to vehicles owned by Texas residents are not honored by all states. To operate outside of this State with a 72-Hour or 144-Hour Permit, a Texas resident should first contact the department or the authorities of those states through which travel is planned.

Note: The Texas 72-Hour or 144-Hour Permit is not recognized by any of those states belonging to the International Registration Plan.

- F. Proof of ownership or Texas Safety Inspection is not a prerequisite to the issuance of a 72-Hour or 144-Hour Permit. A vehicle displaying a 72-Hour or 144-Hour Permit must pass the Texas Safety Inspection and display a current inspection sticker prior to being operated upon the highways. If the vehicle displays current out-of-state license plates or the vehicle is mobile drilling or servicing equipment used in the production of gas or crude petroleum oil, a Texas Safety Inspection is not required.
- G. Before the issuance of a 72-Hour or 144-Hour Permit, the applicant must present evidence of financial responsibility as is required with applications for regular vehicle registration in the minimum amounts prescribed by the Texas Motor Vehicle Safety-Responsibility Act. An insurance company authorized to write insurance in Texas must provide the coverage. If the applicant is registered as a motor carrier with the Motor Carrier Division, a registration listing or an International Stamp may be presented instead of proof of liability insurance.
- H. The permit fee is \$25 for each 72-Hour Permit and \$50 for each 144-Hour Permit. Payment must be remitted in the form of a postal money order, certified check, or

cash. Any commercial motor vehicle pulling a trailer or semitrailer is considered to be a combination of two vehicles and necessitates the issuance of two separate permits if both vehicles are unregistered or lack reciprocity to operate in this State.

- I. When issuing 72-Hour or 144-Hour Permits to trucks or truck tractors with manufacturer's rated carrying capacities in excess of one ton and semitrailers with gross weights in excess of six thousand pounds, special consideration is given to the use of the permits.
 1. A truck or truck tractor displaying a 72-Hour or 144-Hour Permit is not permitted to pull a semitrailer displaying a Token Trailer License Plate. Token Trailer License Plates are valid only when displayed on semitrailers pulled by vehicles which are registered with Combination, Forestry, Apportioned, or Seasonal Permit License Plates for the combined gross weight of all the vehicles used in the combination. Therefore, if a pulling unit displays a 72-Hour or 144-Hour Permit, each semitrailer operated in combination must also display a 72-Hour or 144-Hour Permit or regular trailer registration. In cases when a semitrailer is already registered with a Token Trailer License Plate, the 72-Hour or 144-Hour Permit Tag is displayed over the plate.
 2. If a truck or truck tractor displaying a Combination License Plate pulls a semitrailer displaying a 72-Hour or 144-Hour Permit, the pulling unit is registered for the combined gross weight of all the vehicles in the combination. However, in any instance when the pulling unit of the combination is not registered for a sufficient combined gross weight, a 72-Hour or 144-Hour Permit is also issued for the pulling unit, thus, temporarily qualifying the combination for the maximum gross weight permitted under the registration statutes.
 3. If a truck or truck tractor displaying Truck License Plates is used to pull a semitrailer displaying a Token Trailer License Plate, a 72-Hour or 144-Hour Permit is displayed on the semitrailer. This allows the owner to legally operate the combination without exchanging registration.
 4. If a truck tractor (carrying capacity in excess of one ton) and semitrailer (gross weight in excess of six thousand pounds) displaying regular truck and regular trailer plates are operated in combination, a 72-Hour or 144-Hour Permit is displayed on either vehicle in the combination to exempt the vehicles from the requirement of registering in combination.
 5. Under the terms of a reciprocity agreement, an out-of-state licensed power unit can legally pull a semitrailer displaying a Texas Token Trailer License Plate or a 72-Hour or 144-Hour Permit. Such combination is restricted to interstate operations. If operated intrastate, a 72-Hour or 144-Hour Permit is displayed on each vehicle in the combination.
 6. A properly licensed out-of-state power unit operating in Texas pursuant to the International Registration Plan may operate interstate or intrastate in Texas while pulling a semitrailer displaying a Texas Token Trailer License Plate or a Texas 72-Hour or 144-Hour Permit.

Note: When a pulling unit (Texas or out-of-state) displays a 72-Hour or 144-Hour Permit, then each semitrailer operated in combination must also display a 72-Hour or 144-Hour Permit or regular Texas Trailer License Plates (not Token Trailer License Plates).

- II. When making application for a Temporary 72-Hour or 144-Hour permit, it is not necessary for the applicant to execute a separate application. The RTS receipts are designed with the application contained on the receipt. By signing in the space provided on the receipt, and checking the appropriate box, the applicant certifies to be a resident of the United States, Mexico, or Canada and that the vehicle was not apprehended for a registration violation. Owners or operators of vehicles that have been apprehended for registration violations are not qualified for a 72-Hour or 144-Hour Permit. Such owners or operators must secure regular registration and pay the prescribed fees.
- III. When completing the RTS 72-Hour or 144-Hour Permit events, the proper dates are input and shown on the matching cardboard tag.
 - A. The original copy of the receipt is given to the applicant.
 - B. The information required on the cardboard tag must be printed in ink.

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Sec. 502.353. Foreign Commercial Vehicles; Annual Permits; Offense.

- (a) *The department may issue an annual permit to a foreign 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; and*
 - (2) *is valid for a vehicle registration year to begin on the first day of a calendar month designated by the department and end on the last day of the last calendar month of the registration year.*
- (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 department;*
 - (2) *paying a fee in the amount required by Subsection (e) in cash or by postal money order or certified check; and*
 - (3) *furnishing evidence of financial responsibility for the motor vehicle that complies with Sections 502.153(c) and 601.168(a), the policies to be written by an insurance company or surety company authorized to write motor vehicle liability insurance in this state.*
- (e) *The fee for a permit under this section is the fee that would be required for registering the vehicle under Section 502.162 or 502.167, except as provided by Subsection (f).*
- (f) *A vehicle registered under this section is exempt from the token fee and is not required to display the associated distinguishing license plate if the vehicle:*
 - (1) *is a semitrailer that has a gross weight of more than 6,000 pounds; and*
 - (2) *is used or intended to be used in combination with a truck tractor or commercial motor vehicle with a manufacturer's rated carrying capacity of more than one ton.*
- (g) *A vehicle registered under this section is not subject to the fee required by Section 502.172 or 502.173.*
- (h) *The department may:*
 - (1) *adopt rules to administer this section; and*
 - (2) *prescribe an application for a permit and other forms under this section.*
- (i) *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.*

- I. NAFTA annual permits are issued by the Vehicle Titles and Registration Division regional offices and several Tax Assessor-Collectors offices located along and close to the Texas/Mexico border.
- II. The fee for an annual permit is the normal commercial fee prescribed by Texas law based on the vehicle's gross weight.
- III. Evidence of financial responsibility is required at the time application is made for the issuance of a NAFTA annual permit; or, if the applicant is a motor carrier registered with the department's Motor Carrier Division, a registration listing or international stamp may be submitted with the application in lieu of evidence of financial responsibility. Questions relating to this type of permit should be directed to one of the department's regional offices.
- IV. Currently, the receipt for a NAFTA annual permit is issued with a template on an original TxDOT letterhead through the regional offices. The border counties may use the template as an official receipt for an Annual Permit, or follow the workaround procedures for an official receipt. The receipt must be carried in the vehicle to which it was issued at all times during the period in which the permit is valid.
- V. A vehicle's registration with a NAFTA annual permit is indicated by the display of a white metal license plate with blue lettering and a red "TEXAS" legend. The words "ANNUAL PERMIT" appear above the letter/number sequence. Additionally, a validation sticker showing the words "Annual Registration Permit" is required to be displayed in the lower left corner of the windshield.
- VI. A NAFTA Annual Permit is issued in lieu of registration and is valid for a vehicle registration year to begin on the first day of a calendar month designated by the department and to end on the last day of the last calendar month of the registration year.
 - A. An applicant may increase the weight for which a vehicle is registered. To do so, the applicant must present the current NAFTA annual registration receipt along with a new Form VTR-29-NAFTA showing the new weight desired.
 - B. Applicants are not required to provide proof of Heavy Vehicle Use Tax if the vehicle weighs 55,000 pounds or more.
 - C. To secure a replacement NAFTA Annual Permit license plate or validation sticker, the owner must apply directly to the department in writing. Such a request must include a copy of the registration receipt and a replacement fee of \$5.30.
- VII. A NAFTA annual permit may not be issued for importing citrus fruit into this state from a foreign country, except for foreign export or processing for foreign export.
- VIII. A NAFTA annual permit may not be issued for a vehicle that has been apprehended for operating illegally.

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 or at one of the department's vehicle title and registration regional offices;*
 - (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;*
 - (3) *furnishing evidence of financial responsibility for the vehicle in a form listed under Section 502.153(c).*
- (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.
- (i) The department may:
 - (1) adopt rules to administer this section; and
 - (2) prescribe an application for a permit and other forms under this section.

I. A One-Trip Registration Permit may be issued for the temporary movement of an unladen vehicle which is subject to license by the State of Texas, but which is not authorized to travel on the public roads or highways of this State for lack of registration or for lack of reciprocity with the State or Country in which it is registered. The permit is valid for a period of fifteen days inclusive of the date of issuance, and the fee for this type of permit is \$5. The permits may be secured at any tax assessor-collector's office, the department in Austin, or at one of the department's Vehicle Titles and Registration Division Regional Offices.

A. The One-Trip Registration Permit, may be issued to both new and used vehicles.

B. A One-Trip Registration Permit shall not be issued for the movement of a laden commercial vehicle of any type, including luggage and utility trailers.

- 1. If a truck or truck tractor is operating in combination with an unladen trailer or semitrailer, both vehicles in the combination may display One-Trip Registration Permits.
- 2. A One-Trip Registration Permit may be issued to operate an unregistered passenger car, an unladen truck or truck tractor. (Commercial vehicles displaying One-Trip permits may not transport the owner's household goods.)
- 3. The One-Trip Registration Permit when issued to a bus shall be for the transit of the vehicle only; and the vehicle shall not, at the time of transit, be used for the transportation of any passenger or property whatsoever, for compensation or otherwise, unless the bus is operating under charter from another State or Country. Buses based in Texas when operated under charter must be registered with regular registration or must be operated with a 72-Hour Permit.
- 4. In no instance shall a One-Trip Registration Permit be issued for the movement of a "fixed" load vehicle, whether it be a conventional or an unconventional type of vehicle.

5. A commercial vehicle with a camper unit mounted thereon, whether permanently mounted or of the slide-in model, will not be considered as carrying a load and, therefore, may qualify for the issuance of One-Trip permits.
 6. A One-Trip Registration Permit may not be issued to a boat trailer if the trailer is transporting a boat.
- C. Proof of ownership is not a requirement when purchasing a One-Trip Permit.
 - D. Before the issuance of a One-Trip Permit, the applicant must present evidence of financial responsibility in the minimum amounts prescribed by the Texas Motor Vehicle Safety Responsibility Act.
 - E. When making application for a One-Trip Registration Permit, it is not necessary for the applicant to execute a separate application. The RTS Receipt is designed with the application contained on the receipt. By signing in the space provided on the back of the receipt, and checking the appropriate box, the applicant certifies that the vehicle will not carry any load and that the vehicle will not be operated in violation of the provisions of the law.
 - F. When completing the RTS One-Trip Registration event, the proper dates must be input and must also be shown on the matching cardboard tag.
 1. The pertinent information that is required on the cardboard tag (in ink) shall correspond to that information input and contained upon the license receipt. The receipt and tag may be postdated.
 2. A One-Trip Registration Permit is valid for one trip only between the point of origin and the point of destination and the intermediate point as set forth in the application and shown on the license receipt. An intermediate point must be shown for the purpose of establishing a definite route.
 - a. Either the point of origin or the point of destination must be within the State of Texas.
 - b. A One-Trip Registration Permit shall not be issued for a trip that both originates and terminates outside Texas.

Note: The movement of a vehicle on a One-Trip Registration Permit outside Texas is subject to the reciprocity laws and regulations of the state being traveled into or across. Therefore, the holder of a permit should contact the department or the authorities of those states through which travel is intended prior to departure.

3. The license receipt must be carried in the vehicle to which it was issued at the time the vehicle is in transit.
- G. A One-Trip Registration Permit cannot be issued for a vehicle that has been apprehended in this State for operating unregistered or with expired license plates. In such instances, the owner must purchase regular registration and pay a penalty equal to twenty percent of the applicable fee. (Refer to of Transportation Code Section 502.158.)
- II. A 30-Day Temporary Registration Permit offers more flexibility than the One-Trip Registration Permit. This permit is valid for a period of thirty days inclusive of the date of issuance. A vehicle operated on a 30-Day Temporary Registration Permit is not

restricted to a specific route (as required with One-Trip Permits). The permit is available for use on passenger vehicles, motorcycles, private buses, trailers and semitrailers with a gross weight not exceeding 10,000 pounds, and for light commercial vehicles not exceeding a manufacturer's rated carrying capacity of one ton. A commercial vehicle exceeding a rating of one ton is eligible for the permit provided the vehicle is operated unladen.

- A. The fee for a 30-Day Temporary Registration Permit is \$25. The permit may be secured at any tax assessor-collector's office or at one of the Vehicle Titles and Registration Division Regional Offices.
- B. When making application for a 30-Day Temporary Registration Permit, it will not be necessary for the applicant to execute a separate application. The RTS Receipt was designed to include the application as part of the receipt. By signing in the space provided on the back of the receipt and checking the appropriate box, the applicant certifies that the vehicle will not be operated in violation of the provisions of law.
- C. Proof of financial responsibility is a prerequisite to issuance of a 30-Day Temporary Registration Permit.
- D. When completing the RTS 30-Day Temporary Registration event, the proper dates must be input and must correspond with the information shown (in ink) on the cardboard tag. The receipt and tag may be postdated.
- E. A 30-Day Temporary Registration Permit cannot be issued for a vehicle that has been apprehended in this State for operating unregistered or with expired license plates. In such instances, the owner must purchase regular registration and pay a penalty equal to 20% of the applicable fee.
- F. 30-Day Temporary Registration Permits cannot be issued for the operation of a junked, salvage, or non-repairable vehicle.

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*
 - (2) *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.

I. A Temporary Nonresident License Receipt may be issued to out-of-state licensed vehicles for the movement of agricultural products produced in Texas and for the movement of machinery used to harvest the agricultural products.

A. A nonresident owner whose commercial vehicle is legally and currently registered in the owner's home state or country may qualify for Temporary Nonresident Permit, provided the vehicle is to be used for transporting farm products from their place of production in Texas to market, storage or railhead not more than 75 miles distance from the place of production; or the vehicle is to be used in the movement of machinery used to harvest the farm products.

1. Vehicles displaying valid permits may operate from various places of production within the State; however, each movement of products from a place of production is restricted to 75 miles.

2. A combine or other equipment used to harvest farm products may be transported on a vehicle to which a Temporary Nonresident Registration Permit has been issued.

3. The permit must be issued for sufficient weight to transport the heaviest gross load to be transported during the permit's validity by the nonresident.

B. The Weight Affidavit and Application for the Temporary Registration of a Nonresident Commercial Vehicle, Form VTR-52B, must be executed prior to the issuance of the permit. Only one copy of the Form VTR-52B is required, and the issuing county tax office shall retain the copy.

C. Each vehicle in a combination must have a separate permit. The permit fee is based on the gross weight of the vehicle and is computed by taking one twelfth of the annual fee as shown on the regular truck or trailer license fee schedule, as the case may be. Since a metal plate is not issued, the \$.30 reflectorization fee must be deducted from the amount shown on the fee schedule.

Note: The 11% diesel fee must be collected for trucks or truck tractors which have a manufacturer's rated carrying capacity exceeding two tons.

D. The verification of registration to be displayed on a permitted vehicle is a windshield sticker, Form 23A, which is required to be displayed in the lower right inside of the windshield during its validity. The reverse side of the sticker must be executed by the issuing agency, and care must be taken to insure that the sticker shows the same date of issuance and date of expiration as shown on the license receipt.

1. All vehicles in a combination must be issued permits for their applicable weights, and the sticker issued for each vehicle must be displayed on the inside lower right windshield of the power unit.
2. A vehicle to which a permit is being issued must be protected by Safety Responsibility Insurance in an amount not less than the minimum required by the Texas Motor Vehicle Safety Responsibility Act (Transportation Code Chapter 601).
3. A permitted vehicle must have a Texas Safety Inspection Sticker, unless the vehicle displays a current, valid safety inspection sticker from one of the following states:

Arkansas	Mississippi	Pennsylvania
Delaware	Missouri	Rhode Island
District of Columbia	Nebraska	South Carolina
Georgia	New Hampshire	Utah
Hawaii	New Jersey	Vermont
Louisiana	New York	Virginia
Maine	North Carolina	West Virginia
Massachusetts	Oklahoma	

The safety inspection sticker is not a prerequisite to the issuance of the permit.

4. The Temporary Nonresident Registration Permit is valid for a 30-day period, inclusive of the date of issuance.
- E. Such permits may not be issued to vehicles that have been apprehended for registration violations.
- F. Not more than three temporary registration permits may be issued to a nonresident owner during any single vehicle registration year. To operate a commercial vehicle in Texas after the expiration of the third permit, the nonresident must register the vehicle with regular Texas license plates or a Temporary 72-Hour Permit; and under no circumstances may Farm Truck License Plates be issued to the vehicles.
- II. A Nonresident Registration for Movement of Farm Products Produced Outside Texas License Receipt may be issued to out-of-state registered vehicles (without reciprocity) for the movement of farm products produced outside of Texas when the products are to be marketed or processed in Texas.
- A. A permit for the movement of foreign grown farm products may be issued to a nonresident owner whose vehicle displays current and legal registration from another State or Country, provided the vehicle so permitted is used solely for the movement of farm products produced outside of Texas but marketed or processed in Texas or

moved to points in Texas for shipment. The permit is not valid for more than 80 miles from the point of entry into Texas.

- B. The Affidavit and Application for the Movement of Farm Commodities Produced Outside of Texas by a Nonresident, Form 52C, must be executed prior to the issuance of the permit. Only one copy of the Form 52C is required, and the issuing office shall retain the copy.
- C. Each vehicle in a combination must have a separate permit. The permit fee is based on the gross weight of the vehicle and is computed by taking one-twelfth of the annual fee as shown on the regular truck or trailer license fee schedule, as the case may be. Since a metal license plate is not issued, the \$.30 reflectorization fee must be deducted from the amount shown on the fee schedule.

Note: The 11% diesel fee must be collected for trucks or truck tractors which have a manufacturer's rated carrying capacity exceeding two tons.

- D. The verification of registration to be displayed on the permitted vehicle is a windshield sticker, Form 22A, which is required to be displayed in the lower right inside of the windshield during its validity. Care must be taken when preparing the sticker to indicate the same date of issuance and date of expiration as shown on the license receipt.
 - 1. A vehicle to which a permit is being issued must be protected by Safety Responsibility Insurance in an amount not less than the minimum required by the Texas Motor Vehicle Safety Responsibility Act (Transportation Code Chapter 601).
 - 2. A permitted vehicle must have a Texas Safety Inspection Sticker, unless the vehicle displays a current, valid safety inspection sticker from one of the following states:

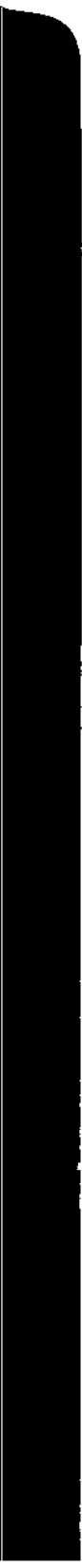
Arkansas	Mississippi	Pennsylvania
Delaware	Missouri	Rhode Island
District of Columbia	Nebraska	South Carolina
Georgia	New Hampshire	Utah
Hawaii	New Jersey	Vermont
Louisiana	New York	Virginia
Maine	North Carolina	West Virginia
Massachusetts	Oklahoma	

The safety inspection sticker is not a prerequisite to the issuance of the permit.

- 3. The Nonresident Registration Permit is valid for a 30-day period, inclusive of the date of issuance.
- 4. All vehicles in a combination must be issued a permit for their applicable weights, and the sticker issued for each vehicle must be displayed on the inside lower right windshield of the power unit.
- E. Such permits may not be issued to vehicles that have been apprehended for registration violations.

- F. After the expiration of the original permit, the nonresident owner may secure a second and third permit. To operate the commercial vehicle in Texas after the expiration of the third permit, the nonresident must register the vehicle with regular Texas license plates or a Temporary 72-Hour Permit. In such instances, Farm Truck License Plates may not be issued.

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Chapter 30

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SUBCHAPTER H. OFFENSES AND PENALTIES

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.*
- (b) This section does not apply to a violation of Section 502.003, 502.101, 502.109, 502.112, 502.113, 502.114, 502.152, 502.164, or 502.282.*
- (c) An offense under this section is a misdemeanor punishable by a fine not to exceed \$200.*

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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) Repealed by Acts 1997, 75th Leg., ch. 165, § 30.64, eff. Sept. 1, 1997.

- I. This is the statute that is most often applied in the case of registration violations because of its general wording. A vehicle that has not been registered as required by law is considered an unregistered vehicle.

Examples are:

- A. A vehicle operated with license plates purchased by the owner in a county other than the county of his residence.
 - B. A vehicle operated without any license plates.
 - C. A vehicle operated with expired license plates.
 - D. A vehicle owned by a Texas resident operated while displaying out-of-state license plates, unless the vehicle is titled under Transportation Code 501.0015 (Effect of Certain Military Service on Registration Requirement) which allows 90 days after the vehicle is returned to Texas before Texas registration is required.
 - E. A vehicle operated with fictitious or stolen license plates.
- II. Some sections of the registration law set forth penalties for specific violations. Several other laws apply to registration violations in general and are self-explanatory. A person in violation of one law may also be in violation of other laws. For example, a person operating a vehicle with expired license plates may be charged with violating the provisions of Transportation Code Section 502.402, (operating unregistered vehicle) and, of Transportation Code Section 502.407 (operating with expired license plates); and such person could be fined on both counts. Furthermore, such owner or operator would also be in violation of the Delinquency Statute, thus requiring 12 months of registration fees to be collected.

If a County Tax Assessor-Collector determines that there is a valid reason for the delinquent registration of a vehicle, they will register the vehicle for a 12-month period, establishing a new registration expiration month which will end on the last day of the 11th month following the month of registration (no Non-use Affidavit or penalty). If, however, the County Tax Assessor-Collector determines that there is not a valid reason for the delinquent registration of the vehicle, they will register the vehicle for a 12-month period without establishing a new registration period (no Non-use Affidavit or penalty).

If the operator of a vehicle has been apprehended, the operator will be required to register for a 12-month period without change to the initial month of registration and will be required to pay a penalty of 20% in addition to the regular registration fees.

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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.*

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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.*

- I. Registration for the forthcoming registration year may be during the month in which registration expires and during the month immediately preceding the expiration month. Each applicant for renewal of registration will have approximately sixty days in which to renew registration. License plates and/or validation stickers may be displayed as of the date the registrations are purchased.
- II. With respect to new, unregistered, and out-of-state miscellaneous type vehicles that have the established registration expiration date of March 31, if registration is applied for during January, February, or March, the tax collector should:
 - A. Issue only the forthcoming year's registration and collect the annual fee for the forthcoming year plus the fee for the balance of the current year.
 - B. Collect the thirty-cent reflectorization fee only once since only registration for the forthcoming year is issued.
- III. The 72nd Texas Legislature addressed the problem of validation sticker theft by enacting House Bill 225 which moves the validation sticker from the rear license plate to a more secure location - the inside of the front windshield on most vehicles. The first windshield validation sticker was issued in December of 1993 for registrations expiring in January of 1995.

- A. Windshield validation stickers are used to validate the registration of nearly all vehicles that have a windshield. Vehicles that are issued annual license plates will not receive a windshield validation sticker since the month and year of expiration is embossed on annual license plates. Windshield validation stickers will not be issued to: motorcycles (regardless of whether or not the motorcycle has a windshield), all trailer classifications, and motor vehicles which are not equipped with a windshield (such as “dune buggies” or “machinery”).
- B. License plate validation stickers will be issued to validate the registration of all motorcycles, trailers, and vehicles not equipped with a front windshield.
- C. The windshield validation sticker combines the month and year on one sticker. The sticker displays the year of expiration in large type with the months shown around the border. Upon issuance, the issuing office punches out the appropriate month of expiration. Registrants should be advised that the sticker will “VOID” if the registrant attempts to reposition the sticker once it has been firmly affixed to the windshield.
- D. The statute specifies that:

“...the symbol, tab, or device...shall be attached to the inside of the vehicle's windshield, if the vehicle is equipped with a windshield, within six inches of the place where the motor vehicle inspection sticker is required to be placed.”
- E. Many agencies and organizations have instructed vehicle owners to place that particular agency's or organization's parking sticker or other decal above the vehicle's Safety Inspection Sticker. In many instances, the vehicle owner has purchased the parking sticker and purchasing a replacement would be an inconvenience. Any parking stickers or organization decals should not be placed in the space required to display the motor vehicle windshield validation sticker.
- F. If the windshield validation sticker is lost, stolen or mutilated, a replacement windshield validation sticker may be obtained from the county tax assessor-collector for fee of \$5.30. This includes instances when the vehicle's windshield is replaced.

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.*

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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.*

- I. Three-wheel and four-wheel all-terrain vehicles used or to be used upon public property of this State are required to be registered with off-highway all-terrain vehicle registration.
 - A. The annual fee for the registration of an all-terrain vehicle is a flat fee of \$6.30. In addition to the registration fee, a \$6 all-terrain vehicle safety fee is required.
 - B. A special all-terrain vehicle registration sticker is issued for display on the handlebars of the vehicle or a location at the front of the vehicle so that the year of expiration and the registration number are visible. This sticker is an annual sticker expiring March 31st of each year.
 - C. All-terrain vehicles registered with Exempt License Plates by a State, county, or municipal exempt agency shall apply directly to the department (refer to Transportation Code Section 502.201).
- II. Counties utilizing a license receipt, which also serves as the registration certificate required by statute, issue an all-terrain vehicle registration sticker.
- III. A person operating an all-terrain vehicle on public property is required to carry an all-terrain vehicle safety certificate. This certificate is issued by the Texas Department of Public Safety and certifies that the operator has completed a Safety Education and Certification Program.
- IV. If, during the registration year the owner of an all-terrain vehicle wishes to sell the vehicle, it is transferred in the same manner as any vehicle displaying annual registration. It is not necessary to collect another all-terrain vehicle safety fee as this is an annual fee and is transferable. It is the responsibility of the purchaser to obtain the required safety certificate for operation of the all-terrain vehicle on public property.
- V. If an all-terrain vehicle registration sticker becomes lost, stolen, or mutilated, the owner may secure a replacement sticker from the tax collector in their county of residence for a fee of \$5.30.
- VI. Transportation Code Section 663.037 allows that the operator of an all-terrain vehicle may drive the vehicle on a public street, road, or highway that is not an interstate or limited access highway if:
 - A. the transportation is in connection with the production, cultivation, care, harvesting, preserving, drying, processing, canning, storing, handling, shipping, marketing,

selling, or use of agricultural products, as defined by Section 52.002, Agriculture Code;

- B. the operator attaches to the back of the vehicle on top of an eight-foot-long pole a triangular orange flag;
- C. the vehicle's headlights and taillights are illuminated;
- D. the operator holds a driver's license as defined by Transportation Code Section 521.001;
- E. the operation of the all-terrain vehicle occurs in the daytime; and
- F. the operation of the all-terrain vehicle does not exceed a distance of 25 miles from the point of origin to the destination.

Note: All-terrain vehicles covered by Section 663.037 are not required to display the ATV registration sticker.

Sec. 502.407. Operation of Vehicle With Expired License Plate.

- (a) *A person commits an offense if, after the fifth working 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.*

- I. A vehicle operated during the five working days grace period is not subject to the 20% delinquent penalty.
 - A. County offices may have different individual working days, due to holidays, local observances, etc.
 - B. Should an office be closed for a holiday or other reasons during the first five weekdays of a month, the county must determine:
 - 1. the number days the office has been open for business since the first of the month. Weekends are not included unless the county is open for normal business on Saturday or Sunday; and
 - 2. if the 20% penalty is applicable.
- II. The automatic 20% penalty will still be reflected in the registration and title system after the fifth calendar day of any month. If a customer requests a registration renewal or title transfer transaction after the fifth calendar day of the month, but within the fifth working day time period, the 20% penalty is removed by:
 - A. accessing the Registration Additional Info Screen (REG 039), and deselecting the Charge Penalty box if the penalty does not apply to a registration renewal; or
 - B. accessing the Title Additional Info Screen (TTL008), and deselecting the Charge Reg. Delinquent Penalty box if the penalty does not apply to a title transfer transaction.

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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.

Subsections (b) to (d) repealed by Acts 1997, 75th Leg., ch. 165, § 30.65, eff. Sept. 1, 1997.

- I. Any person who is apprehended for operating an unregistered vehicle or a vehicle with expired registration shall be subject to a fine in any sum not to exceed \$200. In addition, such person shall be required to purchase Texas registration and pay a penalty equal to 20% of the prescribed fee. The prescribed registration fee for such apprehended vehicles is as follows:
 - A. Texas titled vehicles retain the registration period originally assigned to them. If apprehended unregistered or with expired registration, the registration fee is to be collected for the entire year or from the date of transfer if the vehicle was transferred to the present owner within the current registration period. In such instances, the applicant is not eligible to sign a non-use affidavit since the vehicle has been operated.
 - B. New and out-of-state passenger cars, light trucks, motorcycles, farm trucks, farm trailers, travel trailers, and trailers and semitrailers registered with regular trailer license plates shall be registered from the date of apprehension for a 12-month period inclusive of the month in which the registration is to be issued.
 - C. New and out-of-state vehicles in the miscellaneous classifications with March 31 registration expiration dates shall be registered as of the date of apprehension through March 31 of the current registration period.

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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) Except as provided by Subsection (f), 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.

Subsections (c) to (e) repealed by Acts 1997, 75th Leg., ch. 165, § 30.66, eff. Sept. 1, 1997.

- (f) An offense under Subsection (a)(4) is a Class B misdemeanor.

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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) *Subsection (a) does not apply to a statement or application filed or given under Section 502.184, 502.253, 502.267, 502.281, 502.352, 502.353, 502.354, or 502.355.*
- (c) *An offense under this section is a felony of the third degree.*

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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.*

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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.*

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Chapter 31

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Chapter 503. Dealer's, Manufacturer's and Converter's Vehicle License Plates.

For dealer information, contact the Motor Vehicle Division at 512/416-4800 or 1/800/687-7846.

- I. House Bill 1790, 75th Texas Legislature, allows the department to establish and issue Personalized Prestige Dealer's License Plates. For information regarding the procedures for issuance of these plates, see Transportation Code Section 502.251.
- II. The Motor Vehicle Division may issue a special Manufacturer's License Plate to Texas licensed manufacturers who manufacturer or assemble new vehicles in this State. The license plates may be used only on newly manufactured unladen vehicles solely for testing the vehicles on the streets or highways of this state. Applicants for Manufacturer's License Plate should submit a completed Application for Manufacturer's License Plate, Form 47, together with the appropriate fee to the Motor Vehicle Division.
- III. House Bill 2539, 76th Texas Legislature, allows the Motor Vehicle Division to issue converter's license plates and converter's temporary cardboard tags to converters.
- IV. House Bill 2134, 77th Texas Legislature, made the registration and title processes more stringent with regards to emissions inspection requirements in affected counties. Therefore, Texas licensed motor vehicle dealers may no longer "dealer register" a used motor vehicle in the dealership's name prior to the sale of the vehicle.
- V. Texas Transportation Code Sections 503.061 and 503.062 provide for a dealer to display a Dealer's license plate or a Dealer's temporary cardboard tag on a vehicle with Texas multi-year license plates that have not been validated for the current registration period. Current Texas registration is not required prior to the sale of a vehicle.
- VI. Dealers who wish to secure Texas license plates for new vehicles covered by manufacturer's certificates or for used vehicles covered by U.S. Government Form 97 or out-of-state evidence of ownership must apply for Texas Certificate of Title in their dealership name at the time of registration.

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SUBCHAPTER A. GENERAL PROVISIONS

Sec. 503.005. Notice of Sale or Transfer.

(a) *A manufacturer or dealer shall immediately notify the department if the manufacturer or dealer transfers, including by sale or lease, a motor vehicle, trailer, or semitrailer to a person other than a manufacturer or dealer.*

(b) *The notice must be in writing using the form provided by the department and must include:*

(1) *the date of the transfer;*

(2) *the names and addresses of the transferor and transferee; and*

(3) *a description of the vehicle.*

- I. A dealer is required to notify the department upon transferring a vehicle to a retail purchaser. Notification shall be an Application for Certificate of Title in the name of the retail purchaser filed with the appropriate County Tax Assessor-Collector as provided by law.
- II. Upon the sale of a motor vehicle by a licensed Texas motor vehicle dealer, the selling dealer is required to complete and file all documents necessary to transfer title to the motor vehicle and/or register the motor vehicle in the name of the purchaser, as well as collect and remit any applicable sales tax, title and registration fees to the appropriate County Tax Assessor-Collector.

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Chapter 32

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CHAPTER 520. MISCELLANEOUS PROVISIONS
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 520.001. Definition.

In this chapter, "department" means the Texas Department of Transportation.

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Sec. 520.002. Lease of Additional Computer Equipment.

- (a) *This section applies only to the lease of equipment to a county for the operation of the automated registration and title system in addition to the equipment provided by the department at no cost to the county under a formula prescribed by the department.*
- (b) *On the request of the tax assessor-collector of a county, the department may enter into an agreement with the commissioners court of that county under which the department leases additional equipment to the county for the use of the tax assessor-collector in operating the automated registration and title system in that county.*
- (c) *A county may install equipment leased under this section at offices of the county or of an agent of the county.*
- (d) *Equipment leased under this section:*
 - (1) *remains the property of the department; and*
 - (2) *must be used primarily for the automated registration and title system.*

Under the agreement, the department shall charge the county an amount not less than the amount of the cost to the department to provide the additional equipment and any related services under the lease. All money collected under the lease shall be deposited to the credit of the state highway fund.

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Chapter 33

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SUBCHAPTER B. MOTOR NUMBER RECORD REQUIREMENTS

Sec. 520.011. Motor Number Required for Vehicle Registration; Penalty.

- (a) A person may not apply to the county assessor-collector for the registration of a motor vehicle from which the original motor number has been removed, erased, or destroyed until the motor vehicle bears the motor number assigned by the department.*
- (b) A person commits an offense if the person violates this section. An offense under this subsection is a misdemeanor punishable by a fine of not less than \$50 and not more than \$100.*

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Sec. 520.012. Application for Motor Number Record; Penalty.

- (a) *To obtain a motor number assigned by the department, the owner of a motor vehicle that has had the original motor number removed, erased, or destroyed must file a sworn application with the department.*
- (b) *The department shall maintain a separate register for recording each motor number assigned by the department. For each motor number assigned by the department, the record must indicate:*
 - (1) *the motor number assigned by the department;*
 - (2) *the name and address of the owner of the motor vehicle; and*
 - (3) *the make, model, and year of manufacture of the motor vehicle.*
- (c) *A person who fails to comply with this section commits an offense. An offense under this subsection is a misdemeanor punishable by a fine of not less than \$10 and not more than \$100.*

If an assigned vehicle identification number or motor number is required for a vehicle, the Application For Assigned Vehicle Identification Number, Form VTR-68-A, together with a fee of \$2 and evidence of ownership should be submitted to the department. (For a complete discussion of assigned numbers, refer to the Certificate of Title Manual.)

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Sec. 520.013. Presentation of Motor Number Receipt Required; Penalty.

- (a) A person who receives a motor number from the department shall present the receipt received from the department for the assignment of the motor number to the county assessor-collector when the person applies for the registration of the motor vehicle.*
- (b) A person commits an offense if the person violates this section. An offense under this subsection is a misdemeanor punishable by a fine of not less than \$10 and not more than \$50.*

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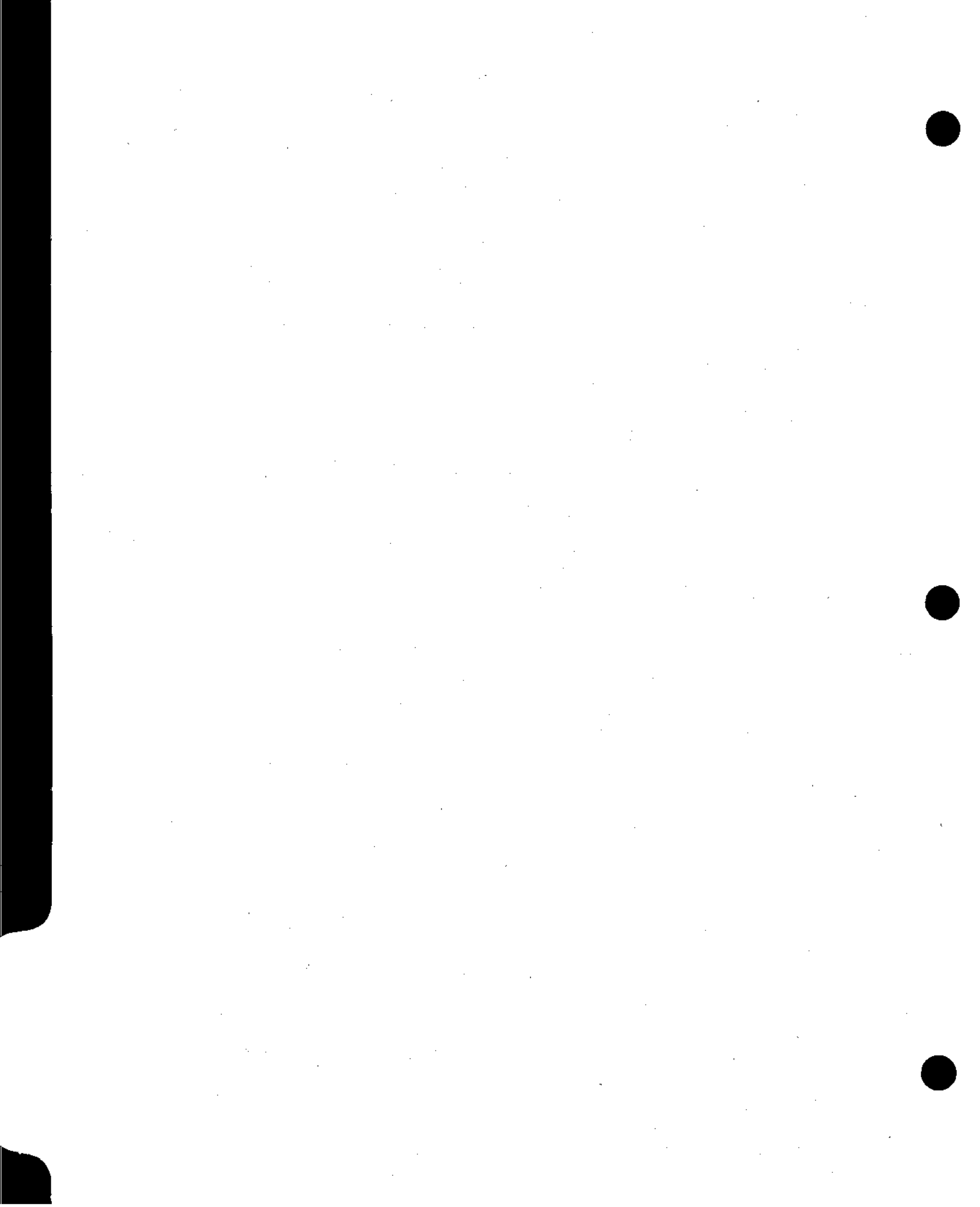
Sec. 520.014. Violation by County Assessor-Collector; Penalty.

(a) A county assessor-collector commits an offense if the county assessor-collector knowingly accepts an application for the registration of a motor vehicle that:

- (1) has had the original motor number removed, erased, or destroyed; and*
- (2) does not bear a motor number assigned by the department.*

(b) An offense under this section is a misdemeanor punishable by a fine of not less than \$10 and not more than \$50.

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Chapter 34

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SUBCHAPTER C. GENERAL REQUIREMENTS RELATING TO TRANSFERS OF USED MOTOR VEHICLES

Sec. 520.021. Current Registration Required.

A person, whether acting for that person or another, may not sell, trade, or otherwise transfer a used vehicle required to be registered under the law of this state unless at the time of delivery the vehicle is registered in this state.

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Sec. 520.022. Delivery of Receipt and Title to Transferee; Penalty.

- (a) *A person, whether acting for that person or another, who sells, trades, or otherwise transfers a used motor vehicle shall deliver to the transferee at the time of delivery of the vehicle:*
- (1) *the license receipt issued by the department for registration of the vehicle if the vehicle is required to be registered at the time of the delivery; and*
 - (2) *a properly assigned certificate of title or other evidence of title as required under Chapter 501.*
- (b) *A person commits an offense if the person violates this section. An offense under this subsection is a misdemeanor punishable by a fine not to exceed \$200.*

- I. When a used or secondhand vehicle is transferred, the seller is required to furnish the purchaser with a copy of the current license receipt issued and the properly assigned certificate of title.
- II. In the event a used or secondhand vehicle is purchased unregistered, such purchaser (whether an individual, dealer, or subsequent retail purchaser) should not be required to pay registration fees back to the date of such sale. In such instances, the registration receipt shall be issued in the name of the person applying for title; and the registration fee shall only be collected as of the date the application for title is filed for the balance of the registration period previously assigned to that particular vehicle.
- III. Under certain conditions, a motor vehicle may be titled without being registered. Refer to Sec. 502.022 (II) in this Manual.

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Sec. 520.0225. Persons on Active Duty in Armed Forces of United States

- (a) *This section applies only to a used motor vehicle that is owned by a person who:*
 - (1) *is on active duty in the armed forces of the United States;*
 - (2) *is stationed in or has been assigned to another nation under military orders; and*
 - (3) *has registered the vehicle or been issued a license for the vehicle under the applicable status of forces agreement by:*
 - (A) *the appropriate branch of the armed forces of the United States; or*
 - (B) *the nation in which the person is stationed or to which the person has been assigned.*
- (b) *The requirement in Section 520.021 that a used vehicle be registered under the law of this state does not apply to a vehicle described by Subsection (a). In lieu of delivering the license receipt to the transferee of the vehicle, as required by Section 520.022, the person selling, trading, or otherwise transferring a used motor vehicle described by Subsection (a) shall deliver to the transferee:*
 - (1) *a letter written on official letterhead by the owner's unit commander attesting to the registration of the vehicle under Subsection (a)(3); or*
 - (2) *the registration receipt issued by the appropriate branch of the armed forces or host nation.*
- (c) *A registration receipt issued by a host nation that is not written in the English language must be accompanied by:*
 - (1) *a written translation of the registration receipt in English; and*
 - (2) *an affidavit, in English and signed by the person translating the registration receipt, attesting to the person's ability to translate the registration receipt into English.*

This law provides that under specific circumstances, persons that are on active duty in the armed forces may apply for a Texas Certificate of Title without obtaining Texas registration.

- I. In addition to the negotiable evidence of ownership that must be surrendered in support of the Texas Certificate of Title, the applicant must meet the following requirements:
 - A. The applicant must be a Texas resident.
 - B. The applicant must be on active duty in the armed forces of the United States.
 - C. The applicant must be stationed in or be assigned to another nation under military orders.

The applicant must have registered the vehicle or been issued a license for the vehicle under the applicable status of forces agreement by the appropriate branch of the armed forces of the United States; or have registered the vehicle or been issued a license for the vehicle by the nation in which the person is stationed or to which the person has been assigned.

- II. The proof of the current registration must be evidenced by either a letter written on official letterhead by the owner's unit commander attesting to the registration of the

- vehicle (applicable status of forces agreement) or a registration receipt issued by the appropriate branch of the armed forces or host nation.
- III. A registration receipt not written in English must be accompanied by a written translation in English with a signed affidavit by the translator attesting to their ability to translate the receipt into English.
 - IV. The registration or license issued by the armed forces or host nation will remain valid and the motor vehicle may be operated for 90 days after the vehicle is returned to Texas. (Transportation Code Section 502.0025.)

Sec. 520.023. Powers and Duties of Department on Transfer of Used Vehicle.

- (a) *On receipt of a written notice of transfer from the transferor of a motor vehicle, the department shall indicate the transfer on the motor vehicle records maintained by the department.*
- (b) *The department may design the written notice of transfer to be part of the certificate of title for the vehicle. The form shall be provided by the department and must include a place for the transferor to state:*
 - (1) *the vehicle identification number of the vehicle;*
 - (2) *the number of the license plate issued to the vehicle, if any;*
 - (3) *the full name and address of the transferor;*
 - (4) *the full name and address of the transferee;*
 - (5) *the date the transferor delivered possession of the vehicle to the transferee;*
 - (6) *the signature of the transferor; and*
 - (7) *the date the transferor signed the form.*
- (c) *After the date of the transfer of the vehicle shown on the records of the department, the transferee of the vehicle shown on the records is rebuttably presumed to be:*
 - (1) *the owner of the vehicle; and*
 - (2) *subject to civil and criminal liability arising out of the use, operation, or abandonment of the vehicle, to the extent that ownership of the vehicle subjects the owner of the vehicle to criminal or civil liability under another provision of law.*
- (d) *The department may adopt:*
 - (1) *rules to implement this section; and*
 - (2) *a fee for filing a notice of transfer under this section in an amount not to exceed the lesser of the actual cost to the department of implementing this section or \$5.*
- (e) *This section does not impose or establish civil or criminal liability on the owner of a motor vehicle who transfers ownership of the vehicle but does not disclose the transfer to the department.*
- (f) *This section does not require the department to issue a certificate of title to a person shown on a notice of transfer as the transferee of a motor vehicle. The department may not issue a certificate of title for the vehicle until the transferee applies to the county assessor-collector as provided by Chapter 501.*

I. When a vehicle is sold or transferred, the recorded owner(s), as shown on the Texas Certificate of Title, may make notification to the department by completing Texas Motor Vehicle Transfer Notification, Form VTR-346. All requested information **MUST** be complete. A recorded owner may also submit a written request to the department to mark its records to indicate the transfer. A written request must include all information required in Subsection (b) above. A fee of \$5.00 must accompany a vehicle transfer

notification, executed on or after April 1, 1996. Vehicle Transfer notifications should be mailed to the following address:

Vehicle Titles and Registration Division
Texas Department of Transportation
P.O. Box 13175
Austin, Texas 78711-3175

- II. Upon receipt of a Texas Motor Vehicle Transfer Notification form or written request, properly completed by the recorded owner(s), the department shall mark the vehicle record to indicate the transfer by including the date of transfer, and the notation "Vehicle Transferred". The department will also maintain records of notification of transfer in order to provide the name and address of the purchaser/transferee, as disclosed on the notification or transfer, upon request.

The motor vehicle title record will remain in the name of the last recorded owner(s) until a properly executed application for title is filed through a county tax assessor-collector's office by the transferee and the certificate of title is issued by the department.

Note: In addition to the aforementioned means of notification, the Form 30-C, Texas Certificate of Title and Form 30-CCO, Certified Copy of Texas Title, has been revised to include a Texas Motor Vehicle Transfer Notification Form on the tear-off mail tab. A recorded owner may make notification on the transfer to the department by completing the form and submitting it to the department with the \$5.00 fee.



Chapter 35

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SUBCHAPTER D. TRANSFER OF TITLE AND REGISTRATION OF USED VEHICLE

Sec. 520.031. Filing by Transferee; Application for Transfer of Title and Registration.

- (a) *Not later than the 20th working day after the date of receiving the documents under Section 520.022 or 520.0225, the transferee of the used motor vehicle shall file with the county assessor-collector:*
 - (1) *each document received under that section; or*
 - (2) *if appropriate, a document described by Section 520.0225(b)(1) or (2) and the certificate of title or other evidence of title.*
- (b) *The filing under Subsection (a) is an application for transfer of title as required under Chapter 501, and if the license receipt is filed, and an application for transfer of the registration of the motor vehicle.*
- (c) *In this section, "working day" means any day other than a Saturday, a Sunday, or a holiday on which county offices are closed.*

Note: HB 2409 and HB 2743, 76th Legislative Session, 1999, both amended Sec. 520.031. Neither bill changed the other bill's intent. HB 2409 amended the section to delete the license receipt requirement. HB 2743 amended the section to exempt the requirement of Texas registration with appropriate proof of military registration under Sec. 520.0225.

- I. Whenever a currently registered Texas titled vehicle is sold, the registration of such vehicle must be transferred if the vehicle is required to be registered. The receipt will record the registration as being transferred to the current owner, whose name appears on the application for title, from the previous owner, whose name appears as seller on the assignment to such applicant. Only one receipt should be issued with each transaction; therefore, if the vehicle is transferred through one or more dealers, such intervening dealer transfers should be disregarded except for the final transfer to the applicant. If a dealer titles a currently registered vehicle, the registration should be transferred to the dealer.

It should be understood that even though intervening dealer transfers do not require a transfer of registration into the name of such dealer(s), this does not, in any manner, exempt dealers from the provisions of the Certificate of Title Act, Transportation Code, Chapter 501 requiring title assignment into and out of their respective names when used or secondhand vehicles are purchased and sold.

- A. A transfer of registration is not required if a vehicle is purchased unregistered. In such instances, the registration fee should be collected as of the date the application for title is filed for the balance of the registration year previously assigned to the vehicle if the vehicle is required to be registered.
- B. The weight shown for the vehicle should correspond with the weight shown on the original license receipt.
- C. The fee for the transfer of registration is \$2.50. The county retains one-half of all transfer fees and the other half is reported to the department.

- D. If a license receipt has been issued in error (wrong license number, wrong month or year of expiration, etc.), the errors should be corrected using the RTS "Modify" event or by contacting the Vehicle Data Management Branch in Austin.
 - E. A transfer receipt is, also, used to transfer the registration of a vehicle which must be registered but which is not subject to the title law, such as trailers less than 4,000 lbs.
- II. Anytime an application for transfer of title is filed within two months prior to a vehicle's registration expiration date, the applicant should be encouraged to renew the vehicle's registration for the forthcoming year at the time such application is filed. This will eliminate the necessity for the applicant to return to the tax office and register the vehicle without the aid of a renewal notice.
- III. An applicant may designate a new registration expiration month at the time of title application and registration transfer only under certain circumstances. Refer to Section 502.1585 in this Manual for a detailed explanation.

Sec. 520.032. Transfer Fee; Late Fee.

- (a) The transferee of a used motor vehicle shall pay, in addition to any fee required under Chapter 501 for the transfer of title, a transfer fee of \$2.50 for the transfer of the registration of the motor vehicle.*
- (b) If the transferee does not file the application during the period provided by Section 520.031, the transferee is liable for a \$10 late fee to be paid to the county assessor-collector when the application is filed.*
- (c) The county assessor-collector and the surety on the county assessor-collector's bond are liable for the late fee if the county assessor-collector does not collect the late fee.*

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Sec. 520.033. Allocation of Fees.

- (a) The county assessor-collector may retain as commission for services provided under this subchapter half of each transfer fee collected and half of each late fee collected under Section 520.032.*
- (b) The county assessor-collector shall report and remit the balance of the fees collected to the department on Monday of each week as other registration fees are required to be reported and remitted.*

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Sec. 520.034. Processing of Application; Rules.

- (a) On receipt of an application for the transfer of a certificate of title and registration, the county assessor-collector shall process the application for transfer of title as provided under Chapter 501, and the department shall issue a transfer of registration receipt when the department receives the application for transfer of registration.*
- (b) The department may adopt rules and prescribe forms to implement this subchapter.*

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Sec. 520.035. Execution of Transfer Documents; Penalty.

- (a) *A person who transfers a motor vehicle in this state shall execute in full and date as of the date of the transfer all documents relating to the transfer of registration or certificate of title. A person who transfers a vehicle commits an offense if the person fails to execute the documents in full.*
- (b) *A person commits an offense if the person:*
 - (1) *accepts a document described by Subsection (a) that does not contain all of the required information; or*
 - (2) *alters or mutilates such a document.*
- (c) *An offense under this section is a misdemeanor punishable by a fine of not less than \$50 and not more than \$200.*

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Sec. 520.036. General Penalty.

- (a) A person commits an offense if the person violates this subchapter in a manner for which a specific penalty is not provided.*
- (b) An offense under this section is a misdemeanor punishable by a fine of not less than \$50 and not more than \$200.*

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Chapter 36

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**SUBTITLE D MOTOR VEHICLE SAFETY RESPONSIBILITY
CHAPTER 601. TEXAS MOTOR VEHICLE SAFETY RESPONSIBILITY ACT**

Sec. 601.152. Suspension of Driver's License and Vehicle Registration or Privilege.

(a) Subject to Section 601.153, the department shall suspend the driver's license and vehicle registrations of the owner and operator of a motor vehicle if:

- (1) the vehicle is involved in any manner in an accident; and*
- (2) the department finds that there is a reasonable probability that a judgement will be rendered against the person as a result of the accident.*

(b) If the owner or operator is a nonresident, the department shall suspend the person's nonresident operating privilege and the privilege of use of any motor vehicle owned by the nonresident.

- I. The Safety Responsibility Act provides that a person shall give proof of ability to respond in damages for accidents occurring after the effective date of such proof, arising out of the ownership, maintenance, or use of a motor vehicle. This Act is administered by the Department of Public Safety.
- II. The Vehicle Titles and Registration Division maintains the only complete records of registration and title on motor vehicles in the State. Such records must be available to record the suspension of registration and title. In the event the Department of Public Safety suspends the registration of any motor vehicle, such suspension automatically suspends the title. The notation "DPS Safety Suspension" shall be recorded in that vehicle's master record, which is stored in the department's computer system.
 - A. If a vehicle record contains the notation "DPS Safety Suspension," renewal of registration cannot be processed. The vehicle owner should be directed to contact the Department of Public Safety, Safety Responsibility.
 - B. If a person purchases a motor vehicle with the safety suspension notation, the person may file an application for title supported by an assigned Texas title along with a properly executed Safety Responsibility Affidavit, Form SR39, which states they have acquired the vehicle in good faith for their own use and benefit, and not for the purpose of aiding the prior registered owner, either directly or indirectly, to defeat the purpose of the Texas Safety Responsibility Act. The SR case number should be recorded on the form, but the department will not reject the transaction if it is not shown.
 - C. If a motor vehicle on which a suspension has been placed was transferred prior to the date of suspension, an application for title on such vehicle may be accepted if the transaction is in proper order.
 - D. Any transfer of a motor vehicle by operation of law (repossession affidavit, court order, affidavit of heirship, sheriff's bill of sale, etc.) will automatically lift the suspension against the motor vehicle.

- E. An application for corrected certificate of title (no transfer of ownership involved) may be filed on a motor vehicle that has a Safety Responsibility Suspension against it.
- F. A Certified Copy of Texas Title may be issued on a suspended vehicle.
- G. If a motor vehicle that has been suspended is transferred, the applicant may secure a duplicate license receipt from the county in which the vehicle was registered, is being registered, or from the department.
 - 1. A request to the department for a duplicate license receipt should be supported by the papers showing transfer by operation of law (such as repossession affidavit, or affidavit of heirship) or innocent purchaser's affidavit, Form SR39. When the receipt is issued, the surrendered papers will be returned to the applicant to be attached later to the application for title.
 - 2. In the event current license plates have been removed, the applicant may secure a set of replacement plates from the county tax collector. These provisions are necessary because the registration receipt and the license plates on any suspended vehicle are required to be surrendered to the Department of Public Safety.



Chapter 37

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SUBTITLE E. VEHICLE SIZE AND WEIGHT
CHAPTER 621. GENERAL PROVISIONS RELATING TO VEHICLE SIZE AND WEIGHT

Sec. 621.001. Definitions.

In this chapter:

- (1) "Commercial motor vehicle" means a motor vehicle, other than a motorcycle, designed or used for:
 - (A) the transportation of property; or
 - (B) delivery purposes.
- (2) "Commission" means the Texas Transportation Commission.
- (3) "Department" means the Texas Department of Transportation.
- (4) "Director" means the executive director of the Texas Department of Transportation.
- (5) "Motor vehicle" means a vehicle that is self-propelled.
- (6) "Semitrailer" means a vehicle without motive power that is designed, or used with a motor vehicle, so that some of its weight and the weight of its load rests on or is carried by the motor vehicle.
- (7) "Trailer" means a vehicle without motive power that is:
 - (A) designed or used to carry property or passengers on its own structure exclusively; and
 - (B) drawn by a motor vehicle.
- (8) "Truck-tractor" means a motor vehicle designed or used primarily for drawing another vehicle:
 - (A) that is not constructed to carry a load other than a part of the weight of the vehicle and load being drawn; or
 - (B) that is engaged with a semitrailer in the transportation of automobiles or boats and that transports the automobiles or boats on part of the truck-tractor.
- (9) "Vehicle" means a mechanical device, other than a device moved by human power or used exclusively upon stationary rails or tracks, in, on, or by which a person or property can be transported on a public highway. The term includes a motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semitrailer but does not include manufactured housing as defined by the Texas Manufactured Housing Standards Act (Article 5221f, Vernon's Texas Civil Statutes).
- (10) "Single axle weight" means the total weight transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle.
- (11) "Tandem axle weight" means the total weight transmitted to the road by two or more consecutive axles whose centers may be included between parallel

transverse vertical planes spaced more than 40 inches and not more than 96 inches apart, extending across the full width of the vehicle.

Sec. 621.002. Vehicle Registration Receipt for Certain Heavy Vehicles.

- (a) *A copy of the registration receipt issued under Section 502.178 for a commercial motor vehicle, truck-tractor, trailer, or semitrailer shall be:*
 - (1) *carried on the vehicle when the vehicle is on a public highway; and*
 - (2) *presented to an officer authorized to enforce this chapter on request of the officer.*
- (b) *A copy of the registration receipt is:*
 - (1) *admissible in evidence in any cause in which the gross registered weight of the vehicle is an issue; and*
 - (2) *prima facie evidence of the gross weight for which the vehicle is registered.*

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Sec. 621.003. Reciprocal Agreement With Another State for Issuance of Permits.

- (a) *The commission by rule may authorize the director to enter into with the proper authority of another state an agreement that authorizes:*
 - (1) *the authority of the other state to issue on behalf of the department to the owner or operator of a vehicle, or combination of vehicles, that exceeds the weight or size limits allowed by this state a permit that authorizes the operation or transportation on a highway in this state of the vehicle or combination of vehicles; and*
 - (2) *the department to issue on behalf of the authority of the other state to the owner or operator of a vehicle, or combination of vehicles, that exceeds the weight or size limits allowed by that state a permit that authorizes the operation or transportation on a highway of that state of the vehicle or combination of vehicles.*
- (b) *A permit issued by the authority of another state under an agreement entered into under this section has the same validity in this state as a permit issued by the department.*
- (c) *The holder of a permit issued by the authority of another state under an agreement entered into under this section is subject to all applicable laws of this state and rules of the department.*
- (d) *The department may contract with a third party to act as the department's agent in the processing of a permit application and the distribution of permit issued by the department under this section.*
- (e) *An agreement entered into under this section may provide for a third party to act as the agent of each state in the processing of a permit application and the distribution of a permit issued by a state under this section.*

Relating to Circus and Carnival Vehicles, no reciprocity shall be granted to owners and operators of vehicles owned or used in connection with circus and carnival activities if the owners or operators of such vehicles are residents of this State. If the circus or carnival "winters" here, they are considered residents of this State for registration purposes.

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Sec. 621.201. Maximum Width.

- (a) *The total width of a vehicle operated on a public highway other than a vehicle to which Subsection (b) applies, including a load on the vehicle but excluding any safety device determined by the United States Department of Transportation or the Texas Department of Public Safety to be necessary for the safe and efficient operation of motor vehicles of that type, may not be greater than 102 inches.*
- (b) *The total width of a passenger vehicle and its load may not be greater than eight feet. This subsection does not apply to a motor bus or trolley bus operated exclusively in the territory of a municipality, in suburbs contiguous to the municipality, or in the county in which the municipality is located.*
- (c) *A passenger vehicle may not carry a load extending more than three inches beyond the left side line of its fenders or more than six inches beyond the right side line of its fenders.*

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Sec. 621.355. Distribution of Fees for Registration of Additional Weight.

- (a) If an operator or owner is required to pay for registration of additional weight under Section 621.406 in a county other than the county in which the owner resides, the assessor-collector of the county in which the payment is made shall send the amount collected to the department for deposit to the credit of the state highway fund.*
- (b) The department shall send the county's share of the amount collected under Section 621.406 to the county in which the owner resides.*

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Sec. 621.406. Additional Gross Weight Registration.

- (a) *If the gross weight of the motor vehicle is not heavier than the maximum gross weight allowed for the vehicle but is heavier than the registered gross weight for the vehicle, the weight enforcement officer shall require the operator or owner of the vehicle to apply to the nearest available county assessor-collector to increase the gross weight for which the vehicle is registered to a weight equal to or heavier than the gross weight of the vehicle before the operator or owner may proceed.*
- (b) *The vehicle may not be operated further over the public highways or roads of the state until the registered gross weight of the vehicle has been increased as required by Subsection (a) unless the load consists of livestock or perishable merchandise, in which event the operator or owner may proceed with the vehicle in the direction of the vehicle's destination to the nearest practical location at which the vehicle's load can be protected from damage or destruction before increasing the registered weight.*
- (c) *If an operator or owner is found to be carrying a load that is heavier than the load allowed for the registered gross weight of the vehicle, the operator or owner shall pay for the registration of the additional weight for the entire period for which the vehicle is registered without regard to whether the owner or operator has been carrying similar loads from the date of purchase of the vehicle's current license registration for that registration period.*

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Chapter 38

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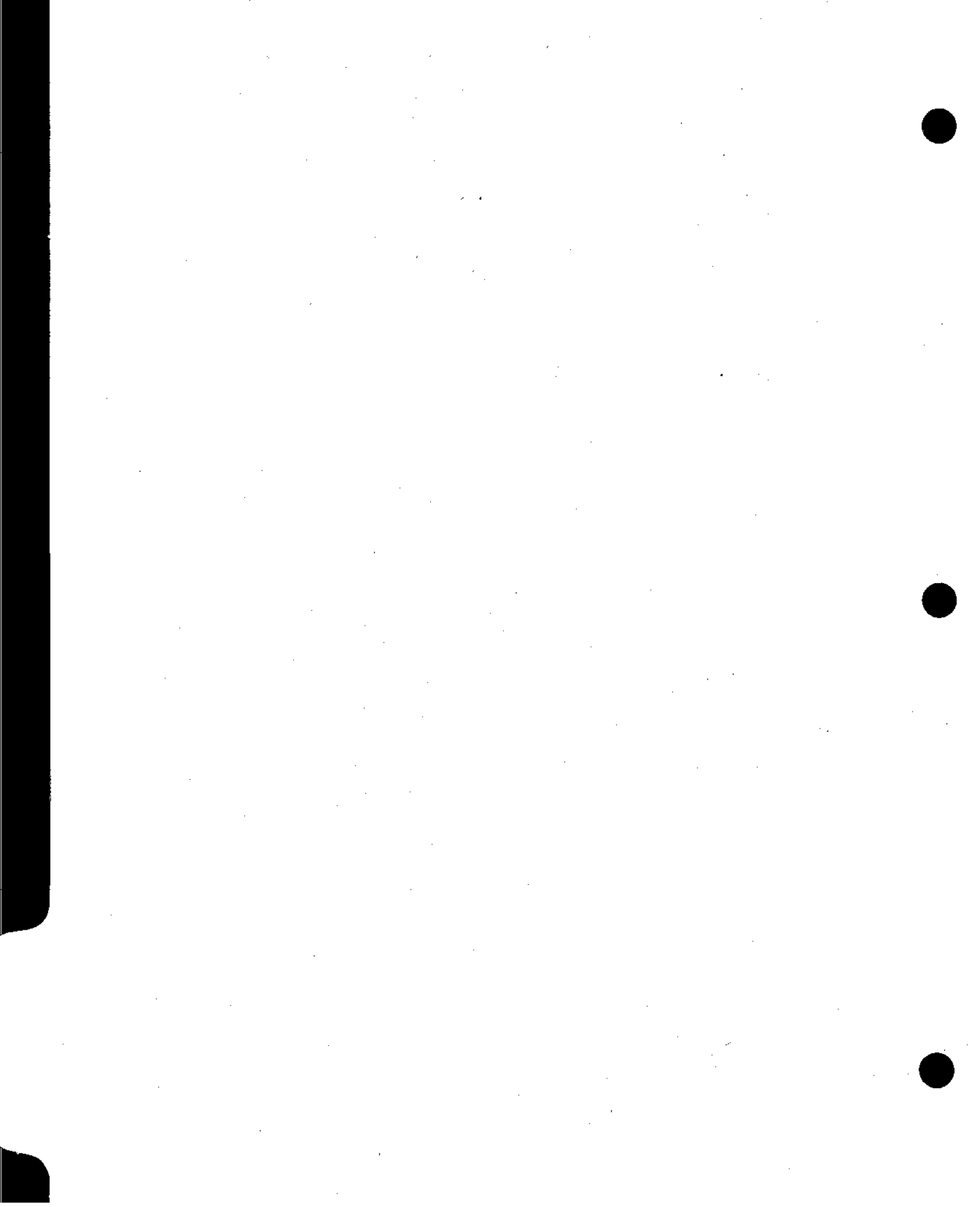
SUBTITLE E. VEHICLE SIZE AND WEIGHT
CHAPTER 622. MISCELLANEOUS SIZE EXCEPTIONS

Sec. 622.901. Width Exceptions.

The width limitation provided by Section 621.201 does not apply to:

- (1) *highway building or maintenance machinery that is traveling:*
 - (A) *during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or*
 - (B) *for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;*
- (2) *a vehicle traveling during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways or traveling for not more than 50 miles on a highway that is part of the national system of interstate and defense highways if the vehicle is:*
 - (A) *a farm tractor or implement of husbandry; or*
 - (B) *a vehicle on which a farm tractor or implement of husbandry, other than a tractor or implement being transported from one dealer to another, is being moved by the owner of the tractor or implement or by an agent or employee of the owner:*
 - (i) *to deliver the tractor or implement to a new owner;*
 - (ii) *to transport the tractor or implement to or from a mechanic for maintenance or repair; or*
 - (iii) *in the course of an agricultural operation;*
- (3) *machinery that is used solely for drilling water well, including machinery that is a unit or a unit mounted on a conventional vehicle or chassis, and that is traveling:*
 - (A) *during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or*
 - (B) *for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;*
- (4) *a vehicle owned or operated by a public, private, or volunteer fire department; or*
- (5) *a vehicle registered under Section 502.164.*

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CHAPTER 623. PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES SUBCHAPTER G. OIL WELL SERVICING AND DRILLING MACHINERY

Sec. 623.141. Optional Procedure.

This subchapter provides an optional procedure for the issuance of a permit for the movement of oversize or overweight oil well servicing or oil well drilling machinery and equipment.

- I. Oversize or overweight (with a gross weight of over 80,000 lbs.) vehicles may qualify for a special distinguishing \$5.30 Permit Plate. These vehicle types include:
 - A. Vehicles used in oil well servicing, old well clean out, and/or oil well drilling and constructed as a machine consisting, in general, of a mast, an engine for power, a draw works, and a chassis permanently constructed or assembled for such purpose or purposes.
 - B. A Mobile Crane, which is an unladen, self-propelled vehicle constructed as a machine and used solely to raise, shift, or lower heavy weights by means of a projecting, swinging mast with an engine for power on a chassis permanently constructed or assembled for such purposes.
 1. In all instances, when a Permit License Plate is issued, the owner should be informed that the operation of such vehicle is prohibited on the highways of this State unless the owner also has, in addition to the Permit Plate, a special time or trip permit. The Motor Carrier Division of the Department of Transportation will issue these special permits.
 2. A Texas Certificate of Title cannot be issued on a vehicle licensed under a Permit License Plate. If a lien needs to be recorded, it can be handled through the Uniform Commercial Code Section of the Secretary of State's Office. However, oil well servicing vehicles registered with regular commercial registration must be titled.
- II. Permit License Plates are multi-year license plates issued on a staggered basis. Application for a Permit License Plate is made on Form VTR-67.
 - A. A photograph of the vehicle must be attached to the Form VTR-67 and submitted to the Vehicle Titles and Registration Division in Austin.
 - B. If the application is approved, it will be returned to the applicant with an approval letter advising the owner to contact the County Tax Assessor-Collector to purchase the \$5.30 Permit License Plate. The license plate will be invoiced and mailed to the County Tax Assessor-Collector with a copy of the approval letter.
 - C. Permit License Plates are not transferable. The new owner(s) must apply for new Permit plates. The old Permit License Plates belonging to the previous owner should be surrendered to the tax office for disposal.
 - D. If a vehicle for which the department has authorized the issuance of a Permit License Plate is currently registered with regular registration or Machinery License Plates, the Permit License Plate may be issued on an exchange basis at a cost of \$.30 to cover the cost of reflectorization. As in the case of other exchanges, the license plates and receipts must be surrendered for cancellation. The license number of the plate being

surrendered must be shown as an exchange on the permit license receipt. No refunds will be authorized for license fees previously paid.

- E. Each year the department will mail a renewal notice to each vehicle owner who has a current Permit License Plate. The renewal form will have the appropriate renewal fee preprinted thereon. To renew the plates the owner should present the form to the county tax office with the proper fee.
- F. If a Permit License Plate becomes lost, stolen, or mutilated, a new replacement plate may be issued for the fee of \$5.30, provided the owner executes a Replacement application and surrenders the current year's license receipt.

If an owner cannot surrender the current year's license receipt and the current registration covering the vehicle for which a replacement plate is being requested cannot be verified, the owner cannot be issued a replacement plate but shall be required to execute a new application (Form VTR-67) and reapply for a Permit License Plate as provided in the preceding paragraphs of this Section.

- III. Vehicles displaying current Permit License Plates which are apprehended while operating without the additional trip or time permit as provided in Transportation Code Chapter 623 or vehicles apprehended while operating unregistered are subject to regular commercial registration according to classification. The vehicle will be registered for a full registration year plus a 20% penalty. (Refer to Registration Guide, located in the figures.)

Sec. 623.144. Registration of Vehicle.

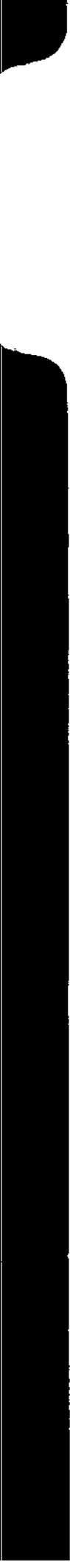
A permit under this subchapter may be issued only if the vehicle is registered under Chapter 502 for the maximum gross weight applicable to the vehicle under Section 621.101 or has the distinguishing license plates as provided by Section 502.276 if applicable to the vehicle.

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Sec. 623.149. Determination Whether Vehicle Subject to Registration or Eligible for Distinguishing License Plate.

- (a) *The department may establish criteria to determine whether oil well servicing, oil well clean out, or oil well drilling machinery or equipment is subject to registration under Chapter 502 or eligible for the distinguishing license plate provided by Section 502.276.*
- (b) *Notwithstanding Subsection (a), a vehicle authorized by the department before August 22, 1963, to operate without registration under Chapter 502 may not be required to register under that chapter.*
- (c) *In this section "oil well servicing, oil well clean out, or oil well drilling machinery or equipment" means a vehicle constructed as a machine used solely for servicing, cleaning out, or drilling an oil well and consisting in general of a mast, an engine for power, a draw works, and a chassis permanently constructed or assembled for one or more of those purposes.*

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Chapter 40

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SUBTITLE H. PARKING, TOWING, AND STORAGE OF VEHICLES
CHAPTER 681. Privileged Parking

Sec. 681.001. Definitions.

In this chapter:

- (1) "Department" means the Texas Department of Transportation.
- (2) "Disability" means a condition in which a person has:
 - (A) mobility problems that substantially impair the person's ability to ambulate;
 - (B) Visual acuity of 20/200 or less in the better eye with correcting lenses; or
 - (C) 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.
- (3) "Disabled parking placard" means a placard issued under Section 681.002.
- (4) "International symbol of access" means the symbol adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the Disabled.
- (5) "Mobility problem that substantially impairs a person's ability to ambulate" means that the person:
 - (A) cannot walk 200 feet without stopping to rest;
 - (B) cannot walk without the use of or assistance from an assistance device, including a brace, a cane, a crutch, another person, or a prosthetic device;
 - (C) cannot ambulate without a wheelchair or similar device;
 - (D) is restricted by lung disease to the extent that the person's forced respiratory expiratory volume for one second, measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest;
 - (E) uses portable oxygen;
 - (F) has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association;
 - (G) is severely limited in the ability to walk because of an arthritic, neurological, or orthopedic condition; or
 - (H) has a disorder of the foot that, in the opinion of a person licensed to practice podiatry in this state or in a state adjacent to this state, limits or impairs the person's ability to walk; or
 - (I) has another debilitating condition that, in the opinion of the physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the Veterans Administration, limits or impairs the person's ability to walk.
- (6) "Podiatry" has the meaning assigned by Section 202.001, Occupations Code.

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Sec. 681.002. Disabled Parking Placard.

- (a) *The department shall provide for the issuance of a disabled parking placard to a person with a disability.*
- (b) *A disabled parking placard must be two-sided and hooked and include on each side:*
 - (1) *the international symbol of access, which must be at least three inches in height, be centered on the placard, and be:*
 - (A) *white on a blue shield for a placard issued to a person with a mobility disability described by Section 681.001(5)(b)(c); or*
 - (B) *white on red shield for a placard issued to a person with any other permanent or temporary disability;*
 - (2) *an identification number;*
 - (3) *an expiration date at least three inches in height; and*
 - (4) *the seal or other identification of the department.*
- (c) *The department shall furnish the disabled parking placard to each county assessor-collector.*
- (d) *A disabled parking placard must bear a hologram designed to prevent the reproduction of the placard or the production of a counterfeit placard.*
- (e) *In addition to the expiration date included on a disabled parking placard under Subsection (b), the expiration date must be indicated on the placard by a month and year hole-punch system.*

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Sec. 681.003. Parking Placard Application.

- (a) *An owner of a motor vehicle regularly operated by or for the transportation of a person with a disability may apply for a disabled parking placard.*
- (b) *An application for a disabled parking placard must be:*
 - (1) *on a form furnished by the department;*
 - (2) *submitted to the county assessor-collector of the county in which the person with the disability resides; and*
 - (3) *accompanied by a fee of \$5.*
- (c) *Subject to Subsection (e), the first application must be accompanied by a notarized written statement or written prescription of a physician licensed to practice medicine in this state certifying and providing evidence acceptable to the department that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. The statement or prescription must include a certification of whether the disability is temporary or permanent and information acceptable to the department to determine the type of disabled parking placard for which the applicant is eligible. The department shall determine a person's eligibility based on evidence provided by the applicant establishing legal blindness or mobility impairment.*
- (d) *Information concerning the name or address of a person to whom a disabled parking placard is issued or in whose behalf a disabled parking placard is issued is confidential and not subject to disclosure under Chapter 552, Government Code.*
- (e) *If a first application for a disabled parking placard under this section is made by or on behalf of a person with a mobility problem caused by a disorder of the foot, the notarized written statement or written prescription required by Subsection (c) may be issued by a person licensed to practice podiatry in this state or a state adjacent to this state.*

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Sec. 681.0031. Applicant's Driver's License or Personal Identification Card Number.

- (a) *The applicant shall include on the application the applicant's driver's license number or the number of a personal identification card issued to the applicant under Chapter 521. The department shall provide for this information in prescribing the application form.*
- (b) *The county assessor-collector shall record the number on any disabled parking placard issued to the applicant.*

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Sec. 681.0032. Issuance of Disabled Parking Placards to Certain Institutions.

- (a) The department shall provide for the issuance of disabled parking placards described by Section 681.002 for a van or bus operated by an institution, facility, or residential retirement community for the elderly in which a person described by Section 502.253(b) resides, including an institution licensed under Chapter 242, Health and Safety Code, and a facility licensed under Chapter 246 or 247 of that code.*
- (b) The application for a disabled parking placard must be made in the manner provided by Section 681.003(b) and be accompanied by a written statement signed by the administrator or manager of the institution, facility, or retirement community certifying to the department that the institution, facility, or retirement community regularly transports, as a part of the services that the institution, facility, or retirement community provides, one or more persons described by Section 502.253(b) who reside in the institution, facility, or retirement community. The department shall determine the eligibility of the institution, facility, or retirement community on the evidence the applicant provides.*

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Sec. 681.004. Issuance of Parking Placard; Expiration.

- (a) *A person with a permanent disability may receive:*
 - (1) *two disabled parking placards, if the person does not receive a set of special license plates under Section 502.253; or*
 - (2) *one disabled parking placard, if the person receives a set of special license plates under Section 502.253.*
- (b) *A person with a temporary disability may receive two disabled parking placards.*
- (c) *A disabled parking placard issued to a person with a permanent disability is valid for a period of four years and shall be replaced or renewed on request of the person to whom the initial card was issued without presentation of evidence of eligibility.*
- (d) *A disabled parking placard issued to a person with a temporary disability expires after the period set by the department and may be renewed at the end of that period if the disability remains as evidenced by a physician's statement or prescription submitted as required for a first application under Section 681.003(c).*

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Sec. 681.005. Duties of County Assessor-Collector.

Each county assessor-collector shall send to the department:

- (1) each fee collected under Section 681.003, to be deposited in the state highway fund to defray the cost of providing the disabled parking placard; and*
- (2) a copy of each application for a disabled parking placard.*

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Sec. 681.006. Parking Privileges: Persons With Disabilities.

- (a) *Subject to Section 681.009(e), a vehicle may be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities if:*
- (1) *the vehicle is being operated by or for the transportation of a person with a disability; and*
 - (2) *there are:*
 - (A) *displayed on the vehicle special license plates issued under Section 502.253;*
or
 - (B) *placed on the rearview mirror of the vehicle's front windshield a disabled parking placard.*
- (b) *The owner of a vehicle is exempt from the payment of a fee or penalty imposed by a governmental unit for parking at a meter if:*
- (1) *the vehicle is being operated by or for the transportation of a person with a disability; and*
 - (2) *there are:*
 - (A) *displayed on the vehicle special license plates issued under Section 502.253;*
or
 - (B) *placed on the rearview mirror of the vehicle's front windshield a disabled parking placard.*
- (c) *The exemption provided by Subsection (b) or (e) does not apply to a fee or penalty:*
- (1) *imposed by a branch of the United States government; or*
 - (2) *imposed by a governmental unit for parking at a meter, in a parking garage or lot, or in a space located within the boundaries of a municipal airport.*
- (d) *This section does not permit a vehicle to be parked at a time when or a place where parking is prohibited.*
- (e) *A governmental unit may provide by ordinance order that the exemption provided by Subsection (b) also applies to a payment of a fee or penalty imposed by the governmental unit for the parking in a parking garage or lot or in a space with a limitation on the length of time for parking.*

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Sec. 681.007. Parking Privileges: Vehicles Displaying International Symbol of Access.

A vehicle may be parked and is exempt from the payment of a fee or penalty in the same manner as a vehicle that has displayed on the vehicle special license plates issued under Section 502.253 or a disabled parking placard as provided by Section 681.006 if there is displayed on the vehicle a license plate or placard that:

- (1) bears the international symbol of access; and*
- (2) is issued by a state or province of a foreign country to the owner or operator of the vehicle for the transportation of a person with a disability.*

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Sec. 681.008. Parking Privileges: Certain Veterans.

- (a) A vehicle may be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities if:
- (1) the vehicle is being operated by or for the transportation of:
 - (A) the person who registered the vehicle under Section 502.254(a); or
 - (B) a person described by Section 502.254(b) if the vehicle is registered under that subsection; and
 - (2) there are displayed on the vehicle special license plates issued under section 502.254.
- (b) A vehicle on which license plates issued under Section 502.254, 502.255, 502.257, 502.259, or 502.260 are displayed is exempt from the payment of a parking fee collected through a parking meter charged by a governmental authority other than a branch of the federal government, when being operated by or for the transportation of:
- (1) the person who registered the vehicle under Section 502.254(a), 502.255, 502.257, 502.259, or 502.260; or
 - (2) a person described in Section 502.254(b) if the vehicle is registered under that subsection.
- (c) This section does not permit a vehicle to be parked at a time when or a place where parking is prohibited.
- (d) A governmental unit may provide by ordinance or order that the exemption provided by Subsection (b) also applies to payment of a fee or penalty imposed by the governmental unit for parking in a parking garage or lot or in a space with a limitation on the length of time for parking.

Note: These legislative changes reflect changes from HB 1032, HB 1070, and SB 416 which were enacted by the 76th Legislature, 1999. The recodification rewrote the heading, which previously read "Parking Privileges, Veterans with Disabilities; Congressional Medal of Honor Recipients."

HB 3114, also enacted by the 76th Legislature, amended Subchapter A, Chapter 445, Local Government Code, to provide that, by order, the commissioners court of a county may allow former prisoners of war or persons awarded the Purple Heart or a Congressional Medal of Honor to park free of charge in any county parking facility.

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Sec. 681.009. Designation of Parking Spaces by Political Subdivision or Private Property Owner.

- (a) *A political subdivision or a person who owns or controls property used for parking may designate one or more parking spaces or a parking area for the exclusive use of vehicles transporting persons with disabilities.*
- (b) *A political subdivision must designate a parking space or area by conforming to the standards and specifications adopted by the commissioner of licensing and regulation under Section 5(c), Article 9102, Revised Statutes, relating to the identification and dimensions of parking spaces for persons with disabilities. A person who owns or controls private property used for parking may designate a parking space or area without conforming to those standards and specifications, unless required to conform by law.*
- (c) *A political subdivision may require a private property owner or a person who controls property used for parking:*
 - (1) *to designate one or more parking spaces or a parking area for the exclusive use of vehicles transporting persons with disabilities; or*
 - (2) *to conform to the standards and specifications referred to in Subsection (b) when designating a parking space or area for persons with disabilities.*
- (d) *The department shall provide at cost a design and stencil for use by a political subdivision or person who owns or controls property used for parking to designate spaces as provided by this section.*
- (e) *A private property owner or private person who controls property used for parking and who designates one or more uncovered parking spaces for the exclusive use of vehicles transporting persons with disabilities shall assign at least half of those spaces for the exclusive use of vehicles displaying a white on blue shield disabled parking placard, except that if an odd number of spaces is designated, only the number of spaces that is the largest whole number less than half of the number of designated spaces must be assigned for the exclusive use of vehicles displaying a white on blue shield placard. Van-accessible parking spaces shall be counted as assigned spaces under this subsection. These assigned spaces must be the spaces located closest to an accessible route to an entrance accessible to a person with a disability. The remaining designated parking spaces may be used by vehicles displaying a white on blue shield disabled parking placard, a white on red shield disabled parking placard, or license plates issued under Section 502.253. This subsection applies only to property used for parking that serves a building or other facility:*
 - (1) *that state law requires to be accessible to persons with disabilities; and*
 - (2) *for which construction or an alteration of the building or other facility is completed on or after September 1, 1999.*

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Sec. 681.010. Enforcement.

- (a) A peace officer or a person designated by a political subdivision to enforce parking regulations may file a charge against a person who commits an offense under this chapter at a parking space or area designated as provided by Section 681.009.*
- (b) A security officer commissioned under the Private Investigators and Private Security Agencies Act (Article 4413 (29bb), Vernon's Texas Civil Statutes) and employed by the owner of private property may file a charge against a person who commits an offense under this chapter at a parking space or area designated by the owner of the property as provided by Section 681.009.*

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Sec. 681.0101. Enforcement by Certain Appointed Persons.

- (a) *A political subdivision may appoint a person to have authority to file a charge against a person who commits an offense under this chapter.*
- (b) *A person appointed under this section must:*
 - (1) *be a United States citizen of good moral character who has not been convicted of a felony;*
 - (2) *take and subscribe to an oath of office that the political subdivision prescribes; and*
 - (3) *successfully complete a training program of at least four hours in length developed by the political subdivision.*
- (c) *A person appointed under this section:*
 - (1) *is not a peace officer;*
 - (2) *has no authority other than the authority applicable to a citizen to enforce a law other than this chapter; and*
 - (3) *may not carry a weapon while performing duties under this section.*
- (d) *A person appointed under this section is not entitled to compensation for performing duties under this section or to indemnification from the political subdivision or the state for injury or property damage the person sustains or liability the person incurs in performing duties under this section.*
- (e) *The political subdivision and the state are not liable for any damage arising from an act or omission of a person appointed under Subsection (a) in performing duties under this section.*

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Sec. 681.0032. Issuance of Disabled Parking Placards to Certain Institutions.

- (a) The department shall provide for the issuance of disabled parking placards described by Section 681.002 for a van or bus operated by an institution, facility, or residential community for the elderly in which a person described by Section 502.253(b) resides, including an institution licensed under chapter 242, Health and Safety Code, and a facility licensed under Chapter 246 or 247 of that code.*
- (b) The application for registration must be made in the manner provided by Section 681.003(b) and be accompanied by a written statement signed by the administrator or manager of the institution, facility, or retirement community certifying to the department that the institution or facility regularly transports, as a part of the services that the institution, facility, or retirement community provides, one or more persons described by Section 502.253(b) who reside in the institution, facility, or retirement community. The department shall determine the eligibility of the institution, facility, or retirement community on the evidence the applicant provides.*

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Sec. 681.011. Offenses; Presumption.

- (c) A person commits an offense if:
- (1) the person parks a vehicle on which are displayed license plates issued under Section 502.253 or a disabled parking placard in a parking space or area designated specifically for person with disabilities by:
 - (A) a political subdivision; or
 - (B) a person who owns or controls private property used for parking as to which a political subdivision has provided for the application of this section under Subsection (f);
 - (2) the person does not have a disability; and
 - (3) the person is not transporting a person with a disability.
- (d) A person commits an offense if the person :
- (1) parks a vehicle on which license plates issued under Section 502.253 are not displayed and a disabled parking placard is not displayed in a parking space or area designated specifically for individuals with disabilities by:
 - (A) a political subdivision; or
 - (B) a person who owns or controls private property used for parking as to which a political subdivision has provided for the application of this section under Subsection (f); or
 - (2) parks a vehicle displaying a white on red shield disabled parking placard or license plates issued under Section 502.253 in a space designated under Section 681.009(e) for the exclusive use of vehicles displaying a white on blue shield disabled parking placard.
- (e) A person commits an offense if the person parks a vehicle so that the vehicle blocks an architectural improvement designed to aid persons with disabilities, including an access or curb ramp.
- (f) A person commits an offense if the person lends a disabled parking placard issued to the person to a person who uses the placard in violation of this section.
- (g) In a prosecution under this section, it is presumed that the registered owner of the motor vehicle is the person who parked the vehicle at the time and place the offense occurred.
- (h) A political subdivision may provide that this section applies to a parking space or area for persons with disabilities on private property that is designated in compliance with the identification requirements referred to in Section 681.009(b).
- (i) Except as provided by Subsections (h)-(k), an offense under this section is a misdemeanor punishable by a fine of not less than \$250 or more than \$500.
- (j) If it is shown on the trial of an offense under this section that the person has been previously convicted one time of an offense under this section, the offense is punishable by a fine of not less than \$300 or more than \$600.

- (k) *If it is shown on the trial of an offense under this section that the person has been previously convicted two times of an offense under this section, the offense is punishable by:*
 - (1) *a fine of not less than \$300 or more than \$600; and*
 - (2) *not less than 10 or more than 20 hours of community service.*
- (l) *If it is shown on the trial of an offense under this section that the person has been previously convicted three times of an offense under this section, the offense is punishable by:*
 - (1) *a fine of not less than \$500 or more than \$1,000; and*
 - (2) *not less than 10 or more than 50 hours of community service.*
- (m) *If it is shown on the trial of an offense under this section that the person has been previously convicted four times of an offense under this section, the offense is punishable by a fine of \$1,000 and 50 hours of community service.*
- (n) *Repealed.*
- (o) *A person commits an offense if the person:*
 - (1) *parks a vehicle on which are displayed license plates issued under Section 502.253 or a disabled parking placard in a parking space or area for which this chapter creates an exemption from payment of a fee or penalty imposed by a governmental unit;*
 - (2) *does not have a disability;*
 - (3) *is not transporting a person with a disability; and*
 - (4) *does not pay any applicable fee related to parking in the space or area imposed by a governmental unit or exceeds a limitation on the length of time for parking in the space or area.*

Sec. 681.012. Seizure and Revocation of Placard.

(a) *A law enforcement officer who believes that an offense under Section 681.011(a) or (d) has occurred in the officer's presence shall seize any disabled parking placard involved in the offense. Not later than 48 hours after the seizure, the officer shall determine whether probable cause existed to believe that the offense was committed. If the officer does not find that probable cause existed, the officer shall promptly return each placard to the person from whom it was seized. If the officer finds that probable cause existed, the officer, not later than the fifth day after the date of the seizure, shall submit each seized placard to the department.*

(b) *On submission to the department under Subsection (a), a placard is revoked. On request of the person from whom the placard was seized, the department shall conduct a hearing and determine whether the revocation should continue or the placard should be returned to the person and the revocation rescinded.*

- I. A law enforcement officer may seize a disabled person identification placard that the officer believes is being used illegally.
- II. Within 48 hours after the seizure, the officer must determine if probable cause existed to believe that an offense was committed.
 - A. If it is determined that probable cause did not exist, the placard must be returned to the person from whom it was seized.
 - B. If it is determined that probable cause did exist, the placard must be submitted to the Customer Information Services Branch (CIS) of the Vehicle Titles and Registration Division within 5 days of the date of the seizure.
 1. If the seized placard is submitted to the county tax office, the tax office should immediately forward the placard and the name and address of the law enforcement agency to CIS.
 2. Once a seized placard is submitted to CIS, it is revoked.
- III. The person from whom a placard was seized may request a hearing to determine whether the revocation of the placard should continue or should be rescinded.
 - A. A request for a hearing must be submitted to TxDOT's Office of General Counsel (OGC).
 - B. OGC will coordinate the hearing with the State Office of Administrative Hearings (SOAH).
 - C. If the placard revocation is rescinded, the placard will be returned to the person from whom it was seized, or a new placard will be issued to the person at no charge.

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CHAPTER 730. MOTOR VEHICLE RECORDS DISCLOSURE ACT

Sec. 730.001. Short Title.

This chapter may be cited as the Motor Vehicle Records Disclosure Act.

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Sec. 730.002. Purpose.

The purpose of this chapter is to implement 18 U.S.C. Chapter 123 and to protect the interest of an individual in the individual's personal privacy by prohibiting the disclosure and use of personal information contained in motor vehicle records, except as authorized by the individual or by law.

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Sec. 730.003. Definitions.

In this chapter:

- (1) "Agency" includes any agency of this state, or an authorized agent or contractor of an agency of this state, that compiles or maintains motor vehicle records.
- (2) "Disclose" means to make available or make known personal information contained in a motor vehicle record about a person to another person, by any means of communication.
- (3) "Individual record" means a motor vehicle record obtained by an agency containing personal information about an individual who is the subject of the record as identified in a request.
- (4) "Motor vehicle record" means a record that pertains to a motor vehicle operator's or driver's license or permit, motor vehicle registration, motor vehicle title, or identification document issued by an agency of this state or a local agency authorized to issue an identification document. The term does not include:
 - (A) a record that pertains to a motor carrier; or
 - (B) an accident report prepared under Chapter 550 or 601.
- (5) "Person" means an individual, organization, or entity but does not include this state or an agency of this state.
- (6) "Personal information" means information that identifies a person, including an individual's photograph or computerized image, social security number, driver identification number, name, address, but not the zip code, telephone number, and medical or disability information. The term does not include:
 - (A) information on vehicle accidents, driving or equipment-related violations, or driver's license or registration status.
 - (B) information contained in an accident report prepared under Chapter 550 or 601.
- (7) "Record" includes any book, paper, photograph, photostat, card, film, tape, recording, electronic data, printout, or other documentary material regardless of physical form or characteristics.

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Sec. 730.004. Prohibition on Disclosure and Use of Personal Information from Motor Vehicle Records.

Notwithstanding any other provision of law to the contrary, including Chapter 552, Government Code, except as provided by Sections 730.005-730.007, an agency may not disclose personal information about any person obtained by the agency in connection with a motor vehicle record.

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Sec. 730.005. Required Disclosure.

Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed for use in connection with any matter of:

- (1) motor vehicle or motor vehicle operator safety;*
- (2) motor vehicle theft;*
- (3) motor vehicle emissions;*
- (4) motor vehicle product alterations, recalls, or advisories;*
- (5) performance monitoring of motor vehicles or motor vehicle dealers by a motor vehicle manufacturer;*
- (6) removal of nonowner records from the original owner records of a motor vehicle manufacturer to carry out the purposes of:*
 - (A) the Automobile Information Disclosure Act, 15 U.S.C. Section 1231 et seq.;*
 - (B) 49 U.S.C. Chapters 301, 305, 323, 325, 327, 329, and 331;*
 - (C) the Anti Car Theft Act of 1992, 18 U.S.C. Sections 553, 981, 982, 2119, 2312, 2313, and 2322, 19 U.S.C. Sections 1646b and 1646c, and 42 U.S.C. Section 3750a et seq., all as amended;*
 - (D) the Clean Air Act, 42 U.S.C. Section 7401 et seq., as amended; and*
 - (E) any other statute or regulation enacted or adopted under or in relation to a law included in Paragraphs (A)-(D); or*
- (7) child support enforcement under Chapter 231, Family Code.*

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Sec. 730.006. Required Disclosure With Consent.

Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed to a requestor who demonstrates, in such form and manner as the agency requires, that the requestor has obtained the written consent of the person who is the subject of the information.

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Sec. 730.007. Permitted Disclosures.

- (a) *Personal information obtained by an agency in connection with a motor vehicle record may be disclosed to any requestor by an agency if the requestor:*
 - (1) *provides the requestor's name and address and any proof of that information required by the agency; and*
 - (2) *represents that the use of the personal information will be strictly limited to:*
 - (A) *use by:*
 - (i) *a government agency, including any court or law enforcement agency, in carrying out its functions; or*
 - (ii) *a private person or entity acting on behalf of a government agency in carrying out the functions of the agency;*
 - (B) *use in connection with a matter of:*
 - (i) *motor vehicle or motor vehicle operator safety;*
 - (ii) *motor vehicle theft;*
 - (iii) *motor vehicle product alterations, recalls, or advisories;*
 - (iv) *performance monitoring of motor vehicles, motor vehicle parts, or motor vehicle dealers;*
 - (v) *motor vehicle market research activities, including survey research; or*
 - (vi) *removal of nonowner records from the original owner records of motor vehicle manufacturers;*
 - (C) *use in the normal course of business by a legitimate business or an agent, employee, or contractor of the business, but only:*
 - (i) *to verify the accuracy of personal information submitted by the individual to the business or an agent, employee, or contractor of the business; and*
 - (ii) *if the information is not correct, to obtain the correct information, for the sole purpose of preventing fraud by, pursuing a legal remedy against, or recovering on a debt or security interest against the individual;*
 - (D) *use in conjunction with a civil, criminal, administrative, or arbitral proceeding in any court or government agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgment or order, or under an order of any court;*
 - (E) *use in research or in producing statistical reports, but only if the personal information is not published, redisclosed, or used to contact any individual;*
 - (F) *use by an insurer or insurance support organization, or by a self-insured entity, or an agent of the entity, in connection with claims investigation activities, antifraud activities, rating, or underwriting;*
 - (G) *use in providing notice to an owner of a towed or impounded vehicle;*

- (H) use by a licensed private investigator agency or licensed security service for a purpose permitted under this section;
 - (I) use by an employer or an agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 U.S.C. Chapter 313;
 - (J) use in connection with the operation of a private toll transportation facility;
 - (K) used by a consumer reporting agency, as defined by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.), for a purpose permitted under that Act; or
 - (L) use for any other purpose specifically authorized by law that relates to the operation of a motor vehicle or to public safety.
- (b) The only personal information an agency may release under this section is the individual's:
- (1) name and address;
 - (2) date of birth; and
 - (3) driver's license number.
- (c) This section does not:
- (1) prohibit the disclosure of a person's photographic image to:
 - (A) a law enforcement agency or a criminal justice agency for an official purpose; or
 - (B) an agency of this state investigating an alleged violation of a state or federal law relating to the obtaining, selling, or purchasing of a benefit authorized by Chapter 31 or 33, Human Resources Code; or
 - (2) prevent a court from compelling by subpoena the production of a person's photographic image.
- (d) Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed to a requestor by an agency if the requestor:
- (1) provides the requestor's name and address and any proof of that information required by the agency; and
 - (2) represents that the intent of the requestor is to use personal information in the motor vehicle record only for the purpose of preventing, detecting, or protecting against personal identity theft or other acts of fraud and provides any proof of the requestor's intent required by the agency.
- (e) If the agency determines that the requestor intends to use personal information requested under Subsection (d) only for the represented purpose the agency shall release to the requestor any requested personal information in the motor vehicle record.

Sec. 730.008. Disclosure of Individual Record.

Repealed by L.2001, Chap 1032(9)(1), eff. 9/1/2001.

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Sec. 730.009. Requests To Prohibit Disclosure.

Repealed by L.2001, Chap. 1032(9)(1), eff. 9/1/2001.

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Sec. 730.010. Disclosure of Thumb or Finger Images Prohibited.

Notwithstanding any other provision of this chapter, if an agency obtains an image of an individual's thumb or finger in connection with the issuance of a license, permit, or certificate to the individual, the agency may:

- (1) use the image only in connection with the issuance of the license, permit, or certificate; and*
- (2) disclose the image only if disclosure is expressly authorized by law.*

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Sec. 730.011. Fees.

Unless a fee is imposed by law, an agency that has obtained information in connection with a motor vehicle may adopt reasonable fees for disclosure of that personal information under this chapter.

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Sec. 730.012. Additional Conditions.

- (a) *In addition to the payment of a fee adopted under Section 730.011, an agency may require a requestor to provide reasonable assurance:*
 - (1) *as to the identity of the requestor; and*
 - (2) *that use of the personal information will be only as authorized or that the consent of the person who is the subject of the information has been obtained.*
- (b) *An agency may require the requestor to make or file a written application in the form and containing any certification requirement the agency may prescribe.*

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Sec. 730.013. Resale or Redisclosure.

- (a) *An authorized recipient of personal information may not resell or redisclose the information in the identical or a substantially identical format the personal information was disclosed to the recipient by the applicable agency.*
- (b) *An authorized recipient of personal information may resell or redisclose the information only for a use permitted under Section 730.007.*
- (c) *Any authorized recipient who resells or rediscloses personal information obtained from an agency shall be required by that agency to:*
 - (1) *maintain for a period of not less than five years records as to any person or entity receiving that information and the permitted use for which it was obtained; and*
 - (2) *provide copies of those records to the agency on request.*
- (d) *A person commits an offense if the person violates this section. An offense under this subsection is a misdemeanor punishable by a fine not to exceed \$25,000.*

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Sec. 730.014. Agency Rules; Organization of Records.

- (a) *Each agency may adopt rules to implement and administer this chapter.*
- (b) *An agency that maintains motor vehicle records in relation to motor vehicles is not required to also maintain those records in relation to the individuals named in those records.*

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Sec. 730.015. Penalty for False Representation.

- (a) *A person who requests the disclosure of personal information from an agency's records under this chapter and misrepresents the person's identity or who makes a false statement to the agency on an application required by the agency under this chapter commits an offense.*
- (b) *An offense under Subsection (a) is a Class A misdemeanor.*

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Sec. 730.016. Ineligibility of Certain Persons to Receive Personal Information. .

- (a) *A person who is convicted of an offense under this chapter, or who violates a rule adopted by an agency relating to the terms or conditions for release of personal information to the person, is ineligible to receive personal information under Section 730.007.*
- (b) *For purposes of Subsection (a), a person is considered to have been convicted in a case if:*
 - (1) *A sentence is imposed;*
 - (2) *The defendant receives probation or deferred adjudication; or*
 - (3) *The court defers final disposition of the case.*

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**FEDERAL DRIVER'S PRIVACY PROTECTION ACT AND
TEXAS MOTOR VEHICLE RECORDS DISCLOSURE ACT**

The Texas Motor Vehicle Records Disclosure Act or MVRDA (Transportation Code, Chapter 730) was enacted by the 75th Texas Legislature, 1997, to implement the provisions of the federal Driver's Privacy Protection Act or DPPA (18 U.S.C. Chapter 123). These laws were enacted to protect personal information contained in the motor vehicle records maintained by the department. The MVRDA became effective September 1, 1997.

In October 1999, the DPPA was amended to place further restrictions on the release of personal information from motor vehicle records. These amendments were implemented on December 1, 2000. Additionally, Transportation Code, Chapter 730 was amended by the 77th Texas Legislature, 2001, effective September 1, 2001.

Note: Prior to December 1, 2000, individuals were given the opportunity to "opt-out" or request that access to their personal information be restricted from release in response to individual requests or commercial requests (for bulk distribution of surveys, marketing or solicitation). The release of personal information was only restricted if a person had "opted-out."

As a result of the amendments to the DPPA, effective December 1, 2000, all motor vehicle records were "closed," and the release and use of ALL personal information contained in ALL motor vehicle records is now restricted. To remind all users of the restrictions on release of this information, all motor vehicle records display a notation that reads "Release of Personal Info Restricted." (See Sections VI & IX for detailed information and guidelines on the release of personal information.)

I. TERMS USED IN THIS SECTION

- A. Certification of a Required or Permitted Use -- Written certification on a Request for Texas Motor Vehicle Information form (Form VTR-275) or county-generated equivalent, that the personal information in the motor vehicle record is requested for a required or permitted use as provided for by law.
- B. Express Written Consent -- Written authorization from a subject of the record authorizing the release of that subject's personal information. Only the personal information of the person providing the written consent may be released. A Request for Texas Motor Vehicle Information form, properly executed by the requestor will be required in addition to the written authorization from the subject of the record. Such consent or written authorization may consist of:
 - 1. Form VTR-386, Authorization for Release of Personal Information;
 - 2. A written statement that specifically authorizes the release of a person's personal information to another. The statement must include all the information required on the Form VTR-386, or
 - 3. Power of Attorney to Transfer a Motor Vehicle.

Note: A person presenting a Power of Attorney granted by a subject of the record has the same access to personal information as the subject and may obtain all personal information in the record.

- C. "Mask" Personal Information – To manually "black-out" the applicable personal information, then photocopy the record to eliminate the ability to read through the black-out.
- D. Motor Vehicle Record – ANY record that relates to a motor vehicle title or registration issued by the department. This includes records in any format, including paper, electronic, etc.
- E. Non-personal Information – Any information in a motor vehicle record that does not identify or relate to a person. This includes vehicle-specific information, such as the vehicle year, make, model, and weight, vehicle identification or license plate numbers, document numbers, registration or title issuance date, and registration expiration date, and county of residence information.
- F. Person – An individual, organization, or entity, but does not include a State or agency of the state.
- G. Personal Information – Information that identifies a person and includes the name and address, but not the zip code, of a previous owner, owner, or lienholder. Social security numbers and disability information are highly restricted personal information and may not be released or disclosed in any case.
- H. Request for Texas Motor Vehicle Information - Form VTR-275, Request for Texas Motor Vehicle Information, or county-generated equivalent. (Refer to Subsection IV for further information.)
- I. Subject of the Record - A person named in a motor vehicle record, including the previous owner, owner, or lienholder. If a subject of the record is deceased, the appointed executor or administrator is treated as a subject and is eligible to receive all personal information in that record.

II. FORMS

- A. Form VTR-275, Request for Texas Motor Vehicle Information.
Used for requests for motor vehicle record information submitted to TxDOT (VTR). This form includes information that is applicable only to requests for information made to the department, such as department address, fees, etc. Therefore, this form is not distributed to County Tax Assessor-Collector Offices.
- B. County-generated Request for Texas Motor Vehicle Record Information Form.
Used for requests for motor vehicle record information submitted to County Tax Assessor-Collector Offices. County offices should develop a Request for Texas Motor Vehicle Information form for use by their customers. The Form VTR-275 may be modified for county use to include the appropriate fees, the information the particular office provides, and the appropriate mailing address, or the VTR-275 may be used as a guideline for development of a request form that includes information applicable to the specific office. If a similar form is developed, it is imperative that all items listed in Section IV, are included.

C. Form VTR-386, Authorization for Release of Information.

May be executed by a subject of a motor vehicle record (owner, previous owner or lienholder) to authorize the release of that subject's personal information contained in a motor vehicle record to a designated person. Only the personal information of the person providing the authorization may be released.

III. PENALTIES

Violations of the provisions of the MVRDA and DPPA can result in civil and criminal penalties as a result of falsifying statements to obtain information from motor vehicle records. This includes knowingly, obtaining, disclosing, or using the information obtained from a motor vehicle record in violation of the provisions of the law.

These penalties can apply to anyone who obtains, has access to, uses, or releases/rediscloses protected motor vehicle information in violation of the provisions. As such, the restrictions apply to all employees of the department and County Tax Assessor-Collector Offices, as well as subcontractors and deputies of those offices. Therefore, extreme caution must be taken when discussing, using or providing information from motor vehicle records in the course of their business.

Procedures and methods used by affected offices, in which personal information is or may be released, should be carefully reviewed/modified to ensure that personal information is not released inappropriately. This includes verbal responses, either in-person or by telephone, and correspondence.

IV. WRITTEN REQUEST REQUIRED

A written request is required if personal information contained in a motor vehicle record is being requested. If requesting multiple record information, a requester may submit one properly executed written request and may attach a listing of the records requested.

A written request must include:

- A. Who may obtain personal information from a motor vehicle record;
- B. Certification statements that are required in order to provide information from a motor vehicle record, including that:
 1. The information will be used for a lawful and legitimate purpose;
 2. The information will be used only in accordance with the federal DPPA and state MVRDA and will only be used for the required or permitted use indicated on the request; and
 3. The requestor has not been convicted of a violation of the MVRDA (Chapter 730) or of a department rule relating to the terms or conditions for release of personal information;
- C. A listing of the required and permitted uses for which the information may be released;
- D. A warning statement regarding the penalties for violation of the provisions of these laws;

- E. Statement of conditions regarding resale and redisclosure of information obtained from motor vehicle records; and
- F. The signature, printed name, government-issued photo identification number of the requestor, and the state/agency of issuance and expiration date of the identification.

Note: Transportation Code, Chapter 730 provides that a requestor must provide their name and address and any other information that is required in order to provide reasonable assurance of the requestor's identity. As such, the department has established the requirement that every requestor must provide their government-issued photo identification information.

Note: A law enforcement officer requesting personal information for a law enforcement purpose may provide their badge number and name of the department or agency in lieu of their driver's license number when executing a Form VTR-275, Request for Texas Motor Vehicle Information.

V. RETENTION OF REQUESTS FOR PERSONAL INFORMATION

All requests for information received by VTR offices, in which personal information from a motor vehicle is provided, must be retained by the receiving office for a one-year period. Any accompanying documentation, such as a photocopy of a Power of Attorney or an Authorization for Release of Personal Information, Form VTR-386, must be retained with the request.

A one-year retention period has been established for requests for information received by VTR offices. The suggested retention period for county offices is also one year.

VI. RESTRICTIONS ON RELEASE OF PERSONAL INFORMATION

The Department of Transportation and the county tax collectors are prohibited from releasing any motor vehicle registration information (personal or non-personal) to the public in response to telephone inquiries by license number. (For further information, refer to Section 502.008 of this manual)

The type of information and to whom it is being provided must always be taken into consideration.

Note: Social security numbers and disability information are considered highly restricted personal information, are confidential and MAY NOT be released.

- A. Personal information, with the exception of social security numbers and disability information, may only be released in the following cases:
 - 1. Upon certification that the information is requested for one of the required or permitted uses provided by law;
 - 2. To a subject of the record; or
 - 3. To a requestor that presents express written consent from a subject of the record for release of that subject's personal information. (Note: Only the personal information of the person providing consent may be released.)

- B. Non-personal information may be released without restriction. If not requested for a required or permitted use, by the subject of the record, or with express consent from the subject of the record, only NON-personal information may be released.
- C. Distribution of surveys, marketing, or solicitation.
The release or use of personal information from motor vehicle records for the purpose of “bulk distribution of surveys, marketing, or solicitations” is strictly prohibited.
- D. Resale and Redisclosure of Personal Information.
The MVRDA and DPPA provide specific provisions that restrict the resale and redisclosure of personal information obtained from a motor vehicle record. The original requester of the personal information:
1. May resell or redisclose the personal information only for a permitted use;
 2. May not resell or redisclose the personal information in an “identical or substantially identical” format;
 3. Must maintain records for five years of the person the personal information was provided to and the permitted use it was obtained for; and
 4. Must provide copies of those records to the department upon request.

VII. MASKING OF PRIVACY PROTECTED INFORMATION

Personal information must be masked in situations where the release of personal information is restricted (i.e. not requested for a required or permitted use or only a particular subject’s personal information was authorized). The recommended method to mask personal information is to black-out the applicable personal information and then photocopy the printout to eliminate the ability to read through the black-out.

Note: A requester that has written authorization to obtain a subject’s personal information may only receive that subject’s personal information. Personal information of any other subject in that record must be “masked.”

VIII. ELECTRONIC ACCESS TO TEXAS MOTOR VEHICLE RECORDS

Businesses and individuals that routinely need to verify Texas motor vehicle record information, such as dealerships, insurance companies, or lienholders, may enter into a contract with the department to access Texas motor vehicle records via the Internet. Access is provided only to entities that certify the information will be used for a required or permitted use.

The contract and associated attachments may be downloaded off the Internet by going to: <https://prod1.dot.state.tx.us/cencompop.html>. Under “Getting Connected to MVI,” Option 5 (Cover letter, Contract, and Attachments) should be selected. The VTR Production Data Control Branch can assist with questions relating to the service or if there are problems downloading the information.

IX. GUIDELINES FOR RELEASE OF PERSONAL INFORMATION

Note: VTR can only advise county tax offices how VTR will process specific requests for information and can provide general guidance to questions regarding the MVRDA and DPPA

restrictions. However, VTR encourages county offices to seek legal advice from their county attorneys for any questions regarding the release of personal information by their offices or compliance with the provisions of the law.

A. Printouts and Inquiry Receipts

When providing printouts or vehicle inquiries, if the request is from:

1. A subject of the record, the entire record may be provided;
2. A person who certifies a required or permitted use, the entire record may be provided;
3. A person who provides the express written consent of a subject, only that subject's personal information may be provided (All other personal information must be masked); or
4. A person who does not fall under any of the above, only the non-personal information may be provided (ALL personal information must be masked).

B. Telephone Inquiries

1. Personal information may NOT be provided or disclosed.
2. Personal information provided by a caller may be verified or discussed; however, extreme care should be taken to ensure that personal information, not provided by the caller, is not disclosed.
3. Example: A caller could provide the personal information, either verbally or by fax, needed to discuss and resolve the particular problem.
4. Non-personal information may be provided or disclosed without restriction. Non-personal information includes any information in the record that is not personal information (i.e. vehicle-specific information including year, make, model, and weight, the registration or title number and status, etc.).
5. In order to receive personal information, a caller should be advised to submit a written request on a Request for Texas Motor Vehicle Information form in order to certify what authority they have to obtain the information.

C. Faxed Requests for Information

A properly executed Request for Texas Motor Vehicle Information form may be accepted, if submitted by fax in order to assist certain callers with a title or registration related concern. VTR offices limit who may fax such a request to a subject of the record, law enforcement offices, governmental agencies, and other jurisdictions. A copy of the requester's photo identification is not required to be submitted with the faxed Request for Texas Motor Vehicle Information form, but the identification information must be completed on the form.

Acceptance of faxed requests for information submitted to a county office by fax may be accepted at the discretion of that office.

D. Title and Registration Transactions

Each time a title or registration transaction is processed and a receipt is issued,

personal information concerning the owner and/or lienholder is released or disclosed. Consideration must be given to who is filing or submitting the transaction and whether they are already in possession of the personal information that will be disclosed on the title or registration receipt.

Caution should be taken when processing such a transaction that is presented by someone other than the "subject" of the record. Keep in mind that in many cases when the 3rd party applicant (someone other than the owner or lienholder) presents a title application or registration renewal notice, that person is already in possession of the personal information that will be printed on the receipt. In this situation, when the receipt is issued personal information is not actually disclosed. This would apply to situations such as dealer title transactions and registration or title transactions processed by a title service or lending institution.

If someone other than the owner requests to register a vehicle and they do not present the registration renewal notice or previous year's registration receipt, authorization from the owner to register the vehicle must be required prior to issuing the registration and subsequent receipt which discloses the owner's personal information. Such authorization could include a properly executed Power of Attorney, Form VTR-271 or VTR-271-A, or a written statement from the owner(s) authorizing issuance of the registration.

E. Operation of Law Transactions

When processing a title transaction in which no title or other evidence of ownership is surrendered (i.e. Heirship, Mechanic or Storage lien, Auction Sales Receipt, etc.), a printout of the latest Texas title record must continue to be included in the transaction. This printout is necessary to provide continuity in the vehicle's title history.

F. Microfilm Documents/Title Histories

In order to protect the personal information of all previous owners of a motor vehicle, microfilm documents and title histories are available only to persons that certify the information is to be used for a required or permitted use. A properly executed Request for Texas Motor Vehicle Information, Form VTR-275, certifying the required or permitted use for which the information is intended must be submitted with every request for microfilm documents, with the exception of court orders or subpoena.

This requirement applies to requests from law enforcement, county tax offices, other jurisdictions, etc. as certification of the required or permitted use is required.

G. Court Order/Subpoena

Department offices will comply with a subpoena or court order ordering the department to provide copies of microfilm documents. In these cases, a completed Form VTR-275 would not be required.

H. Disabled Person License Plate Information

A Disabled Person License Plate number is not considered confidential or restricted information. The number may be released and does not need to be masked on printouts.

I. Written Responses to Inquiries or Correspondence

Care must be taken when sending correspondence that relates to title or registration records or matters. Personal information may not be disclosed (i.e. in the address, body of the letter, or cc's), if the letter is being sent to someone other than a subject of the record. In some cases, sending a "bc" (blind copy) of the correspondence to an owner or lienholder when the correspondence is addressed to a third party will eliminate release of the restricted personal information.

J. Requests from Law Enforcement Agencies

Many law enforcement agencies have access to motor vehicle records through the Department of Public Safety (TLETS). However, if a law enforcement agency requests information directly through a VTR or county office, and not through TLETS, a properly executed Form VTR-275 or county-generated equivalent form must be submitted. A law enforcement officer requesting personal information for a law enforcement purpose may provide their badge number and name of the department or agency in lieu of their driver's license number when executing a Form VTR-275, Request for Texas Motor Vehicle Information, or county-generated equivalent.

K. Applications for Certified Copies of Texas Certificates of Title.

1. A certified copy of title may be released to a subject of the record (owner or lienholder, if applicable) or someone other than a subject, under current CCO issuance procedures, because the required signature of the owner, or lienholder, on the application is considered authorization for release of all information contained on the title, as long as all other required documentation is presented.

2. Rejections

When rejecting a certified copy of title application for improper signature and the applicant is a subject of the record (owner or lienholder), the name of who must sign the application may be released. However, if the applicant is someone other than a subject of the record, the name and address of the person who must sign may not be released. In these cases, if the applicant is unable to contact the seller to obtain the necessary information, they may be advised of the options to pursue a bonded title or tax collector's hearing, or must obtain a court order.

X. REFERENCE GUIDES

The following Reference Guides are provided as a guideline to assist you in determining when and to whom personal information may or may not be released, and any additional actions that may need to be taken upon receipt of a request for personal information.

NOTE: The Department of Transportation and the county tax collectors are prohibited from releasing any motor vehicle record information (personal or non-personal) in response to telephone inquiries by license number (refer to Section 502.008 for further information)

Table A provides guidelines for County Tax Assessor- Collector Offices.
 Table B provides guidelines for Vehicle Title and Registration Division (VTR) Offices.

TABLE A

COUNTY TAX ASSESSOR-COLLECTOR OFFICES: GUIDELINES FOR RELEASE OF PERSONAL INFORMATION		
METHOD OF RELEASE	SPECIFIC SITUATIONS	MAY/MAY NOT RELEASE
VERBAL INQUIRY	Telephone	<ul style="list-style-type: none"> • <u>May Release</u>- <ul style="list-style-type: none"> ▫ Non-personal information without restriction. ▫ Personal information <u>provided by the caller</u> may be verified or discussed, but extreme care must be taken to not disclose personal information not provided by the requester. • <u>May Not Release</u> - <ul style="list-style-type: none"> ▫ Personal information may not be released (See "Note" below.) ▫ Social security numbers may not be released in any case. <p>Note: At the county's discretion, personal information may be released verbally over the telephone to a caller who faxes a properly completed Request for Texas Motor Vehicle Information form to the county office and certifies that he/she is:</p> <ol style="list-style-type: none"> 1. A subject of the record (all personal & non-personal information may be discussed); or 2. Requesting the information for a required or permitted use (all personal & non-personal information may be discussed).
	In Person	<ul style="list-style-type: none"> • <u>May Release</u> - <ul style="list-style-type: none"> ▫ Non-personal information without restriction. ▫ Personal information <u>provided by the requester</u> may be verified or discussed, but extreme care must be taken to not disclose personal information not provided by the requester. • <u>May Not Release</u> - Personal information, <u>unless</u> the requester properly executes a Request for Texas Motor Vehicle Information form and certifies that he/she: <ol style="list-style-type: none"> 1. Is a subject of the record (all personal & non-personal information may be released); 2. Is requesting the information for a required or permitted use (all personal & non-personal information may be released) or 3. Has the "written consent" of a subject of the record that authorizes the release of that person's personal information. Only the personal information of the subject providing consent may be released - all other personal information is confidential. <p>Social security numbers may not be released in any case.</p>
PRINTOUTS <hr/> RTS INQUIRY RECEIPTS <hr/> DUPLICATE LICENSE RECEIPTS	In Person OR By Mail	<ul style="list-style-type: none"> • Must complete a Request for Texas Motor Vehicle Information form and submit with the appropriate fee. • <u>May release</u> Non-personal information without restriction (All personal information must be manually masked). • <u>May not release</u> - Personal information <u>unless</u> the requester properly executes the Request for Texas Motor Vehicle Information form and certifies that he/she: <ol style="list-style-type: none"> 1. Is a subject of the record (all personal & non-personal information may be released); 2. Is requesting the information for a required or permitted use (all personal & non-personal information may be released); or 3. Has the "written consent" of a subject of the record that authorizes the release of that person's personal information. <p>(Only the personal information of the subject providing consent may be released - all other personal information is confidential.)</p> • Social security numbers may not be released in any case.
TITLE APPLICATION RECEIPTS <hr/> REGISTRATION APPLICATION RECEIPTS		<ul style="list-style-type: none"> • A majority of title and registration transactions may continue to be processed with no change; however, when processing a transaction consideration must be given to: <ul style="list-style-type: none"> ▫ Who is filing or submitting the transaction; ▫ What personal information will be released on the receipt; and ▫ Whether the applicant is already in possession of the personal information that will be shown on the title or registration receipt. • <u>Receipt may be provided to:</u> <ul style="list-style-type: none"> ▫ The subject (owner or lienholder) of the record; ▫ A third party filing a title application, as they are already in possession of all personal information that will be released on the application receipt. This would include title applications filed by a title service or selling vehicle dealer. ▫ A third party requesting registration renewal that presents a renewal notice or previous year registration receipt and is otherwise eligible to renew the registration.

**COUNTY TAX ASSESSOR-COLLECTOR OFFICES:
GUIDELINES FOR RELEASE OF PERSONAL INFORMATION**

METHOD OF RELEASE	SPECIFIC SITUATIONS	MAY/MAY NOT RELEASE
		<ul style="list-style-type: none"> • <u>Receipt may not be provided to:</u> Example: A third party attempting to register <u>without</u> a renewal notice or the previous year registration receipt. In this case, as the applicant is not presenting any documents that contain the personal information that would be released on the receipt, authorization from the owner to register the vehicle must be required. Authorization may include a power of attorney or written authorization statement from the owner.
<p align="center">WRITTEN INFORMATION</p>	<p><u>Examples:</u> Requests for Information Rejection Letters Title Correction Letters</p>	<ul style="list-style-type: none"> • Extreme care must be taken when responding to written requests for information or when preparing correspondence that relates to title and registration records or matters. • Must ensure that personal information is not inadvertently contained in the correspondence (i.e. in the address, body of the response, cc's, etc.) if the correspondence is being sent to someone other than a subject of the letter. If a copy must be sent to the owner or lienholder of record, a bc (blind copy) should be sent. • <u>May release or disclose</u> – <ul style="list-style-type: none"> ▫ All non-personal information; and ▫ Personal information <u>only</u> if the response is to the owner or lienholder of record. • <u>May not release</u> – <ul style="list-style-type: none"> ▫ Personal information, <u>unless</u> the requester: <ol style="list-style-type: none"> 1. Is the owner or lienholder of record (all applicable personal information may be released) or 2. Properly executes a Request for Texas Motor Vehicle Information form and certifies that he/she: <ol style="list-style-type: none"> a. Is requesting the information for a required or permitted use (all personal & non-personal information may be released); or b. Has the “written consent” of a subject of the record authorizing (Only the personal information of the subject providing consent may be released). • Social security numbers may not be released in any case.
<p align="center">HARD COPY REVIEW OF DOCUMENTS IN COUNTY OFFICES</p>	<p>Businesses reviewing hard copies of documents processed by County.</p>	<ul style="list-style-type: none"> • County offices must be extremely cautious when providing such access. • <u>May not release:</u> <ul style="list-style-type: none"> ▫ Any personal information, unless the entity properly executes a Request for Texas Motor Vehicle Information form and certifies they are requesting access for a required or permitted use. ▫ Social security numbers or disability information. • <u>May release personal information ONLY</u> if the entity properly executes a Request for Texas Motor Vehicle Information form and certifies that the intended use of the information is for a required or permitted use. <p>Note: Entities who do obtain such access must be</p> <ul style="list-style-type: none"> • May only be used for the use certified; • May not be used for distribution of surveys, marketing, or solicitations; • Is subject to the restrictions on resale or redisclosure; and • If obtained for the purpose of research or in producing statistical reports, may not be “published, redisclosed, or used to contact any individual.”
<p align="center">RELEASE OF INFORMATION BY TACs</p>	<p><u>Example:</u> Various information relating to vehicles sold in their area that is provided to outside entities (i.e. newspapers, marketers, trade magazines, etc.).</p>	<ul style="list-style-type: none"> • Must be extremely cautious when providing personal information. • <u>May not release:</u> <ul style="list-style-type: none"> ▫ Any personal information, unless the entity properly executes a Request for Texas Motor Vehicle Information form and certifies they are requesting access for a required or permitted use. ▫ Social security numbers or disability information. • <u>May release:</u> <ul style="list-style-type: none"> ▫ Personal information <u>ONLY</u> if the entity properly executes a Request for Texas Motor Vehicle Information form and certifies that the intended use of the information is for a required or permitted use. <p>Note: Entities who do obtain such access must be</p> <ul style="list-style-type: none"> • May only be used for the use certified; • May not be used for distribution of surveys, marketing, or solicitations; • Is subject to the restrictions on resale or redisclosure; and • If obtained for the purpose of research or in producing statistical reports, may not be “published, redisclosed, or used to contact any individual.”
<p align="center">MVDI QUERY RESPONSES</p>	<p>MVDI Inquiries</p>	<ul style="list-style-type: none"> • MVDI inquiries may only be used for county processing. • Customers may not view the screen that includes personal information.

COUNTY TAX ASSESSOR-COLLECTOR OFFICES: GUIDELINES FOR RELEASE OF PERSONAL INFORMATION		
METHOD OF RELEASE	SPECIFIC SITUATIONS	MAY/MAY NOT RELEASE
WEEKLY TRANSACTION TAPES	Tapes of transactions processed by a county for the preceding week.	<ul style="list-style-type: none">• May ONLY be used for internal county purposes.• No information (personal or non-personal) may be disclosed.

TABLE B

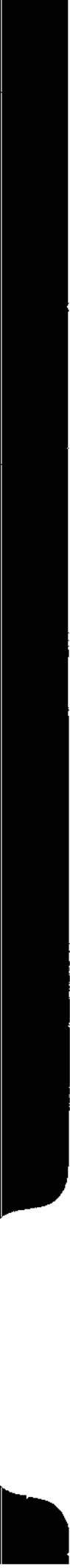
VTR OFFICES: GUIDELINES FOR RELEASE OF PERSONAL INFORMATION		
TYPE OF REQUEST	SPECIFIC SITUATIONS	MAY/MAY NOT RELEASE
VERBAL INQUIRY	Telephone	<p><u>May Release</u> – Non-personal information may be discussed or provided without restriction. Personal information provided by the requester may be verified or discussed, but extreme care must be taken to not disclose personal information not provided by the requester.</p> <p><u>May Not Release</u> – Personal information may not be discussed or provided, <u>unless</u> a caller faxes a properly completed VTR-275 to the Help Desk or Regional Office and certifies that he/she is: A subject of the record (all personal & non-personal information may be discussed); or Requesting the information for a required or permitted use (all personal & non-personal information may be discussed). Social security numbers may not be released.</p>
	In Person	<p><u>May Release</u> – Non-personal information may be discussed or provided without restriction. Personal information provided by the requester may be verified or discussed, but extreme care must be taken to not disclose personal information not provided by the requester.</p> <p><u>May Not Release</u> - Personal information may not be discussed or provided, <u>unless</u> the requester properly completes a VTR-275 and certifies that he/she: Is a subject of the record (all personal & non-personal information may be released); Is requesting the information for a required or permitted use (all personal & non-personal information may be released) or Has the "written consent" of a subject of the record authorizing the release of that person's personal information (Only the personal information of the subject providing consent may be released – all other personal information is confidential). Social security numbers may not be released.</p>
PRINTOUTS RTS INQUIRY RECEIPTS DUPLICATE LICENSE RECEIPTS TITLE & REGISTRATION VERIFICATION	In Person OR By Mail	<p>Must complete a VTR-275, Request for Texas Motor Vehicle Information and submit with \$2.30 or \$3.30 (certified) fee.</p> <p><u>May release</u> – Non-personal information may be released without restriction (All personal information must be manually masked).</p> <p><u>May not release</u> – Personal information may not be released, <u>unless</u> the requester properly completes a VTR-275 and certifies that he/she: Is a subject of the record (all personal & non-personal information may be released); Is requesting the information for a required or permitted use (all personal & non-personal information may be released); Has the "written consent" of a subject of the record authorizing the release of that person's personal information (Only the personal information of the subject providing consent may be released – all other personal information must be manually masked). Social security numbers may not be released.</p> <p>Some agencies/other jurisdictions are provided printouts without charge; however, a VTR-275 must still be required in order to release the entire vehicle record including all personal information.</p>
	Release to Third Party Applicants	<p><u>May release</u> a certified copy of title to a 3rd party (someone other than a subject of the record) in accordance with current certified copy of title issuance procedures. The required signature of owner, or lienholder, if applicable, on the Form VTR-34 is considered authorization for release of all information contained on the title, as long as all other required documentation (i.e. verifiable proof) is provided.</p> <p>Certified copy of title issuance is the only case where written consent from all parties named in a record is not required in order to release the complete record.</p>
CERTIFIED COPY OF TITLE	Rejections	<p><u>May not release</u> any personal information when rejecting a certified copy of title application for improper signature (i.e. to advise who must sign the Form VTR-34), except as noted below.</p> <p>The rejection should refer the applicant to a Regional Office or the Customer Help Desk for information on options available to obtain a title (i.e. bond/hearing).</p> <p><u>May release</u> personal information when the owner of record signs the Form VTR-34 and a lien is shown on the record, or vice versa. In these cases, the owner or lienholder name and address may be provided.</p>

TITLE HISTORIES MICROFILM DOCUMENTS	Routine requests for title histories or copies of microfilm documents	<p>Must complete VTR-275, Request for Texas Motor Vehicle Information, and submit with \$5.75 fee (\$6.75 if certified).</p> <p><u>May Release</u> – Only if the requester certifies a required or permitted use. Otherwise, no copies from microfilm may be provided.</p> <p><u>May not release</u> – To a subject of the record or to a requester who provides written consent from a subject of the record.</p> <p>Social security numbers may not be released unless the request is from a governmental agency that submits their request in writing and cites their statutory authority to receive that information.</p>
	Requests from other agencies/ jurisdictions	<p>In certain cases, some agencies such as the Attorney General's Office and criminal law enforcement are provided title histories without charge.</p> <p>A Form VTR-275 with certification of their required or permitted use must still be required.</p>
	State Comptroller	<p>State Comptroller's Office obtains title histories, through VDM, under a "blanket" certification of use.</p>
INTERNET INQUIRIES		<p><u>May release</u> – Non-personal information may be released without restriction.</p> <p><u>May not release</u> – Personal information may <u>not</u> be released in response to an Internet inquiry. If personal information is requested, the requester should be advised to submit a written request accompanied by the applicable fee and a properly completed VTR-275 certifying their authority to obtain the personal information.</p>
WRITTEN RESPONSE TO INQUIRY (Responses to requests for specific information)	<p><u>Examples:</u></p> <p>RPO Verification</p> <p>Verify non-personal information from microfilm (odometer, tax paid, previous state, etc.)</p>	<p>Extreme care must be taken when responding to written requests for information that relate to title and registration records or matters.</p> <p>Ensure that personal information is not inadvertently contained in the correspondence if the correspondence is being sent to someone other than the owner or lienholder of record (i.e. in the address, body of the response, cc's, etc.). If a copy must be sent to the owner or lienholder of record, a bc (blind copy) should be sent.</p> <p><u>May release or disclose</u> –</p> <p>All non-personal information (i.e. RPO status, odometer reading, registration/title status, etc.); and</p> <p>Personal information <u>only</u> if the response is to the owner or lienholder of record.</p> <p><u>May not release</u> – Personal information, <u>unless</u></p> <p>The requester is the owner or lienholder of record (all applicable personal information may be released); or</p> <p>The requester properly completes a VTR-275 and certifies that he/she:</p> <p>Is requesting the information for a required or permitted use (all applicable personal information may be released); or</p> <p>Has the "written consent" of a subject of the record authorizing the release of that person's personal information (Only the personal information of the subject providing consent may be released).</p>
FORM LETTERS	<p>Rejection Letters (Bond/TAC Hearing)</p> <p>Corrected Title Letters</p> <p>Mexico Letters</p>	<p>Ensure that personal information is not inadvertently contained in the correspondence, if the correspondence is being sent to someone other than the owner or lienholder of record (i.e. in the address, body of the response, cc's, etc.). If a copy must be sent to the owner or lienholder of record, a bc (blind copy) should be sent.</p> <p><u>May release</u> – Non-personal information may be provided without restriction.</p> <p><u>May release or disclose</u> –</p> <p>All non-personal information (i.e. RPO status, odometer reading, registration/title status, etc.); and</p> <p>Personal information <u>only</u> if the response is to the owner or lienholder of record.</p> <p><u>May not release</u> – Personal information, <u>unless</u></p> <p>The requester is the owner or lienholder of record (all applicable personal information may be released); or</p> <p>The requester properly completes a VTR-275 and certifies that he/she:</p> <p>Is requesting the information for a required or permitted use (all applicable personal information may be released); or</p> <p>b. Has the "written consent" of a subject of the record authorizing the release of that person's personal information (Only the personal information of the subject providing consent may be released).</p> <p><u>Mexico letters</u> – Requester must complete a Form VTR-275, Request for Texas Motor Vehicle Information, to certify that he/she:</p> <ol style="list-style-type: none"> 1. Is the owner or lienholder of record (all applicable personal information may be released); or 2. Is requesting the information for a required or permitted use (all applicable personal information may be released).

TITLE & REGISTRATION APPLICATION RECEIPTS	Special Plate Registration Exempt Title & Registration Applications Apportioned Registration	Most title and registration transactions may continue to be processed as they are today. Consideration must be given to who is filing or submitting the transaction, what personal information will be released on the receipt, and whether the applicant is already in possession of the personal information that will be shown on the title or registration receipt. <u>Receipt may be provided to:</u> The subject (owner or lienholder) of the record or A third party filing a title application, as they are already in possession of all personal information that will be released on the application receipt. This would include title applications filed by a title service or selling vehicle dealer. A third party requesting registration renewal that presents a renewal notice or previous year registration receipt and is otherwise eligible to renew the registration. <u>Receipt may not be provided to –</u> Example: A third party attempting to register <u>without</u> a renewal notice or the previous-year registration receipt. In this case, as the applicant is not presenting any documents that contain the personal information that would be released on the receipt, authorization from the owner to register the vehicle must be required. Authorization may include a power of attorney or written authorization statement from the owner.
DPS TERMINAL ACCESS	Stolen Checks DPS / Law Enforcement Inquiries	<i>Direct exchange of information between VTR and DPS.</i>
STATE & FEDERAL COURTS	Court Orders Subpoenas	Must comply with court orders and provide all record information (personal & non-personal).
OPEN RECORD REQUESTS		Chapter 552.130, Government Code exempts motor vehicle records from disclosure under the Public Information Act. However, these requests must be sent to the Attorney General's Office, through the TxDOT Office of General Counsel (OGC), for an open record opinion on whether the information is exempted from required public disclosure. Upon receipt of an "Open Records" request for personal information, if the customer does not certify on a Form VTR-275 that they are the subject of the record or that it is for a required or permitted use, the request must be processed as any other Open Records Request. The request must be sent to OGC so that they may request the open record opinion.
FAX REQUESTS	From General Public	May not accept a faxed request from the public for printouts (Title & registration verification) or title histories. Must complete a VTR-275, Request for Texas Motor Vehicle Information and submit with the appropriate fee. See "Printouts" and "Title Histories" for details on requesting these items.
	From Some Law Enforcement Agencies and Other Jurisdictions	Regional Offices, CIS Branch, and Operations Branch occasionally will accept a properly executed and faxed Form VTR-275, for certification of use, from law enforcement agencies (if for criminal investigation) or other jurisdictions (if for title & registration purposes). Continue with current practice.
SALVAGE DEALER or SALVAGE YARD INFORMATION	Database: Requests for listing or copy of. (i.e. DPS, Auto Theft Task Force, Public)	Per OGC, the salvage dealer database records are not considered "motor vehicle records" as they are not associated with a title or registration record. Therefore, the database is not subject to the restrictions on release of personal information. Will release all information (personal and non-personal), with the exception of social security numbers & federal tax ID numbers. Continue to release to law enforcement (all information, personal and non-personal). A Form VTR-275 is not required.
	Individual: i.e. Name of salvage dealer or salvage yard in relation to a motor vehicle record	If the request is associated with information in a title or registration record, the personal information of the salvage dealer or salvage yard (name & address) may not be released <u>unless</u> the requester properly completes a VTR-275 and certifies that he/she: Is a subject of the record (all personal & non-personal information may be released); Is requesting the information for a required or permitted use (all personal & non-personal information may be released); or Has the "written consent" of a subject of the record authorizing the release of that person's personal information (Only the personal information of the subject providing consent may be released – all other personal information must be manually masked). <u>Example</u> – A "Junk" notation that indicates a title was surrendered by a salvage yard (INV #). If the requester requests the name and address of the salvage yard, the requester must complete a Form VTR-275 and certify their authority to obtain the personal information.

REQUESTS FROM OTHER TxDOT OFFICES or USERS	<i>Examples:</i> District Offices Public Information Officers Requests for information received by TxDOT District Offices or PIOs.	No change in current TxDOT Policy. VTR will continue to provide motor vehicle information and access to other TxDOT Offices for internal use only. No personal information from a motor vehicle record should be released to the public by other TxDOT Offices. These offices have been instructed to refer requests for motor vehicle record information to a VTR Office (Regional Office or Headquarters).
	MOTOR VEHICLE DIVISION (i.e. Title histories requested for investigation purposes.)	No change in how information is provided. May continue to obtain record information and title histories for their internal use. May not release information to the public. Refer external inquiries to VTR Office (Regional Office or Headquarters). External disclosure of personal information, outside of MVD, will be only in response to a court order.
	MOTOR CARRIER DIVISION (i.e. MVDI access for investigation purposes.)	May continue to have direct access to VTR records for their internal use, such as investigation of motor carrier violations. May not release information to the public. Refer external inquiries to VTR Office (Regional Office or Headquarters).
	VARIOUS DIVISIONS & SPECIAL OFFICES (Motor vehicle information requested for research purposes)	Continue to provide - No change. Use of information restricted. May not release information to the public. Refer external inquiries to VTR Office (Regional Office or Headquarters).

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